

*Student  
Handbook*

# COLLEGE POLICIES

## **Nondiscrimination Statement**

Lord Fairfax Community College (LFCC) is an equal opportunity institution providing educational and employment opportunities, programs, services, and activities and does not discriminate on the basis of race, color, sex, religion, disability, national origin, marital status, political affiliation, sexual orientation, or other non-merit factors. LFCC also prohibits sexual misconduct including sexual violence or harassment.

## **Student Complaint Procedure**

The College supports the rights of students to bring forth complaints and is committed to resolving these matters in a fair and timely manner. This policy applies to all enrolled students in matters relating to other students, faculty, administrators and staff at all LFCC locations.

Students dissatisfied with a grade should follow procedures outlined in the grade appeal policy located in the LFCC catalog. Concerns regarding discipline or sexual harassment should be reported as described in the College Catalog and student handbook available at <http://www.lfcc.edu>. A student who has a concern with a staff member or college department is encouraged to attempt to resolve the complaint in an informal manner. If a satisfactory resolution cannot be reached informally, the student may appeal in writing by submitting a formal complaint form.

## **Formal Complaint**

The student must complete and submit a complaint form (available electronically at the College's official website) within ten (10) business days of his/her initial attempt to resolve the matter informally. The College will not entertain complaints that are submitted anonymously, via email, or facsimile transmission or are submitted on behalf of someone else.

Formal complaints will be logged and forwarded to the appropriate administrator for further action. Upon receiving a formal complaint form, the appropriate administrator will arrange a conference with the student to discuss the issue within ten (10) business days. After the conference, the administrator will render his/her decision, in writing, to the student and the College employee involved.

If a satisfactory resolution is not reached as a result of the conference, the student may appeal within five (5) business days to the Provost or Vice President. The Provost or Vice President will review the complaint form and any supporting documentation and render a decision, in writing, within five (5) business days. The decision of the Provost or Vice President shall be final. All formal complaint documentation is housed in the Office of the Vice President of Academic and Student Affairs.

# CODE OF STUDENT RIGHTS, RESPONSIBILITIES, AND CONDUCT

## Short Title

These rules shall be known as the Lord Fairfax Community College Code of Conduct.

## Bill of Rights

The following enumeration of rights shall not be construed to deny or disparage others retained by students in their capacity as members of the student body or as citizens of the community at large:

1. Free inquiry, expression, and assembly are guaranteed to all students consistent with the First Amendment to the United States Constitution.
2. Students are free to pursue their educational goals and appropriate opportunities for learning in the classroom and on the campus shall be provided by the institution.
3. The right of students to be secure in their persons, papers, and effects against unreasonable searches and seizures consistent with the Fourth Amendment of the United State Constitution.
4. No disciplinary sanctions may be imposed upon any student without notice to the accused of the nature and cause of the charges and an opportunity for a fair hearing.

The College has the right to set and expect reasonable standards for behavior and conduct that safeguard the College, College property, and all additional components of the educational process.

## Definition

When used in this Code:

1. The term "institution" means Lord Fairfax Community College and, collectively, those responsible for its control and operation.
2. The term "student" includes all persons taking courses at the institution both full-time and part-time.
3. The term "instructor" means any person hired by the institution to conduct classroom activities. In certain situations, a person may be both "student" and "instructor." Decisions regarding his/her status in a particular situation shall be determined by the surrounding facts.
4. The term "legal compulsion" means a judicial or legislative order which requires some action by the person to whom it is directed.
5. The term "organization" means a number of persons who have complied with the formal requirements of institution recognition as provided in number 10.
6. The term "group" means a number of persons who have not yet complied with the formal requirements for becoming an organization.
7. The term "student press" means either an organization whose primary purpose is to publish and distribute any publication on campus or a regular publication of an organization.
8. The term "administrator" shall refer to any designated employee who has the authority to act on the behalf of the College on the whole.
9. The term "College official" shall refer to any designated employee who has the authority to enforce the parameters of the student code of conduct.
10. The term "vice president" shall mean the vice president of academic and student affairs unless otherwise indicated.
11. The term "shall" is used in the imperative sense.
12. The term "may" is used in the permissive sense.

13. All other terms may have their natural meaning unless the context dictates otherwise.

### **Classroom Expression**

Orderly discussion and expression of all views relevant to the subject matter is permitted in the classroom subject to the responsibility of the instructor to maintain order.

Information about student views, beliefs, and political associations acquired by professors in the course of their work as instructors, advisors, and counselors, is confidential and is not to be disclosed to others unless under legal compulsion. (Questions relating to intellectual or skills capacity are not subject to this section.)

### **Campus Expression**

Discussion and expression of all views is permitted within the institution subject only to requirements for the maintenance of safety, order, and respect for others' right to privacy, freedom from harassment, and other applicable policies of the institution.

Students, groups, and campus organizations may invite and hear any persons of their own choosing subject only to the requirements for use of institutional facilities.

### **Institutional Governance**

All constituents of the institutional community are free, individually and collectively, to express their views on issues of institutional policies affecting academic and student affairs. The role of student government and its responsibilities shall be made explicit. On questions of educational policy, students are entitled to a participatory function.

### **Protest**

All demonstrations and protests must follow Sections 6.5.1, 6.5.2, and 6.5.2.0 of the Virginia Community College System Policy on Expressive Activity.

### **Publications**

A student, group, or organization may distribute pre-approved written material on campus providing such distribution does not disrupt the operation of the institution. Student activities personnel reserve the right to deny posting of written material for any reason.

The College press is to be free of censorship. The editors and managers shall not be arbitrarily suspended because of student, faculty, administration, alumni, or community disapproval of editorial policy or content. Similar freedom is assured to oral statements of views on an institution controlled and student operated radio or television station. (This editorial freedom entails a corollary obligation under the canons of responsible journalism and applicable regulations of the Federal Communications Commission.)

All student communications shall explicitly state on the editorial page or in broadcast that the opinions expressed are not necessarily those of the institution or its student body.

### **Proscribed Conduct**

The institution may institute its own proceedings against a student who violates a law on campus, which is also a violation of a published institution regulation. Official notices conspicuously displayed on bulletin boards in public areas throughout the campus are considered to be published institutional

regulations. It is the responsibility of every student to read all official notices conspicuously posted through the College facilities. In addition, students are held to obey all local, state, and federal laws and violation of said may subject them to punishment by relevant law enforcement authorities. Any violations not listed below are subject to the discretion of the vice president or other College official as designated by the vice president. Consequences for said actions will be determined by the Vice President (or designee).

### **Alcohol and Drugs**

Students shall not possess, use, distribute or manufacture illegal drugs and alcohol (defined as neither prescription nor OTC) on school property including buildings, facilities, grounds, property controlled by the College, as part of College activities on or off campus, while serving as a representative of the College at off-campus meetings, in any state-owned, controlled or leased property or at a site where state work is performed. Individuals in violation of this policy may also be subject to legal sanctions under local, state or federal law regarding the unlawful possession or distribution of illegal drugs and alcohol. Illegal distribution of prescription drugs and medications is also prohibited in these venues. Students that are inebriated or otherwise under the influence of drugs or alcohol according to the subjective standards of a College official are not allowed in LFCC classrooms at any point.

### **Camping**

Camping on College property is not permitted without a *written* permit signed by student activities personnel. Camping is defined as overnight visitation on campus grounds. Overnight parking may also be punished by relevant law enforcement authorities.

### **Computer Misuse--Information Technology Student/Patron Acceptable Use Agreement**

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

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

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

Computer software, databases, and electronic documents are protected by copyright law. A copyright is a work of authorship in a tangible medium. Copyright owners have the sole right to reproduce their work, prepare derivatives or adaptations of it, distribute it for sale, rent, license lease, or lending and/or to perform or display it. A student must either have an express or implied license to use copyrighted material or data, or be able to prove fair use. Students and other users of College computers are responsible for understanding how copyright law applies to their electronic transactions. Students may not violate the copyright protection of any information, software, or data with which they come into contact through the College computing resources. Downloading or distributing copyrighted materials

such as documents, movies, music, etc. without the permission of the rightful owner may be considered copyright infringement, which is illegal under federal and state copyright law. Use of the College's network resources to commit acts of copyright infringement may be subject to prosecution and disciplinary action.

The penalties for infringing copyright law can be found under the U.S. Copyright Act, 17 U.S.C. §§ 501-513 (<http://www.copyright.gov/title17/92chap5.html>) and in the US Copyright Office's summary of the Digital Millennium Copyright Act (<http://www.copyright.gov/legislation/dmca.pdf>).

Students must agree to abide by all applicable state, federal, VCCS, and College policies, procedures and standards that relate to the Virginia Department of Human Resource Management Policy 1.75—Use of Internet and Electronic Communication Systems, VCCS Information Security Standard and the VCCS Information Technology Acceptable Use Standard. These include, but are not limited to:

1. Attempting to gain access to information owned by the College or by its authorized users without the permission of the owners of that information;
2. Accessing, downloading, printing, or storing information with sexually explicit content as prohibited by law or policy;
3. Downloading or transmitting fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or otherwise unlawful messages or images;
4. Installing or downloading copyrighted materials or proprietary agency information contrary to policy;
5. Sending e-mail using another's identity, an assumed name, or anonymously;
6. Attempting to intercept or read messages not intended for them;
7. Intentionally developing or experimenting with malicious programs (viruses, worms, spy-ware, keystroke loggers, phishing software, Trojan horses, etc.) on any College-owned computer;
8. Knowingly propagating malicious programs;
9. Changing administrator rights on any College-owned computer, or the equivalent on non-Microsoft Windows based systems;
10. Using College computing resources to support any commercial venture or for personal financial gain.

Students must follow any special rules that are posted or communicated to them by responsible staff members, whenever they use the College computing laboratories, classrooms, and computers in the Learning Resource Centers. They shall do nothing intentionally that degrades or disrupts the computer systems or interferes with systems and equipment that support the work of others. Problems with College computing resources should be reported to the staff in charge or to the Information Technology Help Desk. If students observe any incidents of non-compliance with the terms of this agreement, they are responsible for reporting them to the Information Security Office and/or management of the College.

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

The Systems Office and colleges reserve the right (with or without cause) to monitor, access, and disclose all data created, sent, received, processed, or stored on VCCS systems to ensure compliance with VCCS policies and federal, state, or local regulations, College or System Office officials will have the right to

review and/or confiscate (as needed) any equipment (COV owned or personal) connected to a COV owned device or network.

