Cleveland State Community College
Drug-Free Schools and Campuses Act
Biennial Review
2013-2015

August 3, 2015

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1. REQUIREMENTS OF THE DRUG-FREE SCHOOLS AND CAMPUSES REGULATIONS

From U.S. Department of Education, EDGAR [34 DFR Part 86]

At a minimum, each school must distribute to all students and employees annually:

- Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol on school property or as part of any school activities

- A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol

- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol

- A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students

- A clear statement that the institution will impose sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct

The law further requires an institution of higher education to conduct a biennial review of its program to:

- determine its effectiveness and implement changes if they are needed

- ensure that the sanctions developed are consistently enforced
2. CLEVELAND STATE COMMUNITY COLLEGE COMPLIANCE STATEMENT

Cleveland State Community College prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. College policy 1:13:00:00 details the college provisions under the Drug-Free Workplace Act of 1988 and Drug-Free schools and Communities Act of 1989. As described in this policy, the college has a program which addresses standards of conduct concerning drugs and alcohol, legal sanctions, health risks, available counseling and treatment programs, and disciplinary sanctions that the institution will impose on students and employees. Students and employees are expected to be familiar with and comply with CSCC Policy 1:13:00:00.

The policy was referenced in the 2014-2015 CSCC Catalog: Student Handbook, which is available electronically from the Cleveland State Home Page. All CSCC policies are linked under “About CSCC” from the Home Page.

In addition, the policy was distributed to all currently enrolled students, faculty, and staff via CougarNet at the beginning of both fall and spring semesters during the academic year (see Attachment D).

3. STATEMENT OF PROGRAM GOALS AND EVIDENCE OF GOAL ACHIEVEMENT

It is the goal of the college to:

A. Educate members of the college community on the dangers of alcohol and drug abuse.

Evidence of goal achievement includes:

The college’s Student Handbook includes references to the college’s Student Disciplinary policies and Drug-free campus policy.

B. Provide members of the campus community with healthy alternatives to social activities involving alcohol and other drugs.

Evidence of goal achievement includes:

All student activities and events are alcohol and drug free and provide opportunities for participants to enjoy social and educational activities in a safe environment.

Students who will be travelling as part of a college-sponsored group through recognized student organizations are required to meet as a group with a student services staff member and to sign both a “Student Trip/Participation Waiver and Release” form and a “Student Organization Travel” form.
C. Provide helping and referral resources for individuals who have concerns about their behavior related to alcohol and other drugs.

Evidence of goal achievement includes:

The ACCESS Center provides written and electronic resources to assist members of the college community in learning more about issues arising from behaviors influenced by alcohol or other drug use. The resources include pamphlets on alcohols and other drug use, online screenings, and the availability of counselors to meet with students individually.

D. Determine the effectiveness of the Policy and implement changes if needed.

Evidence of goal achievement includes:

A review of judicial records indicates that there were no drug/alcohol offenses committed by any student at Cleveland State Community College during the 2013-2015 review period.

E. Ensure that sanctions are developed and consistently enforced.

Evidence of goal achievement includes:

Sanctions are articulated in the Policy.
4. SUMMARY OF PROGRAM STRENGTHS AND WEAKNESSES

Strengths

1. Strong Policy statement
2. Widely distributed to all faculty/staff/students @ the beginning of each semester.
3. Records maintained of all disciplinary incidents. If any incident involving drugs/alcohol was reported, records would be on file.
4. The requirement that students meet with a staff person and sign waiver/release/travel forms prior to traveling with recognized student organizations reinforces the importance of adhering to college policies even while away from campus on official college business.

Weaknesses

1. Little or no programming around alcohol/drug abuse prevention has been done during the review period.

5. RECOMMENDATIONS FOR POLICY REVISIONS

1. Institute a group to meet at least once per academic year to review policies and programs to promote drug-free schools awareness and activities.
ATACHMENT A

Policy No. 1:13:00:00

CLEVELAND STATE COMMUNITY COLLEGE Cleveland, Tennessee

SUBJECT: Drug-Free Campus/Workplace

1. Purpose
   The purpose of this policy is to state the position of Cleveland State Community College relative to controlled substances (illicit drugs) and alcohol. The information contained in this policy is being provided to all CSCC employees and students in compliance with provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

   1. Drug-Free Workplace Act
      Effective March 18, 1989, the Drug-Free Workplace Act requires employers who contract with or receive grants from federal agencies to certify that they will meet certain requirements for providing a drug-free workplace.

   2. Drug-Free Schools and Communities Act
      Effective October 1, 1990, the Drug-Free Schools and Communities Act provides that in order to receive federal financial assistance of any kind, an institution of higher education must certify that it has “adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.” Each institution must have a program that provides for all students and employees to receive a written statement annually covering (1) standards of conduct concerning drugs and alcohol; (2) legal sanctions; (3) health risks; (4) available counseling and treatment programs; and (5) disciplinary sanctions that the institution will impose on students and employees. Every two years the institution must conduct a review of its program to determine the effectiveness, implement changes and ensure that disciplinary sanctions are being consistently enforced. These requirements are separate and distinct from the requirements under the Drug-Free Workplace Act of 1988. The Drug-Free Workplace rules relate only to employees involved in work under federal grants or contracts and cover illegal drugs only. The rules under the Drug-Free Schools and Communities Act are broader in scope, covering drugs and alcohol, students and employees. All divisions of the College are covered by the Act as long as the College receives any federal funds.
3. **Health Risks Associated with the use of Illicit Drugs and/or Abuse of Alcohol**

There are many health risks associated with the use of illicit drugs and the abuse of alcohol including organic damage; impairment of brain activity, digestion and blood circulation; impairment of physiological processes and mental functioning; and, physical and psychological dependence. Such use during pregnancy may cause spontaneous abortion, various birth defects or fetal alcohol syndrome. Additionally, the use of illicit drugs increases the risk of contracting hepatitis, aids and other infections. If used excessively, the use of alcohol or drugs singly or in certain combinations may cause death.

4. **Legal Sanctions**

Various federal, state and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell or possess with intent to manufacture, distribute, dispense, deliver or sell controlled substances. The penalty imposed depends upon many factors which include the type and amount of controlled substances involved, the number of prior offenses, if any, whether death or serious bodily injury resulted from the use of such substance and whether any other crimes were committed in connection with the use of the controlled substance. Possible maximum penalties for a first-time violation include imprisonment for any period of time up to a term of life imprisonment, a fine of up to $4,000,000 if an individual, supervised release, any combination of the above, or all three. These sanctions are doubled when the offense involves either: (1) distribution or possession at or near a school or college campus or, (2) distribution to persons under 21 years of age. Repeat offenders may be punished to a greater extent as provided by statute. Further, a civil penalty of up to $10,000 may be assessed for simple possession of “personal use amounts” of certain specified substances under federal law. Under state law, the offense of possession or casual exchange is punishable as a Class A misdemeanor; if there is an exchange between a minor and an adult at least two years the minor’s senior, and the adult knew that the person was a minor, the offense is classified a felony as provided in T.C.A. 39-17-417.

