



POLICY: Code of Conduct
ADOPTED: August 29, 2005

I. POLICY STATEMENT

North Country Community College (NCCC) has a commitment to the well-being of all members of the College community – students, faculty, staff and the family at large. To the students, that philosophy is defined in the College’s mission statement – to serve the students at NCCC with “quality educational opportunities.” The College expects that all members of the College community will be aware of this commitment and that each member will not hinder the rights of others to pursue the objectives of the College’s philosophy within the rules set forth in the College policy.

Responsibility is the key. Individual responsibility for one’s own actions and responsibility towards others of the College community insures that they also gain the full benefits offered by NCCC. Members of the College community have the right of expression and advocacy within the law. All members of the College accept both the rights and responsibilities when they enter the College as students or employees. By accepting the privilege of being a member of the College community, one must be willing to live within the basic framework set forth in the Code of Conduct.

II. SCOPE

This policy governs all faculty, staff (full time, part time, and adjunct) and students (full time and part time). Failure to comply with the policy may result in discipline up to and including termination.

III. POLICY

The NCCC Code of Conduct provides realistic guidelines for individuals to follow regarding their academic, social, and personal conduct. The Code reflects that which is appropriate, reasonable and considerate action for members of the College community. The Code is monitored by the College Review Board and applies to all members of the College community. It is appropriate and reasonable to expect members of the College community to:

1. Comply will all laws of the Villages and Towns in which the respective College campuses/sites are located, as well as all State and Federal laws.
2. Comply with all College rules and regulations, particularly those in Appendix A hereof and in the College catalog.

3. Proceed in an orderly, lawful and responsible manner when attempting to change or modify College rules and regulations that are considered in need of reconsideration and modification.
4. Not engage in harassment of individuals based on status, age, sex, handicap, race, creed, gender, position of authority or for any other reason. This includes any activity which endangers the mental or physical health of another individual, such as verbal or physical activity of a threatening or offensive nature against another, either in person, by telephone, by computer message or otherwise; activity amounting to stalking or refusing to cease a course of conduct when requested to do so by another individual; activity consisting of nonconsensual touching of another individual, etc.
5. Respect the personal property rights of others, and the property rights and facilities of the College.
6. Complete their pursuit of knowledge following the highest levels of scholarship. For students this means abiding by the academic tradition not to plagiarize, nor seek, receive, utilize or provide unauthorized assistance in the completion of assignments and tests.
7. Comply with all terms and conditions set forth in the NCCC Responsible Use of Electronic Communication Policy incorporated herein as Appendix B.
8. Avoid unauthorized and unlicensed duplication of copyrighted material found in paper media, computers, computer software, or the Internet.
9. Attend to their College duties (teaching, learning, administering, etc.) with the desire and goal to achieve excellence, and with due care and concern for the individual and collective rights of others.
10. Use socially acceptable language.
11. Dress in a manner socially acceptable and befitting to the various College activities.
12. Represent the College to the wider public community in a manner consistent with the purposes of the College. The NCCC standards of behavior apply to both on and off-campus conduct when relevant to the mission, processes, functions, or interests of the College.
13. Comply with all "No Tobacco Use" signs and regulations for health and safety reasons.
14. Refrain from the use, possession or distribution of alcoholic beverages on College owned or controlled property or while attending sanctioned off-campus College events. The College permits the consumption of alcoholic beverages at social functions only when the President in advance of the event has granted permission in writing. In the event written permission is granted by the President, only those individuals authorized by the President shall be permitted to bring alcoholic beverages onto a campus/site for College functions. Consumption of alcoholic beverages shall be permitted only within the approved area designated for said event. No person under the age of 21 years shall consume any alcoholic beverage at any College sanctioned event.
15. The use, possession or distribution of any drug considered illegal by Federal or State laws or a controlled substance not permitted by law at the College or at College sanctioned events is prohibited. The College regards any illegal drug involvement as an educational, as well as a legal issue, and offers counseling opportunities to members of the College community who wish to use those services. See Appendix C, which is made a part hereof.

IV. APPLICATION AND ENFORCEMENT:

1. The procedures for enforcement of these standards of conduct involving College staff and employees have been established in the applicable collective bargaining agreements between staff and employees and the College, and said procedures shall apply.

2. The procedures for enforcement of these standards of conduct involving any student are as set forth below, and these procedures shall apply to all acts or conduct of a student which are of an academic or a non-academic nature occurring on any of the campuses/sites of the College, or off campus at a function sponsored or conducted under the aegis of the College.