Students must understand that it is their responsibility to read and abide by this agreement, even if they do not agree with it. If you have any questions about the VCCS Information Technology Acceptable Use Agreement, you need to contact the College Information Security Officer or appropriate College official.

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

### **Disruption of Educational Process**

No student shall cause or incite any disturbance (including excessive noise) in or near any campus building. This restriction extends to any activity which interrupts the standard safe and orderly operation of the College.

Generally, institutional discipline should be limited to conduct which adversely affects the institutional community's pursuit of its educational objectives. Disruptive misconduct is subject to disciplinary action, in addition to possible relevant law enforcement action. Examples of this conduct include, but are not limited to:

1. All forms of dishonesty including cheating, plagiarism, and knowingly furnishing false information to the institution, and forgery, alteration or use of institutional documents or instruments, or identification with intent to defraud.
2. Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other College activities.
3. Damaging, defacing, stealing, or destroying College property or property of a member of the College community or campus visitor.
4. Violation of published institutional regulations including those relating to entry and use of institutional facilities, the rules in this Code of Conduct, and any other regulations which may be enacted.
5. Violation of law on institutional premises in a way that affects the institutional community's pursuit of its proper educational purposes.

### **Failure to Comply with a College Official**

No student shall fail to comply with a request or order from a College official. Violations of this policy include failure to properly follow through with any disciplinary measure imposed upon a student.

### **Falsification of Official Information**

No student shall misrepresent him/ herself in any way while interacting with a College official, including holding him/herself out as a college official.

### **Fire Safety**

All students are expected to maintain appropriate fire safety measures. Examples of non-compliance would include: failure to evacuate during a fire alarm, falsely pulling a fire alarm, and/or misusing fire safety equipment. Use of fireworks or firecrackers on campus is prohibited. Candles and other forms of fire are also prohibited. (Cigarette lighters or matches used to light tobacco products in a designated

smoking area are the only exception). Disabling exit doors or blocking handicap access ramps is not permitted. Violations of these prohibitions may also be punished by relevant law enforcement authorities.

### **Gambling**

In Virginia, gambling events and activities are unauthorized by law, except with special permit. LFCC cannot authorize gambling without proper state waiver.

### **Hazing**

Hazing, defined as any action which leads to physical or mental discomfort for any member of the shared community, is prohibited on campus. Violations of this prohibition may also be punished by relevant law enforcement authorities.

### **Obscene Conduct**

Students are expected not to engage in any type of lewd or obscene conduct while in a College building, on campus (or at a center), or at a College-sponsored off-site activity. This violation extends to include possessing, producing, or distributing illegal or inappropriate sexual materials as well as any and all forms of inappropriate touching. Note: Certain types of information may be distributed due to the learning nature of our collegiate environment; perceived obscenities based on expected academic goals may be exempt from this policy.

### **Projectiles**

No student shall cause any object to be projected (via throwing or any other method) through the air in any indoor campus environment. Projectiles are permitted in outdoor areas, as long as no formal College event is being conducted in that space. Violations of this prohibition may also be punishable by relevant law enforcement authorities.

### **Unauthorized Use of College Property or Documents**

No official LFCC documentation or property should be used for any purpose by a student not authorized to do so. Examples of property include: College buildings, parking lots and vehicles, in addition to College computers, lab equipment and furniture. Examples of documents include: Logos, letterhead, forms and Web sites. This prohibition may also be enforced by relevant legal action pursuant to state and federal law.

### **Digital Copyright and File Sharing**

Downloading or distributing copyrighted materials such as documents, movies, music, etc. without the permission of the rightful owner is considered copyright infringement and is illegal under federal copyright law. Under no circumstances should the College's network connections be used to violate copyright laws. Use of the College's network resources to commit acts of copyright infringement may be subject to prosecution and potential disciplinary actions.

The College has implemented technology that can detect P2P software running on the campus network. For additional information go to <http://system.vccs.edu/its/InformationSecurityProgram/docs/P2P>.

### **Violence to Persons**

No students shall engage or attempt to engage in any form of violence directed towards another person, group or self. No student shall threaten anyone else with physical harm, direct obscenities towards them, or engage in any activity that could be reasonably anticipated to provoke a violent reaction from that

individual. Behaviors that present a threat or a potential danger to the College community are defined as, but not limited to:

1. Threatening Behavior (including but not limited to):
  - a. Physical actions short of actual contact/injury (i.e., moving closer aggressively, waving arms or fists, raising tone of voice or yelling in an aggressive or threatening manner)
  - b. Oral or written threats to harm people or their property (i.e., “you better watch your back” or “I’ll get you”), including the use of any electronic means of communication
  - c. Implicit threats (i.e. “you’ll be sorry” or “this isn’t over yet.”)
2. Violent Behavior (including but not limited to):
  - a. Intentionally acting in a manner that in any way endangers the safety of others
  - b. Any physical assault, with or without weapons
  - c. Behavior that a reasonable person would interpret as being physically aggressive (i.e. destruction of property, pounding on a desk or door or throwing objects in a threatening manner)
  - d. Specific threats to inflict harm (e.g. a threat to shoot a named individual)
  - e. Use of any object to attack or intimidate another person
  - f. Interfering with an individual’s legal rights of movement or expression
3. Intimidating Behavior (including but not limited to):
  - a. Intimidation of any kind that results in an individual’s fear for his/her personal safety
  - b. Engaging in stalking behavior
  - c. Behavior that is reasonably perceived to be frightening, coercing, or inducing distress to any member of the College community
4. Disruptive Behavior (including but not limited to):
  - a. Verbally intimidating, threatening, or abusing any person or persons in the College environment
  - b. Physically intimidating, threatening, abusing or assaulting others
  - c. Disorderly or abusive behavior that interferes with the rights of others or obstructs the teaching or learning environment or business of the College
  - d. Making inappropriate and incessant demands for time and attention from College employees or students
  - e. Inappropriate use of College facilities or resources
  - f. Theft or damage to College property
  - g. Violations of these prohibitions may also be punishable by relevant law enforcement authorities.

### **Weapons**

No student shall keep, use, possess, display or carry any rifle, shotgun, handgun, knife, other edged weapon, or other lethal or dangerous instrument capable of maiming and/or casting a projectile by air, gas, explosion, or mechanical means on any property owned or operated by the College. This violation extends to include any realistic facsimiles of a weapon. These conditions are met if the weapon is on one’s person or in their vehicle. Note: Possession of a weapon on campus based on expected academic experiences (enrollment in a gun safety class) may be exempt from this policy with prior *written* permission from LFCC’s security office. Violations of these prohibitions may also be punishable by

relevant law enforcement authorities. See regulation of weapons policy at <http://www.lfcc.edu/weaponspolicy>.

### **Off Campus Student Code of Conduct**

Students are accountable for their conduct regardless of where it takes place, on or off the College property. This includes any behavior which reflects badly on the College or its mission including, but not limited to, high-risk use of alcohol, drug use, violent actions, and any behavior which compromises health, safety, and academic success.

### **Disciplinary Procedures**

All students are afforded the right to due process for any violation. This process is defined below:

1. Any academic or administrative official, faculty member, or student may file a complaint against any student\* for misconduct. In extraordinary circumstances, the accused student may be indefinitely suspended pending consideration of the case. Such suspension shall not exceed a reasonable time. \*Any administrator, College official, faculty member, or student wishing to file complaints against a College employee must follow a separate protocol as outlined in the human resource policy manual.
2. When the Vice President (or designee) receives information that a student has allegedly violated a rule, regulation, policy, or procedure, the Vice President (or designee) shall investigate the alleged violation. After completing the preliminary investigation, the Vice President (or designee) may:
  - a. Dismiss the allegation as unfounded or
  - b. Determine if the severity and nature of the problem necessitates a student conference.

If a conference is deemed necessary, a request will be issued to the student via certified letter to the address contained in the College record. The notification will also be sent to the student's College email address. The notification will inform the student of the alleged violation of the student code of conduct. The notification will instruct the student to respond within ten (10) calendar days of the date of the correspondence. A conference time will be set after consultation with all involved parties; the vice-president (or designee) will have discretion to alter the arrangements of the conference for good cause.

3. The president of the College, Vice President (or designee), may take immediate interim disciplinary actions, suspend the right of the student to be present on the campus and to attend classes, or otherwise alter the status of a student for violation of rules, regulations, policies, or procedures when the student is a clear or present danger to himself/herself or others, or if such action is in the best interest of the College. The College reserves the right at all times to take such prompt action as may be needed to preserve the peace, integrity, and safety of the educational process and the College environment.

### **Disposition of a Violation**

As a result of the student conference, the vice president (or designee) may select one of the following as a course of action:

- a) Proceed administratively if it is determined that facts of the alleged violation are not in dispute.

- b) Proceed administratively if it is determined that the facts of the alleged violation are in dispute and must be further probed by the vice president (or designee); or
- c) Refer the case to a disciplinary hearing by preparing a formal complaint based on the allegation along with a list of witnesses and documentary evidence supporting the allegations (see "Hearing" section).

When the facts are not in dispute, the vice president (or designee) may administratively dispose of any violation.

- 1. In administratively disposing of a violation, the vice president (or designee) may impose any disciplinary action authorized under the section entitled "Sanctions."
- 2. If a student accepts administrative disposition, he/she will sign a statement that he/she understands the nature of the charges and the penalty imposed. The statement also includes the student's acknowledgement that he/she waives the right to a hearing and the right to appeal.

The vice president (or designee) will prepare a written summary of each administrative disposition of a violation and forward a copy to the student and to other appropriate administrative personnel.

If the facts of the alleged violation are in dispute and require additional probing, the vice president (or designee) may elect to gather additional information concerning the allegation or to administratively dispose of the violation.

- a. If the vice president (or designee) elects to gather more information, follow-up with the accused student must occur within ten (10) calendar days of the student conference.
- b. If a student disputes the facts of the charges, but accepts administrative disposition, he/she will sign a statement that he/she understands the nature of the charges and the penalty imposed. The statement also includes the student's acknowledgement that he/she waives the right to a hearing and the right to appeal.
- c. The vice president (or designee) will prepare a written summary of each administrative disposition of a violation and forward a copy to the student and to other appropriate administrative personnel.
- d. A student may refuse administrative disposition of the alleged violation and on refusal is entitled to a hearing. If this is the case, the steps outlined in the following section, titled "Hearing," will be followed.

The vice president (or designee) may refer the case directly to a disciplinary hearing. If this is the case, the steps outlined in the following section, title "Hearing," will be followed.