It is unlawful for any person under the age of 21 to buy, possess, transport (unless in the course of his employment), or consume alcoholic beverages, wine or beer. Such offenses are classified Class A misdemeanors and are punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than $2,500, or both (T.C.A. 1-3-113, 57-5-301). It is further an offense to provide alcoholic beverages to any person under the age of 21, such offense being classified as a Class A misdemeanor (T.C.A. 39-15-404). The offense of
public intoxication is a Class C misdemeanor punishable by imprisonment of not more than 30 days or a fine of not more than $50, or both (T.C.A. 39-17-310).

5. Standards of Conduct
Cleveland State Community College employees and students are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, use or being under the influence of illegal drugs or alcohol on the College campus, at off-campus facilities owned or controlled by the College or as a part of College sponsored activities. All categories of employees and students are subject to this policy and to applicable federal, state and local laws related to this matter.

6. Penalties and Sanctions
Appropriate action will be taken in all cases in which faculty, staff, or students are determined to be in violation of this policy. Any alleged violation by students shall be reported to the Dean of Student Affairs. Allegations involving faculty or staff shall be reported to the Dean of Administrative Services. The circumstances surrounding the offense and the facts as determined by appropriate investigation will be fully reviewed prior to a decision on the action to be taken. Possible disciplinary sanctions for failure to comply with the provisions of this policy may include one or a combination of the following:

1. Employees
   1. Recommended professional counseling
   2. Letter of warning/admonition
   3. Probation
   4. Mandatory participation in an organized drug treatment/rehabilitation program
   5. Suspension
   6. Termination in accordance with the terms of employment-at-will contract
   7. Termination for cause
   8. Referral for prosecution
   9. Other appropriate disciplinary action
2. Students

   1. Probation
   2. Mandatory participation in a drug/alcohol abuse/rehabilitation program
   3. Suspension
   4. Expulsion
   5. Referral for prosecution
   6. Other appropriate disciplinary action.

7. Drug and Alcohol Counseling, Treatment and Rehabilitation Programs

   1. Office of Student Development
      Counselors in the Office of Student Development provide confidential counseling to students on drug and alcohol related problems. This service is furnished at no cost. Referral services are also provided for professional counseling, treatment and rehabilitation programs that are available in the local community. The cost of these professional services is normally the responsibility of the individual concerned or the individual’s insurance carrier.

   2. Employee Assistance Program (EAP)
      Employees of the College and their dependents are eligible to participate in the State of Tennessee Employee Assistance Program. Professional counseling services for drug and alcohol related problems are available through the Institute for Human Resources, Incorporated, an independent contractor. The counseling services are voluntary and strictly confidential. The services are free of charge for employees and their immediate family members. Appointments for counseling are made by calling 1-800-468-8369.

8. Notification of Drug Conviction
   Faculty and staff employees shall notify the President of the College in person or in writing of any drug conviction resulting from a violation in the workplace no later than five days after the conviction. Conviction includes a finding of guilt, plea of nolo contendere, or imposition of a sentence by any state or federal judicial body.
9. **Notification of Contracting or Granting Agency**

The college is responsible for making an official notification to the applicable federal contracting or granting agency within ten days after receiving notice from a faculty or staff employee or otherwise of an employee’s criminal drug statute conviction for conduct in the workplace.

Source: Federal Legislation
Revised: December 1, 1992
ATTACHMENT B  (Drug Free Workplace and Schools Information Brochure)
Cleveland State Community College prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees. College policy 1:13:00:00 details the college provisions under the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act of 1989. As described in this policy, the college has a program which addresses standards of conduct concerning drugs and alcohol, legal sanctions, health risks, available counseling and treatment programs, and disciplinary sanctions that the institution will impose on students and employees. Students and employees are expected to be familiar with and comply with CSCC policy 1:13:00:00.

The Human Resource Office is to disseminate to employees a written statement annually covering (1) standards of conduct concerning drugs and alcohol; (2) legal sanctions; (3) health risks; (4) available counseling and treatment programs; and (5) disciplinary sanctions that the institution will impose on students and employees. Students are provided this information on at least an annual basis by the Student Services Office.

Health Risks Associated with the use of Illicit Drugs and/or Abuse of Alcohol

There are many health risks associated with the use of illicit drugs and the abuse of alcohol including organic damage; impairment of brain activity, digestion and blood circulation; impairment of physiological processes and mental functioning; and, physical and psychological dependence. Such use during pregnancy may cause spontaneous abortion, various birth defects or fetal alcohol syndrome. Additionally, the use of illicit drugs increases the risk of contracting hepatitis, aids and other infections. If used excessively, the use of alcohol or drugs singly or in certain combinations may cause death.

Legal Sanctions

Various federal, state and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell or possess with intent to manufacture, distribute, dispense, deliver or sell controlled substances. The penalty imposed depends upon many factors which include the type and amount of controlled substances involved, the number of prior offenses, if any, whether death or serious bodily injury resulted from the use of such substance and whether any other crimes were committed in connection with the use of the controlled substance. Possible maximum penalties for a first-time violation include imprisonment for any period of time up to a term of life imprisonment, a fine of up to $4,000,000 if an individual, supervised release, any combination of the above, or all three. These sanctions are doubled when the offense involves either: (1) distribution or possession at or near a school or college campus or, (2) distribution to persons under 21 years of age. Repeat offenders may be punished to a greater extent as provided by statute. Further, a civil penalty of up to $10,000 may be assessed for simple possession of “personal use amounts” of certain specified substances under federal law. Under state law, the offense of possession or casual exchange is punishable as a Class A misdemeanor; if there is an exchange between a minor and an adult at least two years the minor’s senior, and the adult knew that the person was a minor, the offense is classified a felony as provided in T.C.A. 39-17-417. It is unlawful for any person under the age of 21 to buy, possess, transport (unless in the course of his employment), or consume alcoholic beverages, wine or beer. Such offenses are classified as Class A misdemeanors and are punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than $2,500, or both (T.C.A. 3-1-113, 57-5-301). It is further an offense to provide alcoholic beverages to any person under the age of 21, such offense being classified as a Class A misdemeanor (T.C.A. 39-15-404). The offense of public intoxication is a Class C misdemeanor punishable by imprisonment of not more than 30 days or a fine of not more than $50, or both (T.C.A. 39-17-310).

Standards of Conduct

Cleveland State Community College employees and students are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, use or being under the influence of illegal drugs or alcohol on the College campus, at off-campus facilities owned or controlled by the College or as a part of College sponsored activities. All categories of employees and students are subject to this policy and to applicable federal, state and local laws related to this matter.

Penalties and Sanctions

Appropriate action will be taken in all cases in which faculty, staff, or students are determined to be in violation of this policy. Any alleged violation by students shall be reported to the Vice President of Student Services. Allegations involving faculty or staff shall be reported to the Director of Human Resources. The circumstances surrounding the offense and the facts as determined by appropriate investigation will be fully reviewed prior to a decision on the action to be taken. Possible disciplinary sanctions for failure to comply with the provisions of this policy may include one or a combination of the following:

Employees

Recommended professional counseling; letter of warning/admonition; probation; mandatory participation in an organized drug treatment/ rehabilitation program; suspension; termination in accordance with the terms of employment- at-will contract; termination for cause; referral for prosecution; other appropriate disciplinary action.