V. DEFINITIONS:

1. When any provision of these procedures requires that a written notice be given to another person, the term “written notice” shall be deemed to require that such written notice to be given be mailed to said other person by United States Post Office certified mail, return receipt requested. If such notice is to be given to a student, it shall be addressed to the address last appearing on the student’s current College registration form on file at the Records Office of the College. If such notice is to be given to a member of the faculty or staff of the College, the notice shall be addressed to that person by title and name and shall be addressed to the campus address where the staff person’s office is located. For purposes of computing all time requirements provided by these procedures based on a time for giving of notice, the giving of notice shall be deemed to commence on the date of actual mailing such notice at the United States Post Office by the sender, and such date shall be established by the stamped date of the United States Post Office stamped on the receipt received by the sender at the time of mailing, regardless of the date when such notice be actually received or accepted by the recipient.
2. The term “working day” when used in these procedures means a day when the College is in session by conducting one or more classes at its main campus in Saranac Lake, New York. Notwithstanding the foregoing, a “working day” shall not include official legal holiday days recognized by Federal or State laws, or any Saturday or Sunday days even if one or more classes are conducted at the main campus in Saranac Lake, New York.
3. The term “College Review Board” when used in these procedures means the board charged with providing hearings and making recommendations involving charges of violations of the Code of Conduct by students of the College. The College Review Board (CRB) shall consist of one member of the teaching faculty appointed by the President who shall serve as Chief Justice of the CRB; one member of the permanent staff of Management Confidential of the College appointed by the President; one member of the faculty or staff appointed by the Dean of Student Affairs; and two students of the College selected each year by the majority vote of the Student Government Association Presidents. Except for student appointees, each member appointed to the CRB shall serve for a three-year term, except for the student appointees and shall hold office until said appointees successor is appointed. In the event of a vacancy during the term of a member’s appointment by reason of death, resignation, disqualification or withdrawal from student or College staff status, such vacancy shall be filled by the specified appointing authority for the unexpired term in the same manner as the original appointment. All meetings of the CRB shall be open to the public. Three (3) members of the CRB shall constitute a quorum for the transaction of its functions. All meetings of the CRB shall be conducted at the main campus of the College at Saranac Lake, New York. Each member of the CRB shall have his/her recommendation on any matter considered by the CRB reported to the Dean of Student Affairs even if such recommendation be contrary with the recommendations of other members of the CRB. The Dean of Student Affairs of the College shall be an ex-officio member of CRB, but shall have no right to vote. The Chief Justice shall preside at all meetings of the CRB, and shall prepare and submit all written reports and recommendations of the CRB required pursuant to these procedures.

VI. INFORMAL PROCEDURES:

1. In the event of a dispute between a member of the faculty and a student involving an academic grade, only the instructor has the authority to change a grade (unless said instructor is no longer employed by North Country Community College or is incapacitated.) Any student who believes that a final grade has been computed incorrectly or has a grievance regarding the final grade must submit a letter outlining the change desired to the instructor within one month after the grade reports are issued. The student's written application shall include a copy of the grade transcript showing the grade and the postmark date, and shall set forth all of the details of the student's position regarding the dispute. The student shall sign all applications for review. The student shall also provide a complete copy of the application for review to the member of the faculty whose final grade is being reviewed. That faculty member shall consult and discuss the disputed grade with the Department Chair, which consultation shall occur in the absence of the student, and shall submit any written documentation pertaining to the disputed grade as in the sole discretion of the member of the faculty, fairness requires. In the event a satisfactory resolution of the dispute is not achieved following review by the Department Chair, the student shall have the right to have the dispute submitted to the Dean of Academic Affairs, who shall have the right to determine and resolve all issues as, in the Dean of Academic Affairs sole discretion, fairness and the academic policies and standards of NCCC requires. The decision of the Dean of Academic Affairs shall be final. No further review or appeal shall be allowed.
2. In the event of a minor dispute between a member of the faculty/staff of the College and a student arising from or effecting classroom activities, except for disputes pertaining to an academic grade which shall be processed only in accordance with (A) above, the procedural course for resolution without initial risk of the imposition of any sanction is by the student seeking the assistance of and consulting with the appropriate Department Chair, or in the case of a College site, the Site Coordinator or Academic Coordinator/ Student Affairs Coordinator. In the event mutual resolution is not achieved following such consultation, the student or the faculty/staff member shall have the right to seek the assistance and mediation of the Dean of Student Affairs of the College. In the event satisfactory mutual resolution of the dispute is not achieved following mediation and consultation with the Dean of Student Affairs, the student or the faculty/staff member shall have the right to submit the dispute to the President of the College, who shall have the right to determine and resolve all remaining unresolved issues as in the President's sole discretion, fairness and the best interests of the College and the parties dictates. In the event the student or faculty/staff member electing to participate in this informal dispute resolution process provided by this section of the Code thereafter fails or refuses to comply with the resolution determination of the President and the dispute continues, the President shall have the right to elect to initiate appropriate formal disciplinary proceedings pursuant to Section IV hereof, which process may result in a sanction against the student as herein provided or, if the dispute involves a faculty/staff member, the President shall have the right to elect to initiate appropriate disciplinary procedures in accordance with the provisions of the applicable collective bargaining agreement and/or College Policy.

VII. FORMAL PROCEDURES:

1. Any charges pertaining to an alleged violation of the Code of Conduct by a student shall be submitted in written form with appropriate details identifying the name of the student, the date and place of the alleged occurrence and the details of the alleged violation. All charges shall be signed by the complainant initiating such charges. All such charges shall be submitted to the office of the Dean of Student Affairs.