### **Hearing**

- 1. A written request for a hearing must be made to the vice president (or designee) within five (5) calendar days following the administrative disposition.
- 2. A standing student discipline ad hoc committee exists at the College. The ad hoc committee for a particular hearing will be randomly selected by the vice president (or designee) from a list of faculty, staff, administrators and students who have volunteered to serve on the committee.
  - a. The committee will consist of five (5) members (one full-time faculty member, one classified staff representative, one administrator, one student services representative and one student).
  - b. The list of names of the eligible persons will be developed at the beginning of each academic year and will be in effect for the duration of that year.
  - c. The student requesting the hearing may, if he/she believes one of the selectees will not fairly judge the merits of the alleged violation, request that another person be chosen from the list in that same category. One requested substitution, with written justification, is permitted.

- d. The committee member who is selected for the hearing may request that another person be chosen from the same category of the list if he/she believes they cannot provide a fair judgment based on the merits of the alleged violation.
3. The student discipline ad hoc committee will elect a chairperson. The chairperson will set the date, time and place for the hearing.
  - a. The vice president (or designee) will notify the student by certified letter or by hand delivery of information pertaining to the date, time and place of the hearing. The notice of the hearing will be sent within five (5) calendar days following confirmation of the hearing committee membership.
  - b. The hearing will take place within ten (10) calendar days of the establishment of the student discipline committee.
  - c. The vice president (or designee) will have discretion to alter the arrangements of the hearing for good cause.
4. The student discipline ad hoc committee will hold the hearing as scheduled and determine a ruling whether or not the student is present, provided the committee has confirmation that the student received actual notice of the date, time, and place of the hearing.
5. An accused student has the right to be accompanied by counsel, advisor, or attorney who may come from within or outside the College. Such counselor, advisor, or attorney must restrict his/her participation to advising the accused, and he/she may not participate in the actual proceedings of the hearing such as discussion or cross-examination of the witnesses.
6. The committee will presume a student innocent of the alleged violation until the facts and information presented support a decision to the contrary. A student will be found in violation when the weight of the evidence indicates that the student has violated this Code of Conduct. Committee members may freely question witnesses at any time. The committee will proceed as follows during the hearing:
  - a. The vice president (or designee) reads the complaint.
  - b. The vice president (or designee) presents the College's case. Any person giving testimony may be questioned, at the completion of the witness's testimony, by the student. The vice president (or designee) has the right to follow up and/or recall witnesses as necessary.
  - c. The student presents his/her defense. The committee may not require the student to testify. Any person giving testimony on behalf of the student may also be questioned by the vice president (or designee).
  - d. The vice president (or designee) and the student may present rebuttal evidence and argument.
  - e. In closed session, the committee will discuss the issue and vote whether or not there has been a violation of this Code of Conduct. If the majority of the committee (at least 3 out of 5 voting members) finds the student violated the Code of Conduct, the committee will select and impose an appropriate sanction from the list detailed below. Determination of the sanction will be met by approval of a simple majority.
  - f. The committee chairperson will complete and submit the Committee Findings Form to the vice president (or designee) the same day as the conclusion of the hearing.
  - g. The vice president (or designee) will inform the student of the committee's findings and sanctions, as noted on the Committee Findings Form. This notification will be sent via certified letter to the student and will be postmarked within five (5) calendar days of the conclusion of the hearing.

### **Hearing Records**

1. All evidence will be offered to the committee during the hearing and made part of the hearing record. The hearing record will include
  - a. A copy of the notice provided to the student;

- b. All documentary and other evidence offered or admitted in evidence;
  - c. Written motions, pleas, and any other materials considered by the committee; and
  - d. The Committee Findings Form.
2. The hearing record will be forwarded to the vice president (or designee) where it will be securely maintained.

### **Appeal**

1. The president of the College will automatically review every penalty of expulsion.
2. A student is entitled to submit an appeal to the president of the College. To do so, a student must file a written request (via post marked certified letter) for appeal to the president within ten (10) calendar days from the date of the certified letter containing the Committee Findings Form. The written request for appeal must detail what specific issues are being appealed. The president maintains the right to refuse any request for appeal for insufficient cause.
3. If a notice of appeal is given, the vice president (or designee) will send the hearing record to the president, within five (5) calendar days after the notice is given. The president will review the record and determine whether an in-person meeting is necessary to resolve the appeal.
4. If an in-person meeting is deemed necessary, the president will set the date, time and place for the appeal and the vice president (or designee) will notify the student by certified letter or by hand delivery of information pertaining to the date, time, and place of the appeal. This notice will be sent as soon as possible and no later than ten (10) calendar days after the appeal request is received. The president will have the discretion to alter the arrangements of the hearing for good cause.
5. If an in-person meeting is not deemed necessary, the president will move forward with resolution of the appeal as detailed below.
6. After consideration of the appeal, the president will complete the appeal section on the Committee Findings Form. The president reserves the right to endorse, increase or lower the sanction that was assigned during the hearing.
7. The vice president (or designee) will notify the student the result of the appeal via certified letter.
8. The president will take such action as determined to be appropriate at any time during the process, and all decisions made by the president are final.

### **Sanctions**

Violations of the Code of Conduct can result in one or more of the following sanctions as deemed appropriate. The list of sanctions is not a progression.

1. Disciplinary Reprimand - a written reprimand from the vice president (or designee) to the student on whom it is imposed. A disciplinary reprimand is recorded in the student's conduct file.
2. Disciplinary Probation - probation may be imposed for any length of time up to one calendar year and the student will automatically be removed from probation when the imposed period expires. Probation indicates that further violations may result in suspension.
3. Community Service – service-learning hours with an office or department on campus.

4. Character Development – required attendance at an educational workshop, research and writing assignments or participation in a mentorship program.
5. Restitution - reimbursement for damage to or misappropriation of funds or property. This may take the form of appropriate service or other compensation.
6. Fines – fines shall be no less than \$15 and no greater than \$250, depending on the severity of the infraction.
7. Social Restriction – restriction from attending recognized campus social events and being on campus for any purpose other than those directly related to class. Social restriction may require the student to check in and out with security upon arrival and departure from campus.
8. Suspension - exclusion from classes and other privileges or activities as set forth in the notice for a defined period of time.
9. Expulsion - permanent severance from the College. The conditions of readmission, if any, shall be stated in the order of expulsion.
10. Referral to relevant law enforcement authorities.
11. Other appropriate consequences as determined by the disciplinary authority. Failure to complete sanctions by the designated completion date represents a violation of the Code of Conduct (Failure to comply with a College Official). Those who do not meet the criteria of their sanctions will begin the judicial process again with a second charge.

*All information within the Student Code of Conduct is updated as needed. The most current information pertaining to the Student Code of Conduct can be found on the LFCC Web site at <http://www.lfcc.edu/student-handbook>.*

## **Academic Honesty Policy**

The LFCC experience depends on the absolute integrity of the work completed by each student, and it is imperative that students maintain a high standard of honor in their coursework. Academic honesty is essential to develop students' full intellectual potential and self-esteem.

Cheating, plagiarism, unauthorized collaboration, deliberate interference with the integrity of the work of others, fabrication or falsification of data, and other forms of academic dishonesty, including those not specifically identified below, are considered serious offenses for which disciplinary penalties can be imposed.

### **Cheating**

Using materials not permitted by the instructor during exams, including stored information on electronic devices, copying answers from another student on exams or assignments, altering graded exams or assignments and submitting them for re-grading, submitting the same paper for two classes without the permission of both instructors.

### **Plagiarism**

Copying ideas or taking exact wording from published sources without indicating - using quotation marks or other conventions - where the words came from, paraphrasing from sources without indicating where the information came from, copying another student and submitting the work as your own, or buying a paper or having someone write a paper for you and submitting it as your own.

**Unauthorized Collaboration**

Collaborating beyond the extent specifically approved by the instructor.

**Facilitating Academic Dishonesty**

Allowing another student to copy someone else's assignment or problem set that is supposed to be done individually, allowing another student to copy someone else's answers during an exam, or taking an exam or completing an assignment for another student.

## **Policy on Sexual Violence, Domestic Violence, Dating Violence, and Stalking**

**Notice of Nondiscrimination**

As a recipient of federal funds, Lord Fairfax Community College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 et seq. ("Title IX"), which prohibits discrimination on the basis of sex in educational programs or activities, admission and employment. Lord Fairfax Community College (LFCC) is an equal opportunity institution providing educational and employment opportunities, programs, services, and activities and does not discriminate on the basis of race, color, sex, age, religion, disability, national origin, marital status, political affiliation, sexual orientation, or other non-merit factors. LFCC also prohibits sexual misconduct including sexual violence or harassment. Under certain circumstances, sexual misconduct, sexual harassment, and similar conduct constitute sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to the College's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights. The Title IX Coordinator is Lyda Costello Kiser, whose office is located at the Middletown Campus, Fairfax Hall, Room 160A, and may be contacted by phone at 540-869-0623 or by email at [titleix@lfcc.edu](mailto:titleix@lfcc.edu).

**Policy**

Lord Fairfax Community College is committed to providing an environment that is free from harassment and discrimination based on any status protected by law. This Policy supplements the following general policy statement set forth by the Virginia Community College System: This institution promotes and maintains educational opportunities without regard to race, color, sex, ethnicity, religion, gender, age (except when age is a bona fide occupational qualification), disability, national origin, or other non-merit factors. This Policy also addresses the requirements under the Violence Against Women Reauthorization Act of 2013, (also known as the Campus SaVE Act).

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

**Purpose**

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

## **Applicability**

This Policy applies to all campus community members, including students, faculty, staff and third parties, e.g., contractors and visitors. Conduct that occurs off campus can be the subject of a complaint or report and will be evaluated to determine whether it violates this Policy, e.g. if off-campus harassment has continuing effects that create a hostile environment on campus.

## **Definitions**

**Advisor:** An individual who provides the complainant and respondent support, guidance, or advice. Advisors may be present at any meeting or hearing, but may not speak directly on behalf of the complainant or respondent.

**Complainant:** A complainant refers to an individual who believes that they have been the subject of a violation of this Policy and files a complaint against a faculty member, staff member, student, or a third party

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

*Mental incapacity* means that condition of a person existing at the time which prevents the person from understanding the nature or consequences of the sexual act involved (the who, what, when, where, why, and how) and about which the accused knew or should have known. This includes incapacitation through the use of drugs or alcohol. Intoxication is not the same as incapacitation.

*Physical helplessness* means unconsciousness or any other condition existing at the time which otherwise rendered the person physically unable to communicate an unwillingness to act and about which the accused knew or should have known. Physical helplessness may be reached through the use of alcohol or drugs.