Students

Probation; mandatory participation in a drug/alcohol abuse/rehabilitation program; suspension; expulsion; referral for prosecution; other appropriate disciplinary action. In
addition to these sanctions, state law requires that the college notify a parent of a student under 21 if the student has committed a disciplinary violation with respect to the use or possession of alcohol or a controlled substance that is in violation of any federal, state, or local law, or of any rule or policy of the institution.

**Drug and Alcohol Counseling, Treatment and Rehabilitation Programs**

**ACCESS Center**

Counselors in the ACCESS Center provide confidential counseling to students on drug and alcohol related problems. This service is furnished at no cost. Referral services are also provided for professional counseling, treatment and rehabilitation programs that are available in the local community. The cost of these professional services is normally the responsibility of the individual concerned or the individual’s insurance carrier.

**Employee Assistance Program (EAP)**

Employees of the College and their dependents are eligible to participate in the State of Tennessee Employee Assistance Program. Professional counseling services for drug and alcohol related problems are available through Magellan Health Services, an independent contractor. The counseling services are voluntary and strictly confidential. The services are free of charge for employees and their immediate family members. Appointments for counseling are made by calling 1-800-308-4934.

**Notification of Drug Conviction**

Faculty and staff employees shall notify the President of the College in person or in writing of any drug conviction resulting from a violation in the workplace no later than five days after the conviction. Conviction includes a finding of guilt, plea of nolo contendere, or imposition of a sentence by any state of federal judicial body.

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**Notification of Contracting or Granting Agency**

The college is responsible for making an official notification to the applicable federal contracting or granting agency within ten days after receiving notice from a faculty or staff employee or otherwise of an employee’s criminal drug statute conviction for conduct in the workplace.

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**Cleveland State Community College**

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Cleveland State Community College is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, 1866 Southern Lane, Decatur, Ga. 30033-4097, telephone number (404) 679-4500.

The Tennessee Board of Regents is the nation’s sixth largest higher education system, governing 46 post-secondary educational institutions. The TBR system includes six universities, 13 two-year colleges and 27 technology centers, providing programs in 90 of Tennessee’s 95 counties to more than 200,000 students.

Cleveland State Community College is an Affirmative Action/Equal Employment Opportunity (AA/EEO) institution committed to the education of non-racially identifiable staff and student body. The College does not permit discrimination on the basis of race, color, religious views, veteran status, political affiliation, gender, age, national origin, Orientation or disability against employees, students and guests in any college sponsored or hosted educational program or activity including, but not limited to, the following: recruitment; admissions; academic and other educational program activities; housing; facilities; access to course offerings; counseling; financial assistance; employment assistance; health and insurance benefits and services; rules for nonmarital and parental status; student services; and athletics.

CSCC: SS/125F/08122011
Policy No. 3:02:00:01

CLEVELAND STATE COMMUNITY COLLEGE Cleveland, Tennessee

SUBJECT: General Regulations on Student Conduct & Disciplinary Sanctions

Part 1 Institution Policy Statement
Part 2 Disciplinary Offenses
Part 3 Academic and Classroom Misconduct
Part 4 Disciplinary Sanctions
Part 5 Traffic and Parking
Part 6 Disciplinary Procedures

Purpose:

The purpose of this Policy is to provide conduct and administration of rules governing student disciplinary offenses, academic and classroom misconduct, student disciplinary sanctions, traffic and parking regulations, and student disciplinary procedures.

Part 1 Institution Policy Statement

1. Students enrolled in postsecondary educational institutions are citizens of their civic communities as well as the academic community. As such they are expected to conduct themselves as law-abiding members of each community at all times. Admission to an institution of postsecondary education carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the institution and the academic community which it seeks to serve, the State Board of Regents (TBR) has authorized the presidents of the institutions and directors of the technology centers under its jurisdiction to take such action as may be necessary to maintain campus conditions and preserve the integrity of the institution and its educational environment.

2. Pursuant to this authorization and in fulfillment of its duties to provide a secure and stimulating atmosphere in which individual and academic pursuits may flourish, the State Board of Regents has developed regulations, which are intended to govern student conduct on the several campuses under its jurisdiction. As a TBR institution, Cleveland State Community College has implemented policies subject to, and consistent with, these regulations. In addition, students are subject to all federal, state and local laws and ordinances. If a student’s violation of such laws or ordinances also adversely affects the institution’s pursuit of its educational objectives, the college may enforce its policies regardless of the status or outcome of any external proceedings instituted by other civil or criminal authorities.

3. For the purpose of these policies, a “student” shall mean a person who is admitted and/or registered for study at Cleveland State Community College for any academic period. This shall
include any period of time following admission and/or registration, but preceding the start of classes for any academic period. It will also include any period which follows the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the institution. Finally, “student” shall also include any person subject to a period of suspension or removal from campus as a sanction which results from a finding of a violation of the regulations governing student conduct. Students are responsible for compliance with the Rules of Student Conduct and with similar institutional policies at all times.

4. Disciplinary action may be taken against a student for violation of the policies which occur on institutionally owned, leased or otherwise controlled property, while participating in international or distance learning programs, and off campus, when the conduct impairs, interferes with, or obstructs any institutional activity or the mission, processes, and functions of the institution. The college may enforce these policies regardless of the status or outcome of any external proceedings instituted in any other forum, including any civil or criminal proceeding.

5. These policies, and related material incorporated herein by reference, are applicable to student organizations as well as individual students. Student organizations are subject to discipline for the conduct and actions of individual members of the organization while acting in their capacity as members of, or while attending or participating in any activity of, the organization.

6. Confidentiality of Discipline Process. Subject to the exceptions provided pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA) 20 U.S.C. 1232g, and/or the Tennessee Open Records Act, T.C.A. § 10-7-504(a)(4), a student’s disciplinary files are considered “educational records” and are confidential within the meaning of those Acts.

This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.01, Institution Policy Statement. To the extent that a conflict exists between this policy and TBR rule, policy and/or applicable law(s), the TBR rule, policy and/or law will control. History – Adopted by TBR: 12/8/11. Effective: 1/29/12.

Part 2 Disciplinary Offenses

1. Disciplinary measures shall be imposed, through appropriate due process procedures, for conduct which adversely affects the institution’s pursuit of its educational objectives, which violates or shows a disregard for the rights of other members of the academic community, or which endangers property or persons on property owned or controlled by CSCC.