2. Within five (5) working days following receipt of a written charge of alleged violation of the Code of Conduct, the Dean of Student Affairs shall give notice to the student so charged of the charges by providing a true copy thereof, and shall give written notice to the student of the time, date and place where the student is to report for a consultation meeting. The Dean of Student Affairs or his/her faculty or staff designee will serve as Judicial Advisor and shall be responsible to review and discuss the charges with the student.
3. At the time and place of the consultation meeting between the Judicial Advisor and the student, the student shall be provided with a copy of the Code of Conduct and advised of his/her rights according to the procedures herein. The Judicial Advisor shall review the charges with the student, hear the student's explanations, if any, and review the disciplinary sanctions herein provided. The student shall be advised he/she has the right to present his/her explanations or denials in writing, which writing shall become part of the record regarding the charges.
4. Within five (5) working days after the consultation meeting, the individual serving as Judicial Advisor shall complete the written record with documented findings for determination to include a copy of the charges, all written submissions by the student and such other documentation as is deemed appropriate. The Dean of Student Affairs shall render a decision and announce any recommended sanctions, if any, within five (5) working days following submission of said report. Written notice of the Dean's decisions shall be provided to the student as required by Section II (A) above. In the event the charge results in a decision by the Dean of Student Affairs that the student violated the Code of Conduct, the notice of the Dean's decisions shall include notification to the student of his/her right to request a hearing before the CRB, and shall advise the student that the right to a hearing before the CRB shall be entertained only upon written application for such hearing by the student within fifteen (15) working days from the date of the giving of notice of the decisions as above provided, and only on good faith grounds shown.
5. A student seeking to have a CRB hearing shall serve written request for such hearing in a timely manner by service of a written request specifying the good faith grounds claimed by the student warranting a hearing to the office of the Dean of Student Affairs in the manner provided by Section II (A). Upon receipt of a timely request for a CRB hearing the Dean of Student Affairs shall transmit such request to the Chief Justice of the CRB within three (3) working days following receipt. In the event the request is untimely, the Dean of Student Affairs shall return the request within three (3) working days to the student with a written notice advising that the request was untimely filed and no hearing is to be provided by the CRB.
6. If no request for a CRB hearing be filed in a timely manner, the decision and any imposed sanction by the Dean of Student Affairs shall be final. If a timely request for a CRB hearing be properly filed, any disciplinary sanction imposed by the Dean of Student Affairs may be suspended by the Dean of Student Affairs as, in his/her discretion the circumstances warrant, such suspension to be in effect until the CRB hearing process is concluded and the decision is either confirmed, reversed or modified. If the Dean of Student Affairs determines that the disciplinary sanction be temporarily suspended, written notice shall be given to the student within two (2) working days of such discretionary decision. If the Dean of Student Affairs does not elect to suspend the sanction during the CRB hearing process, the sanction shall be in full force and effect until the CRB hearing process is concluded.
7. Upon receipt of a timely request for a hearing by the Chief Justice of the CRB, the Chief Justice shall first determine if, in his/her sole discretion, there are good faith grounds for a hearing based on the reasons stated by the student. In the event the Chief Justice determines there are no good faith reasons warranting a CRB hearing, and that the contentions of the student applicant are frivolous or in bad faith, and intended to delay or prolong the imposition of the sanction, or asserted to harass or maliciously injure another person, the Chief Justice shall have the right to deny a CRB hearing. In the event the Chief Justice determines that a hearing request is frivolous or in bad faith, he/she shall notify the student

of the denial of a CRB hearing, which notification shall specify his/her reasons for denying a CRB hearing. Written notice to the student shall be given within five (5) working days following the Chief Justice's receipt of the application for a hearing.

8. Any student receiving notice from the Dean of Student Affairs that his/her application for a CRB hearing was denied because untimely, or receiving notice from the Chief Justice that his/her application for a CRB hearing was denied because it is, in the opinion of the Chief Justice, frivolous or not in good faith, shall have the right to submit a written request for reconsideration of such decision by the President, provided written application for such reconsideration be filed by the student at the office of the President within 10 (10) working days following the date of mailing of such decision to the student by the Dean or Chief Justice. The President shall decide the issue based on the written documentation presented, and the President's decision shall be final. If the President reverses the decision being appealed, the review procedures below shall commence. Notice of the President's decision shall be given to the student and the Dean of Student Affairs or the Chief Justice within five (5) working days following receipt of the application for reconsideration by the President.
9. Upon receipt of a timely good faith request for a CRB hearing, the Chief Justice shall provide written notice to the student of the date, place and time of the hearing. The Chief Justice shall also provide such written notice to all members of the CRB. The Chief Justice shall have the authority to grant any adjournments of a noticed hearing only on good cause. Notice of a CRB hearing shall be provided to the student at least five (5) working days prior to the scheduled hearing date.
10. Any student participating in a CRB hearing shall have the right to the assistance of an advisor or attorney of his/her choice, at the student's sole expense. A student shall have the right to present witnesses, to question the complainant and dispute any documents related to the charge. The rules of evidence shall not apply to any CRB hearing and hearsay may be considered. The Chief Justice and/or each member of the CRB participating in the hearing shall submit their written recommendations based upon the information presented at the hearing in written form to the Dean of Student Affairs within three (3) working days following the conclusion of the hearing. Written notice of a copy of all of the recommendations of the CRB shall be provided to the student.
11. Within three (3) working days following receipt of the recommendations of the CRB, the Dean of Student Affairs shall render a final decision confirming, modifying or reversing the decision on appeal. If the appealed decision and imposed sanction is confirmed, any temporary suspension of the sanction, if any, shall terminate, and the actions shall proceed and be in full force and effect. If the decision or sanction under appeal be reversed, all records pertaining thereto shall be purged, and the student's records cleared of any reference thereof. If the decision or sanction be modified, or confirmed, that decision shall be final and binding, unless such decision or sanction involves dismissal of the student from the College or denial or revocation of a previously granted College honor, degree or certificate, in which case the recommendation of the CRB and the decision of the Dean of Student Affairs shall be referred to the President of the College for final review and determination.
12. All recommendations of the CRB and all decisions of the Dean of Student Affairs involving dismissal of a student from the College or denial or revocation of a previously granted College honor, degree or certificate shall be finally and exclusively decided by the College President, without any further appeal.