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

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

**Respondent:** A respondent refers to the individual who has been accused of violating this Policy.

**Responsible Employee:** A responsible employee is one designated for purposes of initiating notice and investigation of alleged violations of this Policy or who has the authority to take action to redress violations of this Policy. A responsible employee also is any employee who a person reasonably believes is a responsible employee. Responsible employees are required to forward all reports of violations of this Policy to the appropriate Title IX Coordinator. [Any employee with supervisory authority is a responsible employee. (Alternatively, the College may name responsible employees by title, or name employees who are CSAs as responsible employees.)]

A responsible employee shall not be an employee who, in his position at the College, provides services to the campus community as a licensed health care professional (or the administrative staff of a licensed health care professional), professional counselor, victim support personnel, clergy, or attorney.

**Review Committee:** Review committee refers to the committee consisting of three or more persons, including the Title IX Coordinator or his designee, a representative of police or campus security, and a student affairs representative, that is responsible for reviewing information related to acts of sexual violence.

**Sex Discrimination:** Sex discrimination is the unlawful treatment of another based on the individual's sex that excludes an individual from participation in, separates, denies the individual the benefits of, or otherwise adversely affects a term or condition of an individual's employment, education, or participation in college program or activity.

**Sexual Assault:** Sexual assault is defined as the intentional physical sexual contact with a person against that person's will by the use of force, threat, or intimidation, or through the use of a person's mental incapacity or physical helplessness. Sexual assault includes intentionally touching, either directly or through clothing, of the victim's genitals, breasts, thighs, or buttocks without the person's consent, as well as forcing someone to touch or fondle another against his or her will. Sexual battery is a type of sexual assault.

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

**Sexual Harassment:** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment shall be considered to have occurred in the following instances:

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

*Hostile Environment:* Conduct so severe, pervasive, and objectively offensive that it undermines and detracts from an employee's work performance or a student's educational experience.

**Sexual Misconduct:** Sexual misconduct encompasses a range of behavior used to obtain sexual gratification against another's will or at the expense of another. Sexual misconduct includes rape, sexual harassment, sexual assault, sexual exploitation, and sexual violence.

**Sexual Violence:** Sexual violence is any intentional physical sexual abuse committed against a person's will. Sexual violence includes rape, sexual assault, and sexual battery.

**Stalking:** Stalking occurs when someone, on more than one occasion, engages in conduct directed at another person with the intent to place, or knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person's family or household member.

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

### **Retaliation**

Any form of retaliation, including intimidation, threats, harassment, and other adverse action taken or threatened against any complainant or person reporting a complaint alleging a violation of this Policy, or any person cooperating in the investigation of allegations of violations of this Policy, to include testifying, assisting or participating in any manner in an investigation pursuant to this Policy and the resolution procedures is strictly prohibited by this Policy. Action is generally deemed adverse if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy. Retaliation may result in disciplinary or other action independent of the sanctions or interim measures imposed in response to the underlying allegations of violations of this Policy.

### **Reporting Incidents**

1. Members of the campus community who believe they have been subjected to a crime should immediately report the incident to campus or local police. All emergencies or any incident where someone is in imminent danger should be reported immediately to campus police/security or local police by dialing 911 or 540-868-7233.
2. Whether or not a report is made to law enforcement, members of the campus community should report alleged violations of this Policy to the Title IX Coordinator during normal business hours. The Title IX Coordinator is solely responsible for overseeing the prompt, fair, and impartial investigation and resolution of complaints filed with the College. To help ensure a prompt, fair, and impartial investigation and resolution, individuals are encouraged to complete the online form in the Maxient System, "See Something, Say Something" or a written complaint form found in Appendix A. The written complaint will be submitted to the Title IX Coordinator. Although strongly encouraged, a complainant is not required to submit a complaint on the Complaint Form or in writing. Any report outside of normal business hours (8 a.m. to 4:30 p.m., Monday through Friday) should be made to Campus Police/Security.

## **Lord Fairfax Community College Title IX Campus Resources**

Title IX Coordinator: Lyda Costello Kiser, Middletown Campus  
Room 160A, Fairfax Hall  
540-869-0623  
titleix@lfcc.edu

After normal business hours, members of the campus community should report alleged violations of this Policy to LFCC Police/Security at (540) 868-7233.

3. There is no time limit for filing a complaint with the College. However, complainants should report possible violations of this Policy as soon as possible to maximize the College's ability to respond effectively. Failure to report promptly could result in the loss of relevant evidence and impair the College's ability to adequately respond to the allegations.

### **Handling of Reports and Investigations.**

The Title IX Coordinator will assist members of the campus community in reporting incidents to law enforcement authorities upon request. Members of the campus community may decline to notify law enforcement authorities if they wish. The College will comply with all requests for cooperation by the campus police or local law enforcement in investigations. The College may be required to suspend the Title IX investigation while the campus police or the local law enforcement agency gathers evidence. The College will resume its Title IX investigation as soon as the campus police or local law enforcement agency has completed gathering evidence. Otherwise, the College's investigation will not be precluded or suspended on the grounds that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

### **Confidentiality and Anonymous Reports.**

1. Individuals may be concerned about their privacy when they report a possible violation of this Policy. The College has a responsibility to end conduct that violates this Policy, prevent its recurrence, and address its discriminatory effects. For this reason, some College employees may not keep secret any report of sexual violence, domestic violence, dating violence, or stalking. The College expects employees to treat information they learn concerning incidents of reported violations of this Policy with respect and with as much privacy as possible. College employees must share such information only with those College and law enforcement officials who must be informed of the information pursuant to this Policy.

2. Responsible employees must report all alleged violations of this Policy obtained in the course of his or her employment to the Title IX Coordinator as soon as practicable after addressing the immediate needs of the complainant. Other campus employees have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes (Campus Security Authority (CSA) under the Clery Act). CSAs include student/conduct affairs personnel, campus law enforcement, local police, student activities staff, human resources staff, and advisors to student organizations. Reports received by the College concerning the abuse of a minor must be reported in compliance with state law.

3. If a complainant wishes to keep the report confidential, it is recommended that he or she reports the alleged conduct to someone with a duty to maintain confidentiality, e.g., mental health counselor or clergy. Employees may contact the Employee Assistance Program. If the complainant requests that the complainant's identity is not released to anyone else, the College's ability to investigate and take reasonable action in response to a complaint may be limited. In such cases, the College will evaluate the

request(s) that a complaint remain confidential in the context of the College's commitment to provide a reasonably safe and non-discriminatory environment. In order to make such an evaluation, the Title IX Coordinator may conduct a preliminary investigation into the alleged violation of this Policy and may weigh the request(s) against the following factors:

- The seriousness of the allegation(s);
- The complainant's or alleged victim's age;
- Whether there have been other similar complaints against the same respondent;
- The respondent's right to receive information about the allegations if the information is maintained by the College as an "education record" under FERPA; and
- The applicability of any laws mandating disclosure.

Therefore, the College may pursue an investigation even if the complainant requests that no action is taken and the College will not be able to ensure confidentiality in all cases. The College will notify the complainant in writing when it is unable to maintain confidentiality or respect the complainant's request for no further action.

4. Additionally, upon receiving a report of an alleged act of sexual violence against a student or one that allegedly occurred on property owned or controlled by the College or on public property within the campus, or immediately adjacent to and accessible from the campus, the Title IX Coordinator shall convene the College's review committee within 72 hours to review the information reported and any information obtained through law-enforcement records, criminal history record information, health records, conduct or personnel records, and any other facts and circumstances, including personally identifiable information, related to the alleged incident known to the review committee. The review committee may try to reach a consensus, but it is the law enforcement representative of the review committee that ultimately determines whether the disclosure of the information, including the personally identifiable information, is necessary to protect the health or safety of the alleged victim or other individuals. The College immediately shall disclose such information to the law enforcement agency that would be responsible for investigating the alleged incident immediately. The Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made.

5. If the report of an alleged act of sexual violence would constitute a felony sexual assault, within 24 hours of the first review team meeting, the law enforcement representative of the review committee shall notify the local Commonwealth's Attorney and disclose the information received by the review committee, including personally identifiable information, if such information was disclosed pursuant to Paragraph I(4). The law enforcement representative usually will make this disclosure; however, any member of the review committee may decide independently that such disclosure is required under state law and within 24 hours of the first review team meeting shall disclose the information to the local Commonwealth's Attorney, including personally identifiable information, if such information was disclosed pursuant to Paragraph I(4). If the Title IX Coordinator is aware of such disclosure, the Title IX Coordinator will notify the alleged victim in writing that such disclosure is being made. In addition, law enforcement will notify the local Commonwealth's Attorney within 48 hours of beginning an investigation involving a felony sexual assault.

6. The College will accept anonymous reports, but it will be limited in its ability to investigate and take reasonable action. The College must have sufficient information to conduct a meaningful and fair investigation. A respondent has a right to know the name of the complainant and information regarding the nature of the allegations in order to defend against the complaint.

The College, when reasonably available and when requested, may arrange for changes in academic, parking, transportation, or work arrangements after an alleged violation of this Policy. When such accommodations are provided, the College will protect the privacy of the complainant to the extent possible while still providing the accommodation.

### **Amnesty**

The College encourages the reporting of incidents that violate this Policy. The use of alcohol or drugs should not be a deterrent to reporting an incident. When conducting the investigation, the College's primary focus will be on addressing the alleged misconduct and not on alcohol and drug violations that may be discovered or disclosed. The College does not condone underage drinking; however, the College will extend limited amnesty from punitive sanctioning in the case of drug or alcohol use to complainants, witnesses, and others who report incidents, provided that they are acting in good faith in such capacity. The College may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.

### **Timely Warnings**

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

### **Interim Measures**

1. Prior to the resolution of a complaint, the College may suspend or place on disciplinary or administrative leave the respondent when it is determined that the respondent's continued presence on campus threatens the safety of an individual or of the campus community generally; may hamper the investigation into the alleged misconduct; or is necessary to stop threatening or retaliatory contact against the complainant or complainant's witnesses. The College shall provide advance notice of such measures, except in cases where the individual's presence constitutes a threat. In all cases, however, the College shall notify individuals subject to these interim measure(s) in writing of the specific facts and circumstances that make such interim measure(s) necessary and reasonable. Individuals subject to proposed interim measures shall have the opportunity to show why such measure(s) should not be implemented.
2. Notwithstanding the above, the College may impose a "no contact" order on each party, requiring the parties to refrain from having contact with one another, directly or through proxies, whether in person or by electronic means. The College also will enforce orders of protection issued by courts on all College property to the extent possible.
3. The College may implement other measures for either the complainant or the respondent if requested, appropriate, and reasonably available, whether a formal complaint has been filed or whether an investigation by either campus administrators or law enforcement agencies has commenced. Such measures may include, but are not limited to, course schedule adjustments, reassignment of duty,

changing work arrangements, changing parking arrangements, rescheduling class work, assignments, and examinations, and allowing alternative class or work arrangements, such as independent study or teleworking.