2. The following non-exclusive list provides notice of offenses for which both individuals and organizations may be subject to disciplinary action:
   a. Threatening or Disruptive Conduct, or attempted conduct, which poses a direct threat to the safety of others or where the student’s behavior is materially and substantially disruptive of the institution’s learning environment.
   b. Hazing. Hazing, as defined in T.C.A. § 49-7-123(a)(1), means any intentional or reckless act, on or off the property, of any higher education institution by an individual acting alone, or with others, which is directed against any other person(s), that endangers the mental or physical health or safety of that person(s), or which induces or coerces a person(s) to endanger such person(s) mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization;
   c. Disorderly Conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent, violent, excessively noisy, disorderly, or which unreasonably disturbs institutional functions, operations, classrooms, other groups or individuals;
d. Obstruction of or Interference with institutional activities or facilities. Any intentional interference with or obstruction of any institutional program, event, or facility including the following:

1. Any unauthorized occupancy of facilities owned or controlled by an institution or blockage of access to or from such facilities.
2. Interference with the right of any institution member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled by an institution.
3. Any obstruction or delay of a campus security officer, public safety officer, police officer, firefighter, EMT, or any official of an institution, or failure to comply with any emergency directive issued by such person in the performance of his or her duty.

e. Misuse of or Damage to Property. Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to another including, but not limited to, personal property, fire alarms, fire equipment, elevators, telephones, institution keys, library materials and/or safety devices;

f. Theft, Misappropriation, or Unauthorized Sale of Property;

g. Misuse of Documents or Identification Cards. Any forgery, alteration of or unauthorized use of institutional documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student’s admission, enrollment or status in the institution;

h. Firearms and Other Dangerous Weapons. Any possession of or use of firearms, dangerous weapons of any kind, or replica/toy guns, e.g. BB guns, pellet guns, paintball guns, water guns, cap guns, toy knives or other items that simulate firearms or dangerous weapons;

i. Explosives, Fireworks, and Flammable Materials. The unauthorized possession, ignition or detonation of any object or article which would cause damage by fire or other means to persons or property or possession of any substance which could be considered to be and used as fireworks;

j. Alcoholic Beverages. The use and/or possession of alcoholic beverages on institution owned or controlled property. This offense includes the violation of any local ordinance, state, or federal law concerning alcoholic beverages, on or off institution owned or controlled property, where an affiliated group or organization has alcoholic beverages present and available for consumption;

k. Drugs. The unlawful possession or use of any drug or controlled substance (including, but not limited to, any stimulant, depressant, narcotic or hallucinogenic drug, substance or marijuana), sale or distribution of any such drug or controlled substance. This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession or use of drugs, on or off institution owned or controlled property;

l. Drug Paraphernalia. The use or possession of equipment, products or materials that are used or intended for use in manufacturing, growing, using or distributing any drug or controlled substance. This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession of drug paraphernalia, on or off institution owned or controlled property;

m. Public Intoxication. Appearing on institution owned or controlled property or at an institutional sponsored event while under the influence of a controlled substance or of any other intoxicating substance;

n. Gambling. Unlawful gambling in any form;

o. Financial Irresponsibility. Failure to meet financial responsibilities to the institution promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution;
p. Unacceptable Conduct in Disciplinary Proceedings. Any conduct at any stage of an institutional disciplinary proceeding or investigation that is contemptuous, disrespectful, threatening, or disorderly, including false complaints, testimony or other evidence, and attempts to influence the impartiality of a member of a judicial body, verbal or physical harassment or intimidation of a judicial board member, complainant, respondent or witness;
q. Failure to Cooperate with Institutional Officials. Failure to comply with directions of institutional officials acting in the performance of their duties;
r. Violation of General Rules and Regulations. Any violation of the general rules and regulations of the institution as published in an official institutional publication, including the intentional failure to perform any required action or the intentional performance of any prohibited action;
s. Attempts, Aiding and Abetting. Any attempt to commit any of the offenses listed under this section or the aiding or abetting of the commission of any of the offenses listed under this section (an attempt to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission). Being present during the planning or commission of any offense listed under this section will be considered as aiding and abetting. Students who anticipate or observe an offense must remove themselves from the situation and are required to report the offense to the institution;
t. Violations of State or Federal Laws. Any violation of state or federal laws or regulations proscribing conduct or establishing offenses, which laws and regulations are incorporated herein by reference;
u. Violation of Imposed Disciplinary Sanctions. Intentional or unintentional violation of a disciplinary sanction officially imposed by an institution official or a constituted body of the institution;
v. Sexual Battery or Rape. Committing any act of sexual battery or rape as defined by state law;
w. Harassment or Retaliation. Any act by an individual or group against another person or group in violation of TBR policies, as well as federal and/or state laws prohibiting discrimination, including, but not limited to, CSCC Policy 7:04:00:00 and TBR Guideline P-080.
x. Academic Misconduct. Plagiarism, cheating, fabrication. For purposes of this section, the following definitions apply:
   1. Plagiarism. The adoption or reproduction of ideas, words, statements, images, or works of another person as one’s own without proper attribution;
   2. Cheating. Using or attempting to use unauthorized materials, information, or aids in any academic exercise or test/examination. The term academic exercise includes all forms of work submitted for credit or hours;
   3. Fabrication. Unauthorized falsification or invention of any information or citation in an academic exercise;
y. Unauthorized Duplication or Possession of Keys. Making, causing to be made or the possession of any key for an institutional facility without proper authorization;
z. Litter. Dispersing litter in any form onto the grounds or facilities of the campus;
aa. Pornography. Public display of literature, films, pictures or other materials which an average person applying contemporary community standards would find, (1) taken as a whole, appeals to the prurient interest, (2) depicts or describes sexual conduct in a patently offensive way, and (3) taken as a whole, lacks serious literary, artistic, political or scientific value;
bb. Abuse of Computer Resources and Facilities. Misusing and/or abusing campus computer resources including, but not limited to, the following:
   1. Use of another person’s identification to gain access to institutional computer resources;
2. Use of institutional computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using institutional information technology systems;
3. Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file;
4. Unauthorized transfer of a computer or network file;
5. Use of computing resources and facilities to send abusive or obscene correspondence;
6. Use of computing resources and facilities in a manner that interferes with normal operation of the institutional computing system;
7. Use of computing resources and facilities to interfere with the work of another student, faculty member, or institutional official;
8. Violation of any published information technology resources policy;
9. Unauthorized peer to peer file sharing;
cc. Unauthorized Access to Institutional Facilities and/or Grounds. Any unauthorized access and/or occupancy of institutional facilities and grounds is prohibited, including, but not limited to, gaining access to facilities and grounds that are closed to the public, being present in areas of campus that are open to limited guests only, being present in academic buildings after hours without permission, and being present in buildings when the student has no legitimate reason to be present;
dd. Providing False Information. Giving any false information to, or withholding necessary information from, any institutional official acting in the performance of his/her duties in connection with a student's admission, enrollment, or status in the institution;
ee. Unauthorized Surveillance. Making or causing to be made unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy, without the prior effective consent of the individual, or in the case of a minor, without the prior effective consent of the minor's parent or guardian. This includes, but is not limited to, taking video or photographic images in shower/locker rooms, and men's or women's restrooms, and storing, sharing, and/or distributing of such unauthorized images by any means;
ff. Use of Tobacco Products on Campus. Cleveland State Policy 1:14:00:00 prohibits smoking or the use of tobacco products of any type on any property owned by, or leased and operated on behalf of, Cleveland State Community College.
gg. Sexual Misconduct – an offense including acts of sexual assault, domestic violence, dating violence and or/stalking as defined in CSCC Policy 7:05:00:00. All matters involving allegations of sexual misconduct will be governed by the procedures set for in CSCC Policy 7:05:00:00.

3. Disciplinary action may be taken against a student for violations of these policies which occur at or in association with enrollment at the college for any academic period. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree including periods prior to or between semesters. Conduct occurring while a student is registered or enrolled at the college, but not discovered until after the awarding of a degree is actionable under these provisions and may result in the retroactive application of a disciplinary sanction. Should a student withdraw from the college with disciplinary action or academic misconduct action pending, the student’s record may be encumbered by the appropriate institutional office until the proceedings have been concluded.