VIII. AVAILABLE SANCTIONS

In the event any violation of the Code of Conduct is established, any of the following sanctions or combination of sanctions can be imposed:

1. Official reprimands and warning letters may be imposed outlining the consequences if the behavior continues.

IX. APPEALS

In those cases where a sanction recommendation is made for dismissal of a student from the College or denial or the revocation of a College honor, degree or certificate, the following final appeal process is available:

1. The student may appeal the Dean's recommendation of dismissal or denial or revocation of a College honor, degree or certificate to the College President within ten (10) working days of receipt of the Dean's decision. Such appeal shall be in writing and shall set forth a clear statement of why the student claims the recommendation of the Dean should not be followed, stating all details and specifics constituting the grounds for the appeal.
2. The College President shall make a final decision of such appeal and notify the student of the President's decision in writing, with copies to the Dean of Academic Affairs, the Dean of Student Affairs, and the College Review Board. Notification will be made to the student within ten (10) working days of receipt of the student's appeal.

X. APPENDICES

1. College Rules and Regulations:

Athletic Regulations

Participation in college individual and team sports carries with it certain conditions and expectations as stated in the contract athletes sign at the beginning of each season. Team coaches and the Athletic Director monitor those conditions. The terms and conditions of the contracts for athlete students are incorporated herein by reference for those students.

Academic Regulations

Academic regulations are found in the College catalog. All academic regulations concerning admissions, registration, curriculum offerings, matriculations, academic progress, financial aid and student activities in the College catalog are incorporated herein by reference for all students.

Parking

Parking is permitted on campus only in places designated as parking areas. Areas where parking is prohibited are marked. The vehicles of violators' will be clamped, ticketed or towed at their own expense. Obstruction of the free flow of pedestrian or vehicular traffic on campus is forbidden. Repetitive violations shall be deemed a violation of the Code of Conduct.

Use of College Facilities

The use of College facilities is monitored and regulated by procedures enforced by the Dean of Student Affairs, the Dean of Academic Affairs, the Business Manager and/or the Site Coordinators. Those offices can provide copies of the procedures for use of any facility. Those procedures are incorporated herein by reference.

Specific activities prohibited:

include, but are not limited to, the following:

- A. Any failure to comply with directions of a College official or approved vendor acting in the performance of their duties.
- B. Failure to show proper identification to a requesting College official or approved vendor acting in the performance of their duties.
- C. Falsifying information such as forgery, alteration or intentional misuse of College documents,

records or identification or failure to provide required records as requested.

- D. Theft or damage to College property or property of a member of the College Community, including guests.
- E. Unauthorized possession, duplication or use of keys to any College property, premises or vehicles or unauthorized entry or use of any College facilities.
- F. Disorderly, lewd, indecent or obscene conduct or aiding or procuring another individual to breach the peace.
- G. Disruption of teaching, programming, administration, elections, judicial proceedings, or any other College sanctioned activity or the normal operations of a College event, whether on or off-campus.
- H. Tampering with safety equipment, including but not limited to fire alarms, fire extinguishers or emergency exits.
- I. Unlawful possession of firearms and other dangerous weapons as defined by New York State's Penal Law Article 265 or explosives, or dangerous chemicals while on the campuses/sites of the College or at sanctioned off-campus events.
- J. Unauthorized use of the name of North Country Community College or a College related organization, or claiming to speak or act in the name of the College or any related departments. All official North Country Community College news releases (other than drama or athletic activities) shall be channeled through the President's Office. All news releases will be prepared and distributed by the College staff member designated by the President.

2. Responsible Use of Electronic Communications:

Guidelines

North Country Community College is respectful of freedom of expression and reveres the diversity of perspectives, values, and beliefs of the individual members of the College community. NCCC owns and operates computing systems which are provided for the express use of registered students, faculty, and staff in support of the programs of the College and are to be used for educational purposes, academic research, and academic development only. **PERSONAL, COMMERCIAL, SOCIAL, AND RECREATIONAL USES ARE PROHIBITED.** All computer users, including special permission invitees, are expected to use the available hardware, software, and Internet access for permitted uses only and only in an effective, efficient, equitable, ethical, and lawful manner in accordance with College policies, the Code of Conduct - Individual Rights and Responsibilities, as well as Local, State, and Federal Laws.

Agreement:

By using any of these computer systems the user agrees that they have read, understand, and will comply with these Guidelines.

Rights:

The College does not censor or condone censorship. NCCC does, however, reserve the right to place appropriate restrictions on the use of its computers and systems in response to verified, valid complaints presenting evidence of violations of these Guidelines, applicable College policies, the Code of Conduct - Individual Rights and Responsibilities, as well as Local, State, and Federal Laws.