### **Sexual and Domestic Violence Procedures**

Anyone who has experienced sexual violence, domestic violence, dating violence, or stalking should do the following:

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

### **Written Notification of Rights and Options**

Any student or employee who reports an incident of sexual assault, domestic violence, dating violence, or stalking, or who is accused of committing such acts, whether the incident occurred on or off campus, shall receive a written explanation of their rights and options related to changes in academic, parking, and working arrangements, when requested and when reasonably available.

### **Support Services**

1. All students and employees will receive information in writing of available counseling, health, mental health, victim advocacy, legal assistance, and other services available in the community and on campus.

2. For more information about available resources, go to: <http://www.lfcc.edu/about-the-college/office-of-financial-and-administrative-services/Safe-and-Secure/threat-assessment-management-team/index.html>.

Or contact the Virginia Statewide Family Violence and Sexual Assault Hotline (800) 838-8238.

### **Education and Awareness.**

1. The College conducts a program to educate students and employees about this Policy and its procedures. The education and awareness program is designed to promote awareness of sexual violence, domestic violence, dating violence, and stalking.

2. Incoming students and new employees must take part in a mandatory primary prevention and awareness program. The program, at a minimum, shall include:

- A statement that the College prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;
- The definition of domestic violence, dating violence, sexual assault, and stalking;
- The definition of consent;
- Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;
- Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
- Information on possible sanctions, procedures to follow after an incident of sexual violence, domestic violence, dating violence or stalking, disciplinary procedures, and the protection of confidentiality; and
- Written notification about available resources and services, and options for academic and work accommodations, if requested and reasonably available.

3. The College also conducts an ongoing prevention and awareness campaign for all students and employees. The campaign shall include, at a minimum, the information provided to incoming students and new employees.

### **Resolution of Complaints**

1. The College has an obligation to provide prompt, fair, and impartial investigation and resolution of alleged violations to this Policy and is committed to so doing. Title IX Coordinator(s), investigators, and hearing officials must receive annual training on sexual violence, domestic violence, dating violence, and stalking, and the conduct of investigations and hearings. The College may resolve complaints either by an informal or formal resolution process.

2. The parties may agree to proceed under the informal resolution process in matters not involving sexual violence, domestic violence, dating violence, or stalking. The formal resolution process will be applied (i)

when any party that participated in the informal resolution process chooses to terminate the process, and (ii) to all matters that are not eligible for informal resolution.

### **Formal Resolution Process**

1. Complainant's Initial Meeting with the Title IX Coordinator. As soon as is practicable, the Title IX Coordinator will contact the complainant to schedule an initial meeting. If the complainant is not the alleged victim, the Title IX Coordinator also will contact the alleged victim as soon as possible to schedule an initial meeting. The Title IX Coordinator shall inform the complainant that he or she may be accompanied by an advisor of his or her choosing at the meeting. At this initial meeting, the Title IX Coordinator will:

- a) Provide the complainant a copy of this Policy;
- b) Provide the complainant with a Complaint Form, if necessary;
- c) Provide a written explanation of the complainant's rights and options related to changes in academic, parking, and working arrangements;
- d) Explain avenues for formal resolution and informal resolution of the complaint;
- e) Explain the steps involved in an investigation;
- f) Discuss confidentiality standards and concerns with the complainant;
- g) Determine whether the complainant wishes to pursue a resolution (formal or informal) through the College or no resolution of any kind;
- h) Refer the complainant to campus and community resources, including the local sexual assault crisis center, domestic violence crisis center, or other victim support service with which the College has entered into a memorandum of understanding;
- i) Discuss with the complainant, as appropriate, possible interim measures that may be taken or provided when necessary during the pendency of the investigative and resolution processes.
- j) Discuss the right to a prompt, fair, and impartial resolution of the complaint; and
- k) Discuss the College's obligation to disclose information about the complaint, including personally identifiable information, to campus/local law enforcement or to the local Commonwealth's Attorney, or both, under certain conditions.

2. Respondent's Initial Meeting with the Assigned Title IX Coordinator. As soon as is reasonably practicable, the Title IX Coordinator will schedule an initial meeting with the respondent. The Title IX Coordinator shall inform the respondent that he or she may be accompanied by an advisor of his or her choosing. During the initial meeting with the respondent, the Title IX Coordinator will:

- a) Provide the respondent, in writing, sufficient information to allow him or her to respond to the substance of the allegation;
- b) Provide the respondent a copy of this Policy;
- c) Provide a written explanation of the respondent's rights and options related to changes in academic, parking, and working arrangements;
- d) Explain the College's procedures for formal resolution and informal resolution of the complaint;
- e) Explain the steps involved in an investigation;

- f) Discuss confidentiality standards and concerns with the respondent;
- g) Discuss non-retaliation requirements;
- h) Inform the respondent of any interim measures that may be imposed on the respondent;
- i) Refer the respondent to campus and community resources, as appropriate; and
- j) Discuss with the respondent, as appropriate, possible interim measures that can be provided to the respondent during the pendency of the investigative and resolution processes.
- k) Discuss the respondent's right to due process and a prompt, fair, and impartial resolution of the complaint; and
- l) If the respondent is a student and the complaint involves an alleged act of sexual violence, explain to the respondent that the College will include a notation on the academic transcript if the respondent is suspended or dismissed after being found responsible, or if the respondent withdraws while under investigation, that the investigation may continue in the respondent's absence, if possible, while being afforded notice of the charges (and hearing, if applicable) and an opportunity to respond to all the evidence.

3. Title IX Coordinator's Initial Determination. a) The College shall conduct an investigation of the complaint unless (i) the complainant does not want the College to pursue the complaint and the Title IX Coordinator has determined that the College can honor the request; (ii) it is clear on its face and based on the Title IX Coordinator's initial meetings with the parties that no reasonable grounds exist for believing that the conduct at issue constitutes a violation of this Policy. The Title IX Coordinator will consider the following factors in determining whether it is reasonable to investigate the complaint: the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the information; and whether the individuals allegedly subjected to the conduct can be identified.

b) In the event that the Title IX Coordinator determines that an investigation of the complaint should not be conducted, he or she will document (in consultation, as necessary, with the complainant, respondent, and other College officials) the appropriate resolution of the complaint and inform the parties of the same. The Title IX Coordinator shall provide specific and clear written reason(s) why an investigation should not be conducted. The Title IX Coordinator shall provide the determination that the College will not investigate the matter to the complainant and the respondent, concurrently, within five (5) workdays of the completion of the initial meetings. This decision is final.

4. Appointment of the Investigator and Conduct of the Investigation. a) If the Title IX Coordinator determines that an investigation should be conducted, he or she will appoint an investigator within five (5) workdays of the completion of the initial meetings. The Title IX Coordinator will share his or her name and contact information with the complainant and respondent and will forward the complaint to the investigator. Within three (3) workdays of such appointment, the investigator, the complainant or the respondent may identify to the Title IX Coordinator in writing any potential conflict of interest posed by assigning such investigator to the matter. The Title IX Coordinator will consider such statements and will assign a different individual as investigator if it is determined that a material conflict of interest exists.

b) The investigator will contact the complainant and respondent promptly. In most cases, this should occur within three (3) workdays from the date of the investigator's appointment or the conclusion of the

informal resolution process, whichever is later. The investigator will schedule meetings with the parties. The parties may provide supporting documents, evidence, and recommendations of witnesses to be interviewed during the course of the investigation. Each party may have one advisor present during any meeting with the investigator; however, the advisor may not speak on the party's behalf.

c) In the conduct of the investigation, the investigator should weigh the credibility and demeanor of the complainant, respondent, and witnesses; the logic and consistency of the evidence, motives, and any corroborating evidence.

d) The investigation of any alleged violation of this Policy should be completed within 60 days of the filing of the complaint or the date on which the College becomes aware of the alleged violation, unless good cause exists to extend the timeframe. If more time is necessary, The Title IX Coordinator will notify the parties in writing and given the reason for the delay and an estimated time of completion.

e) Both complainant and respondent will have the opportunity to review and respond to evidence obtained during the investigation. Each party also will have the opportunity to review and comment on the written investigative report within seven (7) workdays of receiving the report. The final written investigative report and the parties' responses thereto shall be part of the record.

f) The investigator will complete a written investigative report that includes summaries of all interviews conducted, photographs, descriptions of relevant evidence, the rationale for credibility determinations, summaries of relevant electronic records, and a detailed report of the events in question. The written investigative report shall include at minimum, the following information:

- The name and gender of the complainant and, if different, the name and gender of the person reporting the allegation;
- A statement of the allegation, a description of the incident(s), and the date(s) and time(s) (if known) of the alleged incident(s);
- The date that the complaint or other report was made;
- The date the respondent was interviewed;
- The names and gender of all persons alleged to have committed the alleged violation;
- The names and gender of all known witnesses to the alleged incident(s);
- The dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained;
- Any written statements of the complainant or the alleged victim if different from the complainant;
- The date on which the College deferred its investigation and disciplinary process because the complainant filed a law enforcement complaint and the date on which the College resumed its investigation and disciplinary process (if applicable); and

g) The investigator will forward the written investigative report to the Title IX Coordinator.

- b) The withdrawal of a student from the College while under investigation for an alleged violation of this Policy involving an act of sexual violence in most cases, should not end the College's investigation and resolution of the complaint. The College shall continue the investigation if possible as set forth under this Policy. The College shall notify the student in writing of the investigation and afford the student the opportunity to provide evidence, to review and respond

to all the evidence against the student, and to the written investigative report prior to making a final determination. The student also shall receive notice in writing of any hearing, including the day, time, and location. Upon the student's withdrawal, the College shall place a notation on the student's academic transcript that states, "*Withdrew while under investigation for a violation of [name of community college's] sexual misconduct policy.*" After the College has completed its investigation and resolution of the complaint, the College shall either (1) remove the notation if the student is found not responsible or (2) change the notation to reflect either a suspension or dismissal for a violation of the Policy if either was imposed. The College shall end the investigation and resolution of the complaint if the College cannot locate the respondent and provide him or her notice and the opportunity to respond. In such cases, the College shall maintain the withdrawal notation on the student's academic transcript. Upon a final determination, the Title IX Coordinator immediately shall notify the registrar and direct that the appropriate notation is made.