This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.02, Disciplinary Offenses. To the extent that a conflict exists between this policy and TBR rule, policy
Part 3 Academic and Classroom Misconduct

1. The instructor has the primary responsibility for maintenance of academic integrity and controlling classroom behavior, and can order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct that violates the general rules and regulations of the institution. Extended or permanent exclusion from the classroom or further disciplinary action can be effected only through appropriate procedures of the institution.

2. Disruptive behavior in the classroom may be defined as, but not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students and professors, repeated outbursts from a student which disrupt the flow of instruction or prevent concentration on the subject taught, failure to cooperate in maintaining classroom decorum, etc.), text messaging, and the continued use of any electronic or other noise or light emitting device which disturbs others (e.g., disturbing noises from beepers, cell phones, palm pilots, lap-top computers, games, etc.).

3. Plagiarism, cheating, and other forms of academic dishonesty are prohibited. Students guilty of academic misconduct, either directly or indirectly, through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed through the regular institutional disciplinary procedures, the instructor has the authority to assign an appropriate grade for the exercise, examination, or course due to academic misconduct. A faculty member who determines that a student has engaged in academic misconduct in connection with a course taught by the faculty member or an examination proctored by the faculty member or his or her designee may choose to exercise Discipline as outlined below:
   a. A student's grade in the course or the assignment or examination affected by the alleged academic misconduct may be lowered to any extent including a grade of "F".
   b. The faculty member exercising this authority shall notify the appropriate department Chairperson and/or Dean of the action. The department Chairperson/Dean shall notify the affected student in writing of the faculty member's decision and advise the student of his or her right to a hearing with regard to the decision to the Student Disciplinary Committee. A copy of the student notification must also be sent to the Vice President for Student Services. Hearings will be conducted pursuant to the process set forth in this policy for hearings before the Student Disciplinary Committee.
   c. Student Appeal: To initiate a hearing to contest the finding or grade sanction related to academic misconduct, the student must contact the Chair of the Student Disciplinary Committee or the Vice President for Student Services within five (5) class days of receipt of notification of the summary action.
   d. A student who is found responsible for academic misconduct will not be permitted to withdraw from the course to avoid grade sanctions and/or other discipline.
   e. A student who is found responsible for academic misconduct may be subject to additional educational sanctions imposed by the Vice President for Student Services through campus disciplinary processes as outlined in Section 6 of this policy.
   f. Multiple Acts of Academic Misconduct: A student who is found to have committed more than one act of academic misconduct may be summoned to appear before the Student Disciplinary Committee and may be subject to additional disciplinary sanctions described in Section 6 of this policy.
This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.03 Academic and Classroom Misconduct. To the extent that a conflict exists between this policy and TBR rule, policy and/or applicable law(s), the TBR rule, policy and/or law will control. History – Adopted by TBR: 12/8/11. Effective: 1/29/12.

Part 4 Disciplinary Sanctions

1. Upon a determination that a student or student organization has violated any of the disciplinary offenses set forth in these policies, the following disciplinary sanctions may be imposed, either singly or in combination.

2. Definition of Sanctions.
   a. Restitution: may be required to compensate a party or parties for a loss suffered as a result of disciplinary violation(s). Restitution shall be limited to actual cost of repair, replacement or financial loss;
   b. Warning. The Vice President for Student Services or designee may notify the student or student organization that continuation or repetition of specified conduct may be cause for other disciplinary action;
   c. Reprimand. A written or verbal reprimand or censure may be given to any student or student organization whose conduct violates any part of these regulations.
   d. Service to the Institution or Community. A student or student organization may be required to donate a specified number of service hours to the institution performing reasonable tasks for an appropriate institution office, official(s), or the local community. The service required shall be commensurate to the offense (e.g., service for maintenance staff for defacing institutional property);
   e. Specified Educational/Counseling Program. A student or student organization may be required to participate in specified educational or counseling program(s) relevant to the offense, or to prepare a project or report concerning a relevant topic;
   f. Apology. A student or student organization may be required to apologize to an affected party, either verbally or in writing, for the behavior related to a disciplinary offense;
   g. Fines. Penalties in the form of fines may be imposed against a student or an organization. The sanction of fines may be imposed in addition to other forms of disciplinary sanctions. Failure to pay fines may result in further disciplinary action;
   h. Restriction. A restriction upon a student’s or student organization’s privileges for a period of time may be imposed. This restriction may include, for example, denial of the ability to represent the institution at any event, ability to participate in institution or TBR sponsored travel, use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges;
   i. Probation. Continued enrollment of a student or recognition of a student organization on probation may be conditioned upon adherence to these regulations. Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may include restrictions upon extracurricular activities or any other appropriate special condition(s). Any conduct in further violation of these regulations while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of further disciplinary action;
   j. Suspension: is the separation of a student or student organization from the institution for a specified period of time. Suspension may be accompanied by special conditions for readmission or recognition;
   k. Expulsion. Expulsion entails a permanent separation from the institution. The imposition of this sanction is a permanent bar to the student’s admission to or the organization’s recognition by the institution. A student or organization that has been expelled may not
enter institution property or facilities without obtaining prior approval from an appropriate
campus official with knowledge of the expulsion directive;
l. Revocation of Admission, Degree, or Credential;
m. Any alternate sanction deemed necessary and appropriate to address the misconduct at
issue;
n. Interim Suspension. As a general rule, the status of a student or student organization
accused of a violation of these regulations should not be altered until a final determination
has been made in regard to the charges. However, interim suspension, pending the
completion of disciplinary procedures, may be imposed upon a finding that the continued
presence of the accused on campus constitutes an immediate threat to the physical safety
and well-being of the accused, any other member of the institution its guests, property, or
substantial disruption of classroom or other campus activities. In any case of interim
suspension, the student or student organization shall be given an opportunity at the time of
the decision or as soon thereafter as reasonably possible to contest the suspension;

3. The president is authorized, at his or her discretion, to convert any sanction imposed to a
lesser sanction, or to rescind any previous sanction, in appropriate cases.

This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.04
Disciplinary Sanctions. To the extent that a conflict exists between this policy and TBR rule, policy
and/or applicable law(s), the TBR rule, policy and/or law will control. History – Adopted by TBR:

Part 5 Traffic and Parking

Campus Traffic Regulations: These regulations apply to all who drive motor vehicles on any part of
the Cleveland State Community College properties.