Responsibilities:

Users of NCCC computers and computer systems are responsible for complying with the following conditions:

- A. Equitable sharing of all computers, computer systems, software, and Internet access and instructional services.
- B. An educationally sound environment conducive to teaching, research, and learning.
- C. An environment free of illegal, unethical, malicious, harassing, or hostile acts.
- D. An electronically safe and secure environment based on academic honesty and integrity.

Sanctions:

The full range of sanctions is available for any and all violations. In the case of criminal acts, further legal action by law enforcement officials beyond the limits of the NCCC Code of Conduct - Individual Rights and Responsibilities may result.

P.56, Section V, Code of Conduct - Individual Rights and Responsibilities - Available sanctions for violations of the Code of Conduct.

- A. In the event a violation of the Code of Conduct is established, the following types of sanctions can be imposed:
 - i. OFFICIAL REPRIMANDS AND WARNING LETTERS may be imposed outlining the consequences if the behavior continues.
 - ii. RESTRICTIONS ON ACTIVITIES OR PRIVILEGES may be imposed, including social probation, by which students are prohibited from attending non-academic functions sponsored by the College or the Student Government Association. Social probation may be given for academic or disciplinary reasons, and shall be made for a specific time period.
 - iii. RESTITUTION may be imposed, which may include direct payment for damages caused by the offender or indirect payment of the same through service to the College.
 - iv. LOSS OF COURSE CREDIT may be imposed for academic offenses only. In such cases, no monetary refund of any College fees shall be allowed.
 - v. DENIAL OR REVOCATION OF A COLLEGE HONOR, DEGREE, OR CERTIFICATE may be imposed in cases where falsification of records or academic offenses are of such nature that the absence of entitlement to the honor, degree, or certificate is established. In such cases, the final decision is subject to review and final determination by the College President. In such cases, no monetary refund of any College fees shall be allowed.
 - vi. WITHDRAWAL FROM A COURSE may be imposed and may be made for academic or non-academic reasons. No monetary refund of any College fees shall be allowed.
 - vii. SUSPENSION FROM COLLEGE may be imposed, and shall mean that the student is not allowed to participate in any College activity in any form, including classes, for a specified length of time. No monetary refund of any College fees shall be allowed.

- viii. DISMISSAL FROM COLLEGE may be imposed, and shall mean that the student is prohibited from taking part in any College activity. No monetary refund of any College fees shall be allowed. In such cases, the final decision is subject to review and final determination by the College President.

The College reserves the right to update and amend this Electronic Communication Policy at any time without notice. Individuals wishing to submit relevant suggestions for improving and strengthening this policy are urged to contact the Dean of Academic Affairs or the Dean of Student Affairs.

Inappropriate Computer Usage

Prohibited and inappropriate use of NCCC computers and computer systems includes, but is not limited to, intentional behaviors which violate one or more of the following:

- A. Any Federal, State, or Local Law.
- B. The stated mission of the College.
- C. The Family Educational Rights and Privacy Act of 1974 (The Buckley Act, P.L. 93-308), or in any way accessing, divulging, or transmitting any personally identifiable information of another individual.
- D. The NCCC Code of Conduct - Individual Rights and Responsibilities.
- E. Any College rule or regulation, particularly those found in the College Catalog and in Appendix A of the NCCC Code of Conduct - Individual Rights and Responsibilities.
- F. NCCC sexual harassment policy. This includes, but is not limited to, creating, displaying, printing, downloading, or in any way transmitting sexually explicit, pornographic, graphically disturbing, or sexually harassing images to text.
- G. Installing and/or playing computer games.
- H. Use of chat rooms for social, rather than educational purposes.
- I. Knowingly installing or running any program, virus or worm, or conducting any other activity that threatens or contaminates the integrity of the computers, computer systems, computer programs or software of the College.
- J. Illegally accessing and/or using the intellectual property of another individual.
- K. Installing, changing, or deleting software on any computer system, to include changing system defaults, personally customizing settings, deleting files belonging to others, and inappropriate storing of data files.
- L. Using electronic messages to harass, intimidate, or in any manner that violates the personal and property rights of others.
- M. Deliberately overloading computer resources and/or wasting or failing to conserve computer resources, including document printing, instruction, and time.

- N. Using computer equipment for personal, financial, or commercial gain.
- O. Violating copyright laws, usage policies, or violating network regulations or contracts.
- P. Plagiarism, cheating, or any behavior that violates academic honesty standards.
- Q. Purchasing or ordering for trial use any goods or services without documented administrative approval.

Violations and Reporting Violations:

Adhering to due process rights, all reports of alleged violations will be handled in accordance with the provisions set forth in the North Country Community College Code of Conduct - Individual Rights and Responsibilities. All such alleged violations will be administratively processed and determined by the Dean of Student Affairs and should be immediately submitted using the "NCCC Incident Report Form". Incident Report Forms should be routed directly to the Dean through class instructors, academic department chairs, academic coordinators, computer lab supervisors, and/or any computer service administrator. Under extreme circumstances, the Dean may immediately and/or temporarily suspend an individual's computer access rights. Some violations may constitute criminal offenses requiring legal action referrals.

3. NCCC Drug & Alcohol Abuse Prevention Plan:

The College is committed to helping its students and its employees achieve their personal and educational goals. Having determined that illicit drugs and alcohol are not compatible with the College's commitment and not necessary to the achievement of these goals, the College requires students, employees, and visitors to refrain from unlawful drug activity and the unauthorized use of alcohol on our campuses and at College sponsored events.