### **Determination of Title IX Coordinator and Corrective Action Report**

1. The Title IX Coordinator will determine whether there is a preponderance of the evidence to find that the respondent violated this Policy as alleged. In most cases, this should occur within five (5) workdays of receiving the written investigative report from the investigator. The "preponderance of the evidence" standard requires that the weight of the evidence, in totality, supports a finding that it is more likely than not that the alleged violation occurred.
2. If the Title IX Coordinator finds that the evidence does not prove by a preponderance of the evidence that the respondent committed the alleged violation, the matter will be closed. The Title IX Coordinator will make the determination in writing and distribute the written investigative report with such finding to the complainant and the respondent concurrently. All parties to whom the written investigative report is distributed pursuant to this Policy should maintain it in confidence. Both the complainant and the respondent may appeal the finding under the procedure described below.
3. If the Title IX Coordinator finds by a preponderance of the evidence that a violation of this Policy did occur, the Title IX Coordinator will make the determination in writing and distribute the written investigative report with such finding to the complainant and the respondent concurrently. All parties to whom the written investigative report is distributed pursuant to this Policy should maintain it in confidence. Both the complainant and the respondent may appeal the finding under the procedure described below.
4. When the Title IX Coordinator finds that a violation has occurred, he or she also shall write a separate written corrective action report that will contain recommendations for steps that should be taken to prevent recurrence of any such violation and to remedy any discriminatory effects. If interim measures as described above have been taken, the written corrective action report shall include a recommendation regarding continuation, suspension or modification of any such interim measures. The Title IX Coordinator shall distribute the written corrective action report to the complainant and respondent concurrently. In most cases, the written corrective action report should be completed within five (5) workdays after the distribution of the written investigative report. The written investigative report and the corrective action report may be submitted concurrently. The Title IX Coordinator also shall provide the written investigative report and the written corrective action report to the appropriate College official, as described below.
5. If the respondent is a student, the Title IX Coordinator will forward the reports to the Judicial Officer,

Dean of Students/Vice President for Student Affairs, or other appropriate official. Within ten (10) workdays, the Judicial Officer shall determine and impose appropriate sanctions, as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s). When the respondent is a student, within five (5) workdays of receipt, the Title IX Coordinator may disclose to the complainant the sanctions imposed on the respondent that directly relate to the complainant as permitted by state and federal law, including the Federal Educational Rights and Privacy Act (FERPA) and the Virginia Freedom of Information Act, when such disclosure is necessary to ensure the safety of the complainant. The Title IX Coordinator also may disclose in writing to the complainant the final results of a disciplinary proceeding involving the respondent with regard to an alleged forcible or non-forcible sex offense, act of stalking, domestic violence or dating violence on the complainant, as permitted by state and federal law including FERPA and the Virginia Freedom of Information Act. The disclosure of final results must include only the name of the student, the violation committed, and any sanction imposed by the College against the student.

6. If the respondent is an employee, the Title IX Coordinator will forward the reports to the employee's supervisor, HR Director or other college official. Within ten (10) workdays, the supervisor and HR Director shall determine and impose appropriate sanctions, as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s).

7. If the respondent is a third party, the Title IX Coordinator will forward the reports to Vice President of Finance and Administrative Services, Police Chief, or other college official. Within ten (10) workdays, the Vice President, Police Chief, or other official shall determine and impose appropriate sanctions, as described below. The respondent and the Title IX Coordinator shall receive written notification of sanction(s). The Title IX Coordinator may disclose to the complainant information as described above.

8. The Title IX Coordinator will advise the complainant and the respondent of their right to appeal any finding or sanction in writing. The written notification also shall provide information on the appeals process. If the complainant or respondent does not contest the finding or recommended sanction(s), he or she shall sign a statement acknowledging such. The signed statement shall be part of the record.

#### **Informal Resolution.**

1. After receiving a request from both parties to resolve the complaint with the informal resolution process, the Title IX Coordinator will appoint a College official to facilitate an effective and appropriate resolution. Within five (5) workdays of the appointment, the College official will request a written statement from the parties to be submitted within ten (10) workdays. Each party may request that witnesses are interviewed. Within ten (10) workdays of receiving the written statements, the College official will hold a meeting(s) with the parties and coordinate informal resolution measures. The College official shall document the meeting(s) in writing. Each party may have one advisor of his or her choosing during any meeting; however, the advisor may not speak on the party's behalf.

2. The informal resolution process should be complete within thirty (30) days in most cases, unless good cause exists to extend the timeframe. The parties will be notified in writing and given the reason for the delay and an estimated time of completion. Any party may request in writing that the informal resolution process be terminated at any time, in which case the formal resolution process will commence. In addition, any party can pursue formal resolution if he or she is dissatisfied with the proposed informal resolution.

3. Any resolution of a complaint through the informal process must address the concerns of the complainant and the responsibility of the College to address alleged violations of the Policy, while also

respecting the due process rights of the respondent. Informal resolution remedies might include mandatory education, counseling, written counseling by an employee's supervisor, or other methods. The College official will provide the complainant and respondent with a copy of the final written report concurrently. The final written report shall include the nature of the complaint, a meeting(s) summary, the informal resolution remedies applied, and whether the complaint was resolved through the informal resolution process.

4. There is no right of appeal afforded to the complainant or the respondent following the informal resolution process.

### **Sanctions & Corrective Actions**

1. The College will take reasonable steps to prevent the recurrence of any violations of this Policy and to correct the discriminatory effects on the complainant (and others, if appropriate). Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for similar violations, or both.

2. The range of potential sanctions and corrective actions that may be imposed against a student includes but is not limited to the following: required discrimination or harassment education, a requirement not to repeat or continue the discriminatory, harassing, or retaliatory conduct, verbal or written warning, a no-contact order, written or verbal apology, verbal or written warning, probation, suspension, and dismissal from the College.

a. If a student is found responsible for an act of sexual violence under this Policy and is suspended or dismissed, the student's academic transcript shall be noted as follows: "*Suspended/Dismissed for a violation of [the name of the College's] sexual misconduct policy.*" In the case of a suspension, the College shall remove such notation immediately following the completion of the term of suspension and any conditions thereof, and when the student is considered to be in good standing. The student shall be considered to be in good standing for the purposes of this section following the completion of the term of suspension and satisfaction of all conditions thereof. Upon completion of the suspension, the Title IX Coordinator (or designee) shall meet with the student to confirm completion of the conditions and upon such confirmation, direct the registrar to remove the notation from the student's academic transcript.

b. If a student withdraws from the College while under investigation involving an act of sexual violence under this Policy, the student's academic transcript shall be noted as follows: "*Withdrew while under investigation for a violation of [name of the College's] sexual misconduct policy.*" Students are strongly encouraged not to withdraw from the College.

c. The College shall immediately remove the notation from the student's academic transcript upon a subsequent finding that the student is not responsible an offense of sexual violence under this Policy. Upon such a finding, the Title IX Coordinator (or designee) shall direct the registrar to remove the notation from the student's academic transcript.

d. Notations on academic transcripts regarding suspensions and dismissals shall be placed on the student's academic transcript after resolution of all appeals.

3. Sanctions for faculty and staff shall be determined in accordance with the VCCS Policy Manual and the Department of Human Resource Management Standards of Conduct, respectively. Possible sanctions and

corrective actions include required discrimination or harassment education, informal or formal counseling, reassignment, demotion, suspension, non-reappointment, and termination from employment.

4. Third parties, e.g., contractors, will be prohibited from having access to the campus. Depending on the violation, this prohibition may be permanent or temporary.

5. Title IX Coordinator will determine the final accommodations to be provided to the complainant, if any.

6. [Sanctions imposed do not take effect until the resolution of any timely appeal. However, sanctions may take effect immediately when the continued presence of an individual on campus may threaten the safety of an individual or the campus community, generally. Sanctions will continue in effect until such time as the appeal process is exhausted in such cases.]

### **Appeals**

The complainant and the respondent has the opportunity to appeal the outcome of the written investigative report or the sanction(s) recommended. Appeals shall be conducted in accordance with the applicable grievance procedures described in the Student Handbook, VCCS Policy Manual, and the Grievance Procedure Manual of the Department of Human Resource Management. Third parties may request that the College reconsider its decision in writing to the Vice President of Finance and Administrative Services.

### **Academic Freedom and Free Speech**

1. This Policy does not allow censorship of constitutionally protected expression. Verbal or written communications, without accompanying unwanted sexual physical contact, is not sexual violence or sexual assault. Verbal or written communications constitute sexual harassment only when such communications are sufficiently severe, pervasive, and objectively offensive that they undermine and detract from an employee's work performance or a student's educational experience.

2. In addressing all complaints and reports of alleged violations of this Policy, the College will take all permissible actions to ensure the safety students and employees while complying with any and all applicable guidance regarding free speech rights of students and employees. This Policy does not apply to curriculum, curricular materials, or abridge the use of particular textbooks.

### **False Allegations**

Any individual who knowingly files a false complaint under this Policy, who knowingly provides false information to College officials, or who intentionally misleads College officials who are involved in the investigation or resolution of a complaint may be subject to disciplinary action, up to and including dismissal for students and termination of employment for faculty and staff. An allegation that cannot be proven by a preponderance of the evidence is not necessarily proof of knowingly filing a false complaint.

### **Consensual Relationships**

Consenting romantic and sexual relationships between college employees and students, although not expressly forbidden, are generally deemed unwise and are strongly discouraged. Consent by the student in such a relationship may be suspect, given the fundamentally asymmetric nature of the relationship. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome.

### **Record Keeping**

The Title IX Coordinator shall maintain, in a confidential manner, for at least seven (7) years, paper or electronic files of all complaints, witness statements, documentary evidence, written investigative reports, written corrective action reports, sanctions, appeal hearings and associated documents, the responses taken campus personnel for each complaint, including any interim and permanent steps taken with respect to the complainant and the respondent, and a narrative of all action taken to prevent recurrence of any harassing incident(s), including any written documentation.