1. General Vehicle Operation/Parking/Traffic Regulations
   a. The purpose of this policy is to facilitate the safe and orderly operation of college business
      and to provide parking facilities for this operation within the limitations of available space.
   b. Security Officers are responsible for implementation and enforcement of this policy.
   c. The responsibility for locating a proper parking space rests with the operator of the motor
      vehicle. Lack of space will not be considered a valid excuse for violating any provision of
      the parking policy.
   d. The college shall have no responsibility for loss or damage to any vehicle or its contents
      operated or parked on the CSCC campus. All persons operating a vehicle on college
      property must be properly licensed operators.
   e. Pedestrians have the right-of-way at established pedestrian crossings.
   f. Under normal conditions the maximum speed limit on campus is 15 mph.
   g. Traffic control signs, devices and directions of Security Officers must be obeyed.
   h. All persons operating vehicles are responsible for maintaining control of the vehicle, safe
      operations, and observance of traffic control signs, barriers, devices, and Security Officers.
   i. Operating a motor vehicle in any area other than a street or roadway intended for motor
      vehicles is prohibited.
   j. The use of skateboards, bicycles, roller skates and in-line skates is prohibited on any
      Cleveland State Community College property.
   k. All motor vehicle related accidents must be reported to the CSCC Safety and Security
      Department at (423) 472-7141, (423) 618-1720 or (423) 478-6236. All vehicle break-ins or
      incidents should be reported immediately.
2. Registration of Automobiles/Permits/Decals:
   a. Parking permits are required for all Staff, Faculty, and Adjunct Faculty and are issued by the Office of the Vice President for Finance and Administration located in the Administration Building, Room A111. Lost or stolen decals will be replaced without charge.
   b. Guest parking permits are available upon request at the CSCC Safety and Security Department.
   c. CSCC handicap permits are available upon request to the Coordinator of Disabilities Support Services. CSCC handicap parking decals are issued by the CSCC Safety and Security Department, are for use on CSCC properties only, and are issued upon proper medical documentation being submitted to and approved by the Coordinator of Disabilities Support Services located in the George L. Mathis Student Center, Room U118. CSCC temporary handicap permits are also available for medical reasons upon request and proper medical documentation and the approval of the Coordinator of Disabilities Support Services.

3. Parking Restrictions: Parking is restricted to authorized areas.
   a. Student parking is confined to areas designated as student parking.
   b. Visitor parking is confined to those areas designated as visitors parking. Visitors are those individuals whom are not currently enrolled at CSCC.
   c. Staff, Faculty, Adjunct Faculty, and Students should refrain from parking in visitor parking spaces and service vehicles spaces.

4. Violations: The following examples constitute violations of this policy.
   a. Parking:
      1. Parking in “no parking” or “loading” zones
      2. Parking in unauthorized area, to include grass, seeded or recreation areas, blocking or obstructing traffic, street, sidewalk, driveway, fire hydrant, building entrance or exit, another vehicle, or trash dumpster.
      3. Parking where curbs or lines are painted yellow
      4. Parking in motorcycle space
      5. Blocking loading zone
      6. Blocking driveway, intersection or sidewalks
      7. Parking on grass
      8. Parking in visitor, staff, or service vehicles spaces
      9. Parking in front of fire hydrants or fire lanes (Vehicle subject to immobilization and a city citation)
     10. Backing into a parking space
     11. Parking in crosswalks
     12. Parking in handicap zone (Vehicle subject to immobilization and a city citation)
     13. Parking in reserved areas
   b. Moving:
      1. Exceeding posted speed limit. (15 mph max.)
      2. Exceeding safe speed for conditions
      3. Failure to obey traffic control signal or sign
      4. Failure to obey traffic officer

5. Fines/Penalties It is the policy of Cleveland State Community College not to waive handicap citations once issued. Anyone who parks illegally in handicap designated parking areas is in violation of Tennessee Traffic Laws, “Unauthorized use of disabled parking space or handicapped permit” 55-21-108, and is subject to a Cleveland City Traffic Citation and Vehicle Immobilization (booting). If a person’s vehicle has been immobilized, the CSCC Safety and Security Department may be reached at 423-618-1720 for assistance.
a. All violation fines must be paid within fifteen (15) weekdays at the Business Office located in the Administration Building. Do not send cash payments by mail. Checks are to be written out to Cleveland State Community College.

b. Parking Violation............................................. $25.00

c. Obstruction of Traffic.......................................... $30.00

d. Fire Hydrant.......................................................... $50.00 (TN Traffic Statute 55-8-160 (4))

e. Handicap Violation........................................... $200.00 (TN Traffic Statute 55-21-108)

6. Penalties

a. A faculty or staff member who persists in violating these regulations (three or more violations in an academic term) or fails to pay a citation will be reported to their appropriate supervisor for disciplinary action.

b. Students who persist in violating these regulations (three or more violations in an academic term) or who fail to pay fines will not be allowed to receive an official transcript, be subject to administrative and/or disciplinary actions, and not allowed to graduate.

c. Cleveland State Community College Vehicle Immobilization Guidelines: In regard to vehicles that are parked illegally in a parking space that is designated and marked as handicap, fire hydrant, or fire lane; or vehicles that may be impeding or obstructing the normal/natural flow of traffic, or blocking drive ways or cross walks upon any property owned or leased by Cleveland State Community College, CSCC Security Officers are authorized to immobilize (boot) said vehicle and request that local law enforcement officers (CPD) issue a municipal traffic citation.

The issuance of municipal traffic citations will be in accordance with the Tennessee Traffic Law/Statute Titles 39, 54, & 55:

A. 55-21-108 Unauthorized use of disabled parking space or handicap permit

B. 55-21-105(d) Reciprocal Agreement Clause for out of state tags/placards

C. 55-21-103(a) Parent/Legal Guardian Clause for those disabled persons who do not hold a valid driver's license.

D. 55-8-160 Stopping, standing or parking prohibited in specific places:
   • (A) (2) Blocking Public or Private Drive Way,
   • (4) Fire Hydrant/Lane,
   • (5) Cross Walk,
   • (11) Obstructing Traffic Flow

Procedure: Officers shall be absolutely certain that a vehicle is in fact in violation of CSCC parking rules and regulations or Tennessee Traffic Laws/Statutes before proceeding with the immobilization (booting) of said vehicle; if possible and logical (officer discretion), officers should endeavor to make contact with vehicle owner(s) and advise them that their vehicle is in violation of CSCC parking rules and regulations, as well as Tennessee Traffic Laws/Statutes, the nature of the violation, and that their vehicle is about to be immobilized (booted) and cited by local law enforcement officers (CPD) unless moved immediately.

Upon the issuance of the municipal citation and the CPD Officer has indicated that he is finished, CSCC Security Officers are to remove the Immobilization device (boot) as well as the green sticker.