Goals:

North Country Community College has an ethical as well as a legal obligation to address the issue of illicit drug or alcohol consumption by employees, students and student employees on its campuses, at College sponsored events or on property controlled by the College. To this end, NCCC will:

- Publicize and implement a drug and alcohol abuse awareness and prevention program for all students, employees and student employees.
- Publicize and consistently enforce rules that clearly prohibit the unlawful possession, use or distribution of alcohol or illegal substances by students, employees or student employees on its property or at its activities.
- Publicize and employ a process of reporting illicit and unauthorized possession, use, manufacture or distribution of illegal substances and alcohol.
- Distribute annually the applicable legal sanctions under local, state and federal law for unlawful possession, use, manufacture or distribution of illegal substances and alcohol.
- Distribute annually a description of the health risks associated with the use of illicit drugs and abuse of alcohol.
- Distribute annually a list of regional treatment, rehabilitation or re-entry programs available to students, employees and student employees.

- Distribute annually a clear statement that NCCC will impose disciplinary sanctions on students, employees and student employees consistent with the NCCC Code of Conduct - Statement of Individual Rights and Responsibilities as well as local, state and federal laws.
- Enforce the NCCC policy prohibiting the advertisement of alcoholic beverages.
- Comply with all provisions of the Drug-Free Schools and Communities Act of 1989.
- Comply with all provisions of the Drug Free Workplace Act of 1988.
- Conduct a biannual review of its Drug and Alcohol Abuse Prevention Policy to determine its effectiveness and to implement appropriate changes to the program.

Alcohol Regulations:

- A. Refrain from the use, possession or distribution of alcoholic beverages on College owned or controlled property or while attending sanctioned off-campus College events. The College permits the consumption of alcoholic beverages at social functions only when the President in advance of the event has granted permission in writing. In the event the President grants permission, only those individuals authorized by the President shall be permitted to bring alcoholic beverages onto a campus/site for College functions. Consumption of alcoholic beverages shall be permitted only within the approved area designated for said event. No person under the age of 21 years shall consume any alcoholic beverage at any College sanctioned event.
- B. Students and employees found in violation of State or Local Laws regarding alcohol use will be reported to the appropriate law enforcement agency. Note: the age limit in New York State for purchase, possession, or consumption of alcohol is 21. Local laws include open container laws that make possession of an open container of beverage alcohol unlawful.
- C. Students violating this policy will be referred to the Dean or the College President. Disciplinary sanctions can include suspension, dismissal from the College or participation in a rehabilitation program. Employees and student employees violating this policy will be referred to the appropriate Dean or the College President.
- D. Disciplinary action for employees and student employees can include suspension without pay, termination of employment or participation in a rehabilitation program. Compliance with this provision is a condition of employment.

Drugs and Controlled Substances Regulations:

- A. Students and employees found in violation of State or Local Laws regarding drugs and controlled substances use will be reported to the appropriate law enforcement agency.
- B. Students possessing, using, manufacturing or distributing illicit drugs on campus or at a College sponsored event will be referred to the Dean of Student Affairs or the College President. Disciplinary sanctions can include suspension, participation in a rehabilitation program or dismissal from the College.
- C. Employees and student employees possessing, using, manufacturing or distributing illicit drugs on campus or at a College sponsored event will be reported to the appropriate area Dean. Violation of the policy can result in disciplinary action that may include suspension without pay,

participation in a rehabilitation program or dismissal. Compliance with this provision is a condition of employment. These internal disciplinary procedures are not intended to replace those of local law enforcement agencies. Employees convicted of a drug offense that occurred on campus or at a College sponsored event are required by law to so notify the College within five (5) days of conviction.

College Obligation for Notification:

The College is obligated to notify the appropriate federal contracting agency, if applicable, within ten (10) days of receipt of notice of an employee conviction as described above.

POLICY ON MAINTAINING A DRUG-FREE WORKPLACE:

North Country Community College is committed to the development and maintenance of a drug-free environment. In accordance with the Drug-Free Workplace Act of 1988, NCCC will not tolerate the illegal manufacture, distribution, dispensing, possession, or use of a controlled substance on its premises.

Premises includes College-provided offices, work location and/or classrooms, lockers, lounges, eating areas, gymnasiums, parking lots, off-campus sites used to conduct student activities, properties controlled by the College and any vehicle engaged in College operations.

Prohibited items and substances include illegal drugs and other mind-controlling substances, inhalants, prescription drugs (excepting those prescribed by a doctor for the person possessing same in their original container), and equipment related to illegal drug or substance use or manufacture.

Reporting Procedure:

Each College employee (including student employees) as well as those newly hired at the time of their orientation, will be notified of the NCCC Drug and Alcohol Abuse Prevention Program Plan with emphasis on the obligation for compliance as a condition of employment.

Any College employee convicted of a criminal drug statute violation which has occurred in or on College owned or operated premises or vehicles shall provide his or her appropriate Dean or the President notification, preferably written, of such conviction, including any resultant conditions, within five (5) days of conviction. Student employees shall notify the Dean of Student Affairs.

Upon receiving notification, a Dean shall immediately provide, in writing, notice to the College President to permit proper notice to be sent to federal contracting agencies where applicable.