## **PROCEDURES IN CASES OF ACADEMIC DISHONESTY**

### **Communication of the Charge of Academic Dishonesty to the Student by Faculty**

1. If a faculty member suspects a student of academic dishonesty and has gained evidence through any combination of firsthand observation, written or electronic information, and/or other verifiable sources, the faculty member shall make every reasonable effort to discuss this suspicion and the reasons privately with the student involved. If more than one student is involved, the faculty member must discuss the situation with each student individually. "Reasonable effort to discuss" is defined as communication in person, by email, and/or by telephone.
2. After the discussion, if the faculty member remains convinced that the student is guilty of academic dishonesty, the faculty member may impose one or more of the following penalties depending on the faculty member's judgment as to the seriousness of the offense and consistent with the faculty member's syllabus:
  - a. Reprimand the student
  - b. Require that the work in question be done over
  - c. Assign a grade of zero on the work involved
  - d. Assign a grade of F for the course (An F earned because of academic dishonesty can only be altered through successful appeal of the charge (see procedures below).  
Withdrawing from a class will not alter a grade of F imposed for academic dishonesty.
  - e. Follow the guidelines set forth in the handbooks for individual cohort programs (e.g. the nursing program calls for dismissal from the program)
3. The faculty member must keep any documentation and evidence of the violation for reference in case of appeal.
4. The student charged with academic dishonesty should be allowed to continue class, in the event the student appeals the penalty that the faculty member imposes (unless the student is a risk to the safety and security of Lord Fairfax Community College).

### **Administrative Disposition of the Charge**

1. The faculty member must complete an official incident report through See Something, Say Something, which will be automatically routed to the appropriate dean depending on campus/site where the student is enrolled.
2. The dean will inform the student in writing of the penalty imposed by the faculty member, that the student will be on disciplinary probation, and that future violations may result in more severe sanctions as described below. The dean will also inform the student of the date by which he/she must appeal the penalty.
3. As with other grade appeals, a student may appeal the charge by submitting a written request to the dean who contacted them about the violation within five (5) business days following the receipt

of the dean's official notification of the charges and penalty. The dean's response to the appeal will be issued within 10 business days of receipt of the written appeal. The decision of the dean will be considered final and binding.

4. If the student already has such notice on file and neither case is reversed on appeal, the student may be suspended for one semester.
5. A third violation of academic honesty by a student may result in expulsion from the College. The Chief Academic Officer for the campus/site (CAO) will automatically review all penalties of expulsion.

### **Impact of Academic Dishonesty on Academic Honors**

Students are advised that if they are found guilty of academic dishonesty they will not graduate with any type of academic honors awarded by the College.

## **ADDITIONAL COLLEGE POLICIES AND PROCEDURES**

### **ANIMALS ON CAMPUS**

No animals are allowed on College grounds or in College buildings with the exception of service animals trained to perform tasks for people with disabilities. Exceptions for extenuating circumstances must be approved in advance by the vice president of financial and administrative services or designee.

### **INTELLECTUAL PROPERTY RIGHTS**

Lord Fairfax Community College (LFCC) adheres to the Virginia Community College System's (VCCS) policy on intellectual property. The VCCS Intellectual Property Policy defines and identifies intellectual property as including materials that may be patented or copyrightable, and includes, but is not necessarily limited to, written materials, courseware (lectures, printed materials, images and other items delivered in a course), visual and/or recorded material, and computer related materials.

In accordance with VCCS policy, all copyrightable or patentable material belongs to the creator when done independently of LFCC or if completed with only incidental use of LFCC resources as defined by Section 12.0.3, subsection B of the VCCS Intellectual Property Policy. In cases of College-sponsored creations or anything done with "substantial" or "significant" use of College resources, LFCC retains claims on such intellectual property as outlined in Sections 12.0.3 and 12.0.3.0 of the VCCS Intellectual Property Policy. If employees or students have disagreements about intellectual property rights, they may utilize the employee and student grievance procedure. While LFCC has implemented its Intellectual Property Rights Policy and it is in place, there have been no incidents in which it has had to be used.

### **GUESTS AND CHILDREN ON CAMPUS**

All students are held responsible for the actions of any guests that join them on campus. In cases where children are the guests, the Children on Campus policy applies. Note: The policy defines children as those 13 years of age and younger. This policy reads: Young children needing supervision cannot be left unattended on LFCC premises. The LFCC staff has no responsibility for protecting such children from the possibility of harming themselves or for insuring they do not disrupt scheduled operations when they are left unattended. Additionally, they cannot be taken into classrooms or laboratories. In short, responsibility for arranging proper care of young children needing supervision rests solely upon those persons responsible for them (e.g.: parents, guardians, brothers or sisters). Violators of this policy may be subject to appropriate administrative review/action.

## **PARKING**

Students are required to display a Parking Permit on their vehicles parked on campus. Students may be fined for failure to display a Parking Permit, as a secondary offense if another violation is issued. Permits will be issued by Campus Police and Security upon payment of parking maintenance fees.

### **Parking Violations and Fines**

- Parking in handicap space \$100
- Parking in fire lane \$100
- Parking along or adjacent to yellow curb \$25
- Parking on grass \$25
- Parking in reserved/restricted space \$25
- Failure to display parking permit \$25  
(secondary offense)
- Blocking vehicles \$25
- Improper parking \$25
- Blocking flow of traffic \$25  
(with vehicle towed)
- Tampering with wheel lock \$50
- Wheel lock removal fee \$50

### **Payments of Fines**

- Tickets must be paid within 30 days of issuance.
  - a. Payments not made with 30 days will result in a hold being placed on the violator's account until the obligation is paid.
  - b. Fines in excess of \$200 and/or 4 unpaid violations will result in a wheel lock being attached to the vehicle until payment is made
- Payment must be made to the Business Office.

### **Appeal Process**

- All appeals shall be made in writing to the College Chief of Police or designee within 7 business days of issuance. No appeal will be considered beyond 7 business days.
- A formal response to the appeal will be made within 7 business days. All decisions on appeal are final.

### **Towed Vehicles**

- Vehicles may be towed, if blocking traffic, parked in a fire lane, handicap spaces, parked in the motorcycle lot after posted hours or whenever deemed necessary for the safe and orderly flow of traffic.
- Lord Fairfax Community College is not responsible for fees or damage incurred during towing.

## **SMOKING POLICY**

Smoking or use of any apparatus that emits smoke or is designed to simulate smoking or any other tobacco product is not permitted in any College building. Smoking on school property is permitted *only* in designated areas, which are identified as any space more than 25 feet from an entrance to the College.

## **STUDENT IDENTIFICATION CARD POLICY**

The student identification card is a student's official LFCC identification. All credit students are required to have an ID card. Students can apply for an ID card with Campus Police and Security. Student activity

fees cover the first card issued; however, there is a \$20 charge for a replacement card. IDs are intended for the sole and exclusive use of the student to whom the ID is issued for purposes of identification as a member of the College community and qualification for College services, i.e., use of computer labs and student activities. ID cards are not transferable (to another person) and must be returned upon request. Policy and details regarding the student identification card program are available at <http://www.lfcc.edu>.

## **ADDITIONAL COLLEGE INFORMATION**

### **Posting Policy**

All fliers, posters and other materials designed to help advertise, promote, sell, rent or otherwise spread information about an event or service that is being sponsored by an LFCC student club and organization or a non LFCC entity must be approved by a full-time employee in the Student Life Office or designee.

All materials presenting information directly related to LFCC instruction and business can receive permission for posting materials with their department leaders. LFCC facilities may not be used for solicitation by individual contact to faculty, staff, or students by LFCC clubs and organizations, nonprofits, and for profit organizations.

In order to maintain the natural beauty of the campus and preclude a cluttered appearance of the buildings, the following actions are specifically prohibited:

- Posters, notices, announcements, or other materials attached to boards that belong to specific clubs or academic departments, interior and exterior walls, windows, bathroom stalls, doors, walks, light fixtures, stairways, the outside of buildings, trees, trash receptacles, shrubs, utility poles, or other non-designated areas on campus.
- Flyers or notices placed in or attached to automobiles on campus.
- Advertising the sale of alcoholic beverages, or any phrase or symbol that would lead the reader to believe that alcohol will be served or consumed is prohibited.
- Using duct tape, staples, pins, nails, etc. in non-standard posting locations and may result in damage billing.

### **Emergency Closing Alerts**

For the latest emergency closing information, please sign up for LFCC Alert at <http://alert.lfcc.edu>. visit the College's website or call the emergency closing announcement telephone lines at 800-906-LFCC.

Regardless of the emergency closing announcement—all students and employees should use good judgment as to whether or not it is safe to travel. These communication vehicles are updated first in the event of emergency closings. In addition, because LFCC has complete control over these two communication methods, messages are guaranteed to be accurate and up to date. This same guarantee cannot be applied to messages heard on local radio and television stations.

When the College issues a delayed opening or day class cancelation announcement, please check the website or call the emergency closing announcement telephone line before leaving home and before you are scheduled to arrive on campus. This may prevent a wasted trip to campus in the event that the College's closing status changes in the same day.

### **Emergency Information**

Fire/Ambulance—Local Volunteer Fire and Rescue Company—911.

### **Campus Bookstore**

Textbook purchases and rentals are handled in the campus bookstore. The bookstore will gladly accept all returns and exchanges for items accompanied by a receipt. A photo ID will be required for all returns and exchanges.

### ***Textbook Returns Policy***

- The last day for textbook returns with original receipt (this includes Financial Aid accounts) is the last drop to add 2<sup>nd</sup> 8-week classes per the college calendar or within 2 days of the purchase thereafter
- Textbooks purchased during the last week of classes or during final exams are not returnable
- Shrink-wrapped textbooks and/or access codes must be unopened, all enclosures (CDs, etc) must be included. Software include with the textbooks must be unopened. The bookstore buys textbooks every day at the current market prices-books may be worth more during finals. In some cases Buyback transactions may only occur after the Financials Aid period closes.
- No refunds will be given on non-returned text rental collection fees for a previous semester's books after the grace period has ended.
- If books were not returned from a previous semester and collection fees were not able to be collected from provided collateral, future rental participation will be suspended thereafter.

### ***Non-Textbook Returns Policy***

- Non-text items may be refunded or exchanged within 30 days of the sale with the original receipt if the merchandise is in saleable condition.
- Items such as electronics, CDs, DVDs and computer software must be unopened if returned.
- Computers, tablets and other hardware can be returned within 14 days of purchase if unopened and in original packing.
- Law & Nursing Reviews and Study Guides are not returnable.
- Final Sales Items include the following: Inkling digital textbooks, study guides, test prep book, bar charts, cliff notes, professional reference study aid, clearance items and magazines. All these items are not returnable/refundable.