If CSCC Security Officers are questioned at any time about the municipal citation that has been issued, they will refer the individual(s) to the Cleveland City Court System advising that the court date is on the citation.
2. Parking Violation Appeals

   a. Students may submit an appeal, in writing, to the Student Parking Appeals Committee within fifteen (15) weekdays from issuance of the citation. Forms may be picked up at the Information Desk, Business Office, or the CSCC Safety and Security Department and turned in to the Office of the Vice President for Student Services (U110a) or the Student Senate Office (U100).

   b. The Student Parking Appeals Committee consists of the Vice President of Student Senate as chair and three (3) to five (5) students who volunteer and are approved by the Student Senate. Committee members serve for an academic year.

   c. Student appeals are to be submitted and determined on the basis set forth in the written appeal document(s) submitted by the student. The Appeals Committee meets every other week to study the appeals and vote to approve or deny all pending appeals.

   d. The student will be notified in writing of the committee’s decision. If an appeal is successful, the Business Office will be notified. If the fine already has been paid, a refund will be provided by the college in a timely manner.

   e. Students may submit an appeal from a decision of the Student Parking Appeals Committee to the President of the College within fifteen (15) days of the Committee’s decision. The appeal shall be submitted in writing and must clearly state the basis for the appeal. The President will consider the appeal based on the information provided by the student and the record of the decision from the Student Parking Appeals Committee, and will notify the student and the committee of his/her decision within ten (10) days from the receipt of the appeal.

   f. Staff and Faculty may appeal a citation to the Employee Parking Ticket Appeals Committee by submitting a Parking Appeal Form at the college Information Desk. Appeals must be submitted within 15 weekdays from the date of the citation.

   g. The Employee Parking Appeals Committee consists of one (1) faculty member from each academic division of the college selected by the Faculty Senate and two (2) staff members selected by the Staff Senate, with the Committee Chair elected by the committee membership. Committee members serve for the academic year.

   h. The Appeals Committee will base decisions on the content of the Parking Appeal Form and will issue its determination in writing.

   i. If an appeal is successful, the Business Office will be notified. If the fine already has been paid, a refund will be provided by the College in a timely manner.

   j. Staff and Faculty may submit an appeal from a decision of the Employee Parking Ticket Appeals Committee to the President of the College within fifteen (15) days of the Committee’s decision. The appeal shall be submitted in writing and must clearly state the basis for the appeal. The President will consider the appeal based on the information provided by the employee and the record of the decision from the Employee Parking Appeals Committee, and will notify the employee and the Committee of his/her decision within ten (10) days from the receipt of the appeal.

2. Special Occasions and Emergencies: On special occasions (for example; athletic events, concerts, graduation exercises, etc.) and in emergencies, parking and traffic limitations may be imposed by the Office of Security as required by the conditions which prevail.

3. The Institution reserves the right to tow any vehicle that is improperly parked. Any fees associated with towing will be the responsibility of the owner of the vehicle.

This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.05 Traffic and Parking. To the extent that a conflict exists between this policy and TBR rule, policy and/or applicable law(s), the TBR rule, policy and/or law will control. History – Adopted by TBR: 12/8/11. Effective: 1/29/12
Part 6 Disciplinary Procedures

1. General: Cleveland State Community College, in the implementation of TBR regulations pertaining to discipline and conduct of students, insures the constitutional rights of students by affording a system of constitutionally and legally sound procedures which provide the protection of due process of law.

2. Institutional Procedures: For matters not subject to the requirements of TUAPA, the Vice President for Student Services (VPSS), or designee, is responsible for initiating disciplinary action against any student.
   a. Where alleged misconduct of any student is believed to be of such a nature to require the imposing of any disciplinary sanction, it should be brought to the attention of the office of the Vice President for Student Services.
   b. The VPSS or designee shall inform the student, in person if possible, of the charges against him/her and proceed to gather information concerning the case including, but not limited to, interviews with all relevant parties (accused, accuser, and possible witnesses).
   c. The VPSS or designee shall review the evidence, determine whether there appears to have been a violation of the College regulations and, if so, decide upon a proper disciplinary sanction within five (5) class days.
   d. Following completion of the investigation, the VPSS or designee may: (a) determine that there is an insufficient basis, in fact, and dismiss the matter; (b) conclude that there is a sufficient factual basis for discipline and that discipline less than suspension or expulsion or removal of the college privileges would be appropriate; or (c) conclude that there is a sufficient factual basis for discipline and that discipline, including the possibility of suspension or expulsion or removal of college privileges, would be appropriate.
   e. The student will be notified of the conclusion of the VPSS or designee, and the proposed sanction. The student shall be informed of his/her right to accept the VPSS or designee’s decision and/or the right to a hearing before the Student Disciplinary Committee. In cases where suspension or expulsion are proposed as sanctions, the student shall additionally be notified, in writing, that he/she may request either a hearing conducted pursuant to TUAPA (Tennessee Uniform Administrative Procedures Act) or a hearing before the Student Disciplinary Committee. The student, after notice, may elect to waive the right to either, or both, a Student Disciplinary Committee hearing, and/or a TUAPA hearing. Failure to elect a hearing shall constitute waiver.

3. Hearings before the Student Disciplinary Committee.
   a. The following procedures shall apply:
      1. The Student Disciplinary Committee is a standing committee of Cleveland State Community College composed of students and faculty. The Student Disciplinary Committee is comprised of: One (1) faculty member from each academic department selected by the Faculty Senate, the President of the Student Senate, four (4) students selected by the Student Senate, the Vice President for Student Services (ex officio), and the President of the College (ex officio).
      2. The accused student shall be informed in writing of the date, time, and place of the hearing, not less than five (5) working days prior to the day of the hearing. The Student Disciplinary Committee shall afford the student a hearing within twenty (20) days after receipt of the case.
      3. All hearings shall be closed unless the student requests an open hearing in writing.
      4. The VPSS or designee shall read the charges and present the results of the investigation.
5. The student shall be given an opportunity to respond to the evidence against him/her. He/she shall have an opportunity to present his/her position, make such admissions, denials, or explanations as he/she thinks appropriate and testify or present such other evidence as is available to him/her. The technical rules of evidence normally followed in civil and criminal trial shall not apply.

6. The student may be accompanied by an advisor whose participation shall be limited to advising the student and shall not include representing the student.

7. The student shall have the right to call witnesses on his/her behalf and the right to hear and question the witnesses against him/her.

8. Members of the Committee shall have the right to ask questions.

9. All evidence upon which the decision is made shall be presented at the proceedings before the Committee.

10. After all the presentations of evidence and testimony, the Committee shall retire to discuss the case and render a decision.

11. The student shall be notified of the decision, in writing, within five (5) days of the hearing and shall be advised of his/her right to appeal the decision of the Student Disciplinary Committee to the President of the College. The appeal shall be submitted in writing and must clearly state the basis for the appeal. The President will consider the appeal based on the information provided by the student, as well as the record of the proceedings and decision from the Student Disciplinary Committee, and will notify the student and the Committee of his/her decision within ten (10) days from the receipt of the appeal.

4. TUAPA: All cases which may result in: (a) suspension or expulsion of a student or student organization from the institution for disciplinary reasons or (b) revocation of registration of a student organization are subject to the contested case provisions of the Tennessee Uniform Administrative Procedures Act (TUAPA), T.C.A. §4-5-301 et seq., and shall be processed in accord with the Uniform Contested Case procedures adopted by the Board of Regents unless the student or organization, after receiving written notice, waives those procedures and elects to have the case disposed of in accord with institutional procedures or waives all right to contest the case under any procedure. The Vice President for Student Services has the authority and responsibility for coordination and administration of cases involving students that may be subject to the Tennessee Uniform Administrative Procedures Act.