The College will offer ongoing drug education and awareness programs for the College community as well as provide drug informational materials. Faculty, staff and students are expected to avail themselves of these programs and materials. (Adopted by the Board of Trustees 12-21-98, Resolution 1989-90-1205).

Disciplinary Sanctions: Student and Employee:

Please note that students, employees and student employees who are found in violation of the law will be reported to the appropriate law enforcement officials as well as being subject to College disciplinary action.

Student, Employee and Student Employee Discipline

All members of the College community should read the full text of the NCCC Code of Conduct - Individual Rights and Responsibilities as approved by the NCCC Board of Trustees for detailed information including time

guidelines. What follows is a summary of disciplinary action if a student violates NCCC's policy on drug and alcohol use and abuse.

1. All charges must be detailed and submitted in writing to the Office of the appropriate Dean by the individual(s) initiating such charges.
2. The individual believed to be in violation of the NCCC Drug and Alcohol Abuse Prevention Plan will be notified by registered letter of the charges, when they should appear for a consultation meeting, and their right to a hearing.
3. At the above-mentioned consultation meeting the student, employee or student employee will be advised of his/her rights in the proceedings and any possible consequences stemming from the allegations. Students will have all charges reviewed.
4. Sanctions imposed, if any, will be in accordance with the provisions of the NCCC Code of Conduct - Statement of Rights and Responsibilities.

Legal Sanctions:

There are local, state and federal laws prohibiting the unlawful possession or distribution of illicit drugs and alcohol. New York law offers penalties ranging from 15 days to life in prison and up to \$3 million in fines. Penalties are based upon the amount of substance involved, the nature of the offense, and the number of prior offenses.

Each of our campus communities has an "open container" law. Local ordinance #3-1 in Saranac Lake, for instance prohibits possession of any alcoholic beverage in an unsealed container on public streets or park property within the village.

New York also prohibits storage, manufacturing, or counterfeiting of drugs; using children for drug distribution or manufacturing; distributing to children or prisoners; and distribution "within 1,000 feet of a private or public school." There are also penalties for use or purchase of alcohol by a minor on any premises owned by an adult; injury or death by providing alcohol to minors or adults; falsification of proof of age to obtain alcohol; sale of alcohol within 1,000 feet of a church and operating a motor vehicle while under the influence of any intoxicant or drug. Altering a driver's license will result in revocation of driving privilege by the Commissioner of Motor Vehicles.

Federal laws include similar provisions with penalties ranging to life in prison with fines reaching \$8 million for individuals. Personal property may be confiscated; federal benefits (such as "student loans, grants, contracts, and professional and commercial licenses") may be affected; and the right to receive or purchase firearms may be lost.

Resources: College and Community:

North Country Community College has a goal of educating its students to be productive in their personal lives and career choices. The College also seeks to foster this same goal for its employees. Since drug and alcohol abuse is nationally recognized as the major cause of diminished productivity, NCCC is committed to assisting students and employees in obtaining education and, when necessary, treatment in this area. To this end the following resources are offered:

Prevention and Education

Throughout the academic year the College, through the Student Affairs Department, offers seminars, lectures and films for the general campus community regarding issues associated with drug and alcohol use. Brochures and pamphlets which address the psychological and health issues connected with specific drugs are located in several areas on each campus. The counseling offices and the LRC have a broad spectrum of educational materials available to faculty, staff and students.

Counseling

The counseling staff at NCCC offers short term counseling for students on drug and alcohol related issues. The focus of the counseling will be education and assessment. Counselors, when necessary, will make an appropriate referral. The student assumes responsibility for the cost of any medical or psychological services provided by private physicians, psychologists or medical/psychiatric facilities. It is the responsibility of the student to ascertain which treatments are covered under their health insurance coverage.

In addition to individual counseling, a variety of support groups are offered in each community or area where NCCC campuses are located.

Employees seeking counseling for drug and alcohol issues will need to contact service providers in the community. The counseling office can provide a list of social services providers and 12-step support groups such as AA, Al-Anon, and Adult Children of Alcoholics. The employee health insurance may cover part or all treatment for the patient and the patient's family. In cases where the employee's health insurances does not pay the full amount of services, the employee will assume responsibility for all remaining costs.

Curriculum

Drug and alcohol information is incorporated into a wide variety of courses at NCCC.

REGIONAL REFERRAL AGENCIES:

<u>Essex County</u>	<u>Franklin County</u>
Essex County DWI: 873-3630	St. Joseph's Rehabilitation Center: 891-3950
Substance Abuse Prevention Team: 585-7424	St. Joseph's Outpatient Clinic:
North Country Council on Alcoholism: 873-3261	Saranac Lake 891-5353
St. Joseph's Outpatient Clinic:	Malone 483-6566
Ticonderoga 585-7934	Tupper Lake 359-9627
Elizabethtown 873-9144	North Star Substance Abuse Services
	Malone 483-8980
	Saranac Lake 891-2467
	Franklin County Stop DWI: 483-6767 extension 697
	St. Regis Mohawk Health Services:
	Alcohol/Chemical Dependency Program
	358-3141

HEALTH RISKS OF USING DRUGS AND ALCOHOL:

<u>Narcotics:</u> Dependence risk = HIGH			<u>Stimulants:</u> Dependence risk = HIGH		
Includes: Opium, morphine, codeine, heroin, dilaudid, demerol, methadone, darvon, etc.			Includes: Cocaine, crack, amphetamines, ice, ritalin, cylert, etc.		
<u>Use</u>	<u>Overdose</u>	<u>Withdrawal</u>	<u>Use</u>	<u>Overdose</u>	<u>Withdrawal</u>
<ul style="list-style-type: none"> ◆ Euphoria ◆ Drowsiness ◆ Respiratory depression ◆ Constricted pupils ◆ Nausea ◆ Depressed peristalsis ◆ Constipation 	<ul style="list-style-type: none"> ◆ Slow and shallow breathing ◆ Clammy skin ◆ Convulsions ◆ Coma ◆ Death 	<ul style="list-style-type: none"> ◆ Watery eyes ◆ Runny nose ◆ Yawning ◆ Appetite loss ◆ Irritability ◆ Tremors ◆ Panic ◆ Cramps ◆ Nausea 	<ul style="list-style-type: none"> ◆ Increased alertness ◆ Excitation ◆ Euphoria ◆ Increased pulse rate and/or blood pressure ◆ Insomnia ◆ Paranoia ◆ Loss of appetite 	<ul style="list-style-type: none"> ◆ Agitation ◆ Increase in body temp ◆ Hallucinations ◆ Convulsions ◆ Permanent brain damage ◆ Death 	<ul style="list-style-type: none"> ◆ Apathy ◆ Long periods of sleep ◆ Irritability ◆ Depression ◆ Disorientation
<u>Alcohol:</u> Dependence risk = unknown to high			<u>Depressants:</u> Dependence risk = low to high		
			Includes: Barbiturates, tranquilizers, quaaludes, etc.		
<u>Use</u>	<u>Overdose</u>	<u>Withdrawal</u>	<u>Use</u>	<u>Overdose</u>	<u>Withdrawal</u>
<ul style="list-style-type: none"> ◆ Depression ◆ Loss of inhibition ◆ Constricted vision ◆ Loss of appetite ◆ Loss of equilibrium ◆ Social dysfunction 	<ul style="list-style-type: none"> ◆ Respiratory failure ◆ Permanent brain damage ◆ Cardiovascular damage ◆ Coma ◆ Death 	<ul style="list-style-type: none"> ◆ Severe anxiety ◆ Tremors ◆ Hallucinations ◆ Convulsions ◆ Death 	<ul style="list-style-type: none"> ◆ Slurred speech ◆ Disorientation ◆ Drunken behavior without alcohol odor ◆ Dilated pupils 	<ul style="list-style-type: none"> ◆ Shallow respiration ◆ Clammy skin ◆ Tremors ◆ Weak and rapid pulse ◆ Coma ◆ Death 	<ul style="list-style-type: none"> ◆ Anxiety ◆ Insomnia ◆ Delirium ◆ Convulsions ◆ Death
<u>Hallucinogens:</u> Dependence risk = unknown to high			<u>Cannabis:</u> Dependence risk = unknown to moderate		
Includes: LSD/acid, mescaline, peyote, PCP, mushrooms, etc.			Includes: Marijuana, hash, hash oil, etc.		
<u>Use</u>	<u>Overdose</u>	<u>Withdrawal</u>	<u>Use</u>	<u>Overdose</u>	<u>Withdrawal</u>
<ul style="list-style-type: none"> ◆ Illusions ◆ Hallucinations ◆ Poor perception of time and distance 	<ul style="list-style-type: none"> ◆ Longer, more intense trips ◆ Psychosis ◆ Death 	<ul style="list-style-type: none"> ◆ Withdrawal syndrome not reported 	<ul style="list-style-type: none"> ◆ Euphoria ◆ Relaxed inhibitions ◆ Increased appetite ◆ Disoriented behavior 	<ul style="list-style-type: none"> ◆ Fatigue ◆ Paranoia ◆ Psychosis 	<ul style="list-style-type: none"> ◆ Insomnia ◆ Hypersensitivity ◆ Decreased appetite occasionally reported

NOTE: Most substances listed above have a synergistic effect in combination with others. Such effects can vary from a mild increase in drug effect, to making a usually mild dose of the drug lethal.

4. Tobacco Use Policy:

- A. The use of tobacco products by any member of the College community, including guests in any building owned, operated, or controlled by the College is prohibited, and all such buildings are to be designated tobacco free;
- B. The use of tobacco products is prohibited within 25 feet of any building owned, operated, or controlled by the College, to include entrances, windows, and ventilation intake systems. Use of tobacco products is permitted only in outside areas completely open to the air. If wayward tobacco smoke intrudes on an interior workspace, smokers located at any distance from a building will be asked to relocate to another area;
- C. The use of tobacco products is prohibited within 50 feet of the designated Main Entrances of any College building. Said entrance will be clearly marked for smoke sensitive individuals;
- D. For safety and health reasons, tobacco users are required to properly dispose of tobacco waste and debris;
- E. The Maintenance Department is responsible for posting and maintaining appropriate interior and exterior signage, e.g., “Use of All Tobacco Products Prohibited”;
- F. Questions about this policy and/or resources and referral services for cessation of tobacco usage may be submitted to the Dean of Student Affairs or Human Resources;
- G. Individuals exposed to second-hand smoke may file complaints with the Dean of Student Affairs; and
- H. Non-compliance with this policy will be handled in accordance with the provisions set forth in the North Country Community College Code of Conduct – Individual Rights and Responsibilities.