5. Interim Suspension Hearings: Interim suspension, pending the completion of disciplinary procedures, may be imposed upon a finding that the continued presence of the accused on campus constitutes an immediate threat to the physical safety and well-being of the accused, any other member of the institution its guests, property, or substantial disruption of classroom or other campus activities. In any case of interim suspension, the student or student organization shall be given an opportunity at the time of the decision or as soon thereafter as reasonably possible to contest the suspension. Hearings conducted with regard to interim suspensions imposed pending the outcome of a disciplinary investigation or proceeding shall be conducted consistent with the minimum requirements of due process applicable to an institutional hearing, taking into account the need for a timely hearing. If such a hearing is initiated, the following procedures shall apply:
   a. The VPSS will convene as many members of the Student Disciplinary Committee as may be assembled within two (2) business days of the notification of summary suspension to hear the student’s appeal. A minimum of three (3) voting members of the committee must be present to hear the student’s appeal.
   b. The Student Disciplinary Committee will apply the same procedures for interim suspension hearings as those used by the committee for other hearings described in Part 6, section (3)(a) of this policy.

6. All matters involving allegations of impermissible discrimination, harassment, or retaliation will be governed by the procedures outlined in TBR Guideline P-080 Subject: Discrimination and
Harassment – Complaint and Investigation Procedure and/or an institutional policy that reflects the requirements of that Guideline.

7. The president of the college is authorized, at his or her discretion, to subsequently convert any finding or sanction imposed to a lesser finding or sanction, or to rescind any previous finding or sanction, in appropriate cases.

This policy is promulgated pursuant to, and in compliance with, TBR Rule 0240-02-03-.06 Disciplinary Procedures and due Process. To the extent that a conflict exists between this policy and TBR rule, policy and/or applicable law(s), the TBR rule, policy and/or law will control. History –

Approved by President’s Cabinet: November 7, 2011; January 8, 2013
Revised by Tennessee Board of Regents: March 29, 2012; June 19, 2015

ATTACHMENT D

Copy of most recent campus communication sent to students, faculty, and staff via their college email/portal accounts.
In compliance with federal Drug-Free Schools and Communities legislation, the following information must be disseminated to all campus community members annually. If you have questions or comments, please call or visit the Office of the Vice President for Student Services.

**Drug-Free Campus/Workplace (Policy # 1:13:00:00)**

**Excerpts:** “Cleveland State Community College employees and students are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, use or being under the influence of illegal drugs or alcohol on the College campus, at off-campus facilities owned or controlled by the College or as a part of College sponsored activities. All categories of employees and students are subject to this policy and to applicable federal, state and local laws related to this matter.”

[Read the Full Policy]

and visitors will be encouraged to refrain from using any tobacco product on campus including parking lots and sidewalks. Appropriate signage will be in place for explanation and clarification.

**Use of Tobacco Products on Campus (Policy # 1:14:00:00)**

Smoking and the use of tobacco products of any type is prohibited on any property owned, leased and operated on behalf of Cleveland State Community College. All guests...
ATTACHMENT E

WAIVER FORMS SIGNED BY STUDENTS TRAVELING ON COLLEGE TRIPS
STUDENT ORGANIZATION TRAVEL
CONDUCT CODE

Rationale:
The following rules and regulations apply to all CSCC students participating in travel activity which is; 1) sponsored or co-sponsored by a recognized CSCC student organization, or 2) in which the name of the institution is used in any conjunction with the event, 3) the student is representing the institution, or 4) supported by College funds.

Specific Rules/Regulations
1. All participants in such travel are required to comply with all College policies/practices/rules, including all student disciplinary rules and Cleveland State Community College’s Code of Conduct; as well as all local, state, and federal laws for the entirety of all travel and related activities.

2. Participants’ behavior during any event, and during travel to and/or from the event, will be such that it reflects positively on the organization, the institution, and the individual.

3. The participants will act in the best interest of the student group/organization they represent as well as the college.

4. Identification badges will be worn by each participant during official business and when appropriate.

5. Participants will dress appropriately for each situation.

6. Participants will attend all business meetings, workshops and other scheduled event programs in accordance with the specifications established for each trip. Please be prompt and prepared for all sessions.

7. Participants will report any accidents, injuries, or illness to the advisor or head delegate immediately.

8. Alcoholic beverage consumption is not permitted. Students will refrain from the unauthorized or illegal use, possession, or distribution of illegal drugs and/or alcohol. Students are required to report violations of this provision. Failure to report violations will be subject to disciplinary action.

9. Any long distance telephone calls, charges to the room or other personal expenses will be the responsibility of the individual participant. Participants having expenses covered by the group/organization should keep all receipts to turn in for the purpose of verification and reimbursement per business office procedures.
10. All students will adhere to and abide by the advisor’s decisions and judgments as the official representative of Cleveland State Community College. In the advisor’s absence, this authority may be given to the ranking student delegate. If no ranking student delegate is available, a designee may be chosen prior to the event.

11. Participants will abide by all conference rules; Participants who disregard or violate rules may be subject to disciplinary action including re-payment of travel money provided by the College.

PARTICIPANT AGREEMENT
I have read the Code of Conduct and agree to abide by these established rules.

___________________________________  ______________________________________
Title of Event  Sponsoring Organization (print)

___________________________________  ______________________________________
Name of Participant (print)  Signature of Participant    Date
IMPORTANT LEGAL DOCUMENT – PLEASE READ CAREFULLY

STUDENT TRIP/PARTICIPATION WAIVER AND RELEASE

The undersigned intends, on a completely voluntary basis, to participate in a

___________________________ sponsored by ________________________________ in

(Name of event) (club/organization)

___________________________ to ________________________________ from

(Location) (Purpose of Trip)

___________________________ until ________________.

(Date Leaving) (Date Returning)

In consideration of and in return for the services, facilities, and the other assistance provided to me by Cleveland State Community College (or “the Institution”), its officers, agents and/or employees, I release Cleveland State Community College, its officers, agents and/or employees from any and all liability, claims, and actions that may arise from injury or harm to me, from my death, or damage to my property in connection with this activity, regardless of the location where such loss or injury occurred except for those claims that are cognizable in the Tennessee Claims Commission and subject to the limitations established under the Tennessee Claims Commission Act. I hereby agree to release and waive all rights to file causes of action in any forum established in any foreign nation, state, county or municipal court other than the Tennessee Claims Commission and subject to the limitations applicable under the Tennessee Claims Commission Act, as against Cleveland State Community College, its officers, agents and/or employees. I understand that this Release covers liability claims and actions caused entirely or in part by any acts or failures to act, including but not limited to negligence, mistake, or failure to supervise.

I grant the Institution its officers, agents and/or employees permission to summon and authorize emergency medical treatment, if deemed necessary by the Institution its officers, agents and/or employees while on College sponsored, funded or affiliated travel. I agree that neither the Institution its officers, agents and/or employees assume any responsibility or liability for any injury or damage which might arise out of or in connection with
such authorized medical emergency treatment. I further state that I have adequate health insurance necessary to provide for and pay for any medical costs that I may incur during or arising from my participation in this activity.

I recognize that this Release means I am giving up, among other things, certain rights to sue the Institution its officers, agents and/or employees for injuries, damages, or losses I may incur. I also understand that this Release binds my heirs, executors, administrators, as well as myself.

I have read this entire Release; I fully understand it; and I agree to be legally bound by it. I acknowledge receipt of a copy of this release and waiver.

_________________________________________ Date: __________________________
Signature

_________________________________________ Telephone: ______________________

Print Name

Parent or Guardian if Under Age 18.

_________________________________________ Date: __________________________
Signature

_________________________________________

Print Name