### ***Financial Aid Purchases***

- Financial aid purchases are only possible with a valid student ID number and proper identification. All transactions require the original receipt.
- No cash refund will be given during the open financial aid period. Cash refunds on books purchased during the financial aid period will only be given after the institution issues refund checks.
- The College reserves the right to restrict or limit purchases of certain items or to restrict students from using financial aid in cases of suspected fraud or misuse of funds.
- All refunds of text materials must be done prior to dropping classes to ensure proper credit to the financial aid account. If you drop your classes first, you will not be able to return your books.
- If you modify any settings within the student information system within 24 hours prior to purchasing your books, to include adding or dropping classes, the bookstore is unable to utilize your financial aid.

### ***Campus Safety***

Safety rules are established to protect the individual from injury or death and must be observed at all times. Posted speed limits, traffic patterns and fire access lane regulations are rigidly enforced. Personal attention and care is required by all students for their own safety and the safety of others whether in the

classrooms, halls, laboratories, libraries, lounges or parking areas. Specific safety precautions and the exercise of common sense and courtesy are key elements of the College safety program.

### **Campus Police and Security**

The Campus Police and Security team is committed to maintaining a safe and secure learning environment for all students, employees, visitors and community members. They strive to provide courteous and professional service while remaining vigilant to protect the life and property of those who come to LFCC's campus locations. Campus police officers may exercise the powers and duties conferred by law upon police officers of cities, towns, or counties according to Va. Code 23-234 including, but not limited to, enforcing criminal and traffic law of the Code of Virginia, making arrests, issuing traffic summonses and conducting criminal investigations. Police and Security Officers assist with emergencies, evacuations, drills, as well as vehicle batter recharge and escorts to parking lots. LFCC's Security Officers are certified by the Virginia Department of Criminal Justice Services as Campus Security Officers. They are also trained and certified in CPR and with the use of an AED (automatic emergency defibrillator).

### **Lost and Found/Assistance**

Campus Police and Security is responsible for all items turned into Lost and Found. If you locate an item or misplace one of your own, stop by Campus Police and Security. All items turned into Lost Found will be kept for 120 days. At that time, all unclaimed property will be disposed of according to established procedures.

### **SOLICITING, PROMOTING, OR SELLING**

Soliciting, promoting, or selling to the College community is not permitted without the prior *written* consent of the student activities office or the vice-president of administration and finance.

- \*Students' selling used textbooks to one another is permitted.
- Posting flyers with items for rent or for sale on authorized public bulletin boards is acceptable with approval from the student activities office.

## **STUDENT ACTIVITIES**

Lord Fairfax Community College seeks to provide a diversified program of educational, cultural, recreational and social experiences responsive to the needs and desires of students. Although some major events have already been planned, the success of the program depends completely on you, the student. With your ideas and suggestions, the activities and programs can be exciting and enjoyable. Make the most of your LFCC experience and get involved!

### **Clubs and Organizations**

Clubs and organizations are one of the major segments of the student activities program. All clubs and organizations are open to any student enrolled in at least one semester hour of course credit at LFCC. A 2.0 minimum semester grade point average (GPA) is required for continued participation. To see a list of active clubs and organizations at LFCC, please visit [www.lfcc.edu/studentactivities](http://www.lfcc.edu/studentactivities).

## **STUDENT GOVERNMENT ASSOCIATION**

An integral part of the student activities program at each campus is the Student Government Association (SGA). Each year, the student body elects a president, vice president, secretary and treasurer. These

officers are recognized as the official spokespersons for the student body and represent the interests of the students on a variety of College-wide committees. For more information, contact [studentlife@lfcc.edu](mailto:studentlife@lfcc.edu).

## **Establishing and Chartering Student Organizations and Clubs**

Student organizations and clubs which will contribute to the educational, social, community and/or physical improvement of Lord Fairfax Community College can be established. Student organizations must be academic, educational and/or service-oriented and all full-time and part-time students are eligible to participate.

### **All organizations and clubs must fulfill the following requirements:**

- Include only enrolled LFCC students and LFCC faculty/staff members.
- Have at least five students who are currently enrolled.
- Have a full or part-time faculty/staff advisor who will participate actively.

### **All organizations and clubs must:**

- Submit a constitution which describes the purpose of the organization; any academic or special membership requirements, such as fees, equipment needed, etc.; types of activities planned; and any national or other affiliations.
- Submit a Charter Request form which contains the day, time and place of meetings; a list of members; a list of officers; and the name and signature of the faculty/staff advisor.
- Be approved by the Student Activities Specialist, SGA, coordinator of student life and the president of Lord Fairfax Community College.
- Be in compliance with the LFCC nondiscrimination policy.
- Have the advisor or another member of the LFCC faculty or staff accompany the group on all trips and events held off campus.
- Establish and maintain a financial account in the Business Office.
- Deposit revenue from all sources into that account.
- Purchase items in accordance with College procurement guidelines in order to protect tax-exempt status.
- Re-charter by the last day of September each year.
- Submit a budget proposal for funds to Student Activities and the Student Government Association for consideration and recommendation if seeking funding.

After these items have been reviewed and approved by the coordinator of student activities, the information will be submitted to the SGA. Once the SGA recommends approval of the petitioning club or organization, the documents will be forwarded to the student life committee. The final step in the process is the approval from the president of LFCC. Once the official recognition has been granted, the president will notify the student activities coordinator. The student activities office will then issue an official charter to the organization or club. This charter will be good for the calendar year, up to the beginning of the next fall semester. This charter will grant the privileges of using college facilities and the Lord Fairfax Community College name. Officers of all clubs and organizations must remain enrolled at LFCC and maintain at least a 2.0 GPA, or a higher GPA if required by an affiliated national organization.

### **Source of Funds for Clubs and Organizations**

There are four sources of funds for the student activities budget. They are student activities fees, vending revenue, ID card replacement fees and College-wide event sales. Individual clubs and organizations may receive additional funding through fund-raising efforts. Fund-raising efforts must follow LFCC guidelines.

### **Purpose of the Student Activities Fee**

The student activities budget, which is approved by the Lord Fairfax Community College Board prior to the beginning of each fiscal year, is largely funded from student activities fees. The fund accounts are for transactions related to student functions. These functions include intramurals and club sports teams; campus, community and cultural events; social activities; organization support; College-wide activities; student government associations and performing arts activities. Funds are also provided for additional student activities staffing needs and the student ID program.

### **General Standards**

Student organizations and clubs that receive financial support from the College must stipulate in their constitutions or bylaws the following:

- The primary purpose of the organization/club is educational or service, or both.
- The group permits expression of a wide range of views among its members.
- Currently enrolled students' lives will be enriched by their events and activities.

The following general guidelines are applicable to all College-recognized organizations and clubs that receive any type of funding from the student activities fee. These guidelines determine whether a student group is eligible to receive funding consideration.

### **Student Organizations**

Student organizations are sanctioned by Lord Fairfax Community College as official College entities and are benefactors of the support of the College. Student organizations provide a variety of services, information and resources to the College, community and individual students. These organizations benefit all LFCC students. Student activity specialists and the coordinator of student life will review organization eligibility annually. Student organizations may apply for funding through the Office of Student Life. Any organizational funding must be used to enrich the lives of currently enrolled students in their organization or College-wide. Funding may not be used for service projects outside of the College. The College encourages organizations to use other means to fund service-oriented projects. Organizations may also request additional funding for unanticipated needs under the same guidelines set for student clubs. The Office of Student Life may take into consideration funding that has already been allocated to the organization, the use of those funds to date and the intended use of any remaining funds that have been allocated.

### **Student Clubs Recognized**

Student clubs that have been approved through the College's annual recognition process are eligible to be considered for financial support. Student clubs are not guaranteed financial support from the student activity fund (SAF). Funding is based upon the availability of funds. Clubs should not plan to have SAF as their primary source of revenue. Fundraising and/or the collection of dues are highly recommended.

## **Criteria for Funding Clubs**

### **Events and Activities Funding**

- Clubs will be funded only for those events that maintain the purposeful functions of the group, as stated in its constitution.
- Funds are ordinarily allocated to recognized clubs whose programs will directly benefit or serve a large segment of the student body.
- Programs and activities funded in whole or in part by the SAF must be open to any interested student.

### **Unanticipated Needs**

Emergency funding may be available if an unanticipated need arises that requires immediate attention for which event/activities or travel funding could not have been planned or applied for during the regular process.

### **Travel Funding**

Funding may be requested for student travel to conventions, conferences, performances and competitive events. All travel requests are subject to the College's travel policies and procedures. Travel must also be related to the club's primary purpose as stated in its constitution.

### **All club funding requests must comply with the following criteria:**

- Clubs requesting funding must comply with the College's request procedures.
- Clubs may only maintain a College account. Clubs must deposit all receipts and make all expenditures through their campus Business Office.
- Requests for checks and purchases must be approved by the club's advisor.

All purchase requests must fully comply with College procurement procedures.

### **Funding Guidelines**

- Clubs must submit written justification and oral presentation at a SGA meeting that supports budget requests.
- Clubs must demonstrate stability and fiscal responsibility by submitting budget records from the previous year, including all self-generating revenue.
- The request must state the number of students that will benefit from the event.
- The club must be supported, in part, by self-generating monies.
- The club must certify that its members approved the budget request at an open meeting and that it has consulted with the club advisor.
- The club must be active in at least one approved College event per semester.
- Funding is provided for all or any part of specific club events, activities and travel, but not for general club support.
- Funding may be used to pay off-campus vendors, as necessary, to support club activities.

### **Student Activities Budget Review Board**

The student activities specialist and the Student Government Association will hear budget requests at each public SGA meeting. A representative of the club or organization should be present to field any questions and discuss the club's request. Each request will be decided by a majority vote of the board.

### **Allocations will be based upon the following criteria:**

1. Relationship between the request and the club mission statement.
2. The request must meet at least four of the following six standards:
  - Programs sponsored by the club in the past 12 months were successful.

- Program has an educational value.
  - Program encourages interaction among students.
  - Program supports student commitment and loyalty to the College community.
  - Program will be visible and accessible to all students.
  - Program is designed to promote a diversity of student interests.
3. Club has shown past fiscal responsibility. Were forms turned in on time? Were proper procedures followed? Were SAF funds granted in the last 12 months used in the correct manner? If all funds were not used or used correctly, has the club provided an explanation?
  4. Research and planning has taken place to ensure feasibility of the event.
  5. College policies will not be violated by the program or event.
  6. Estimates of expenses and revenues are reasonable and have been researched.
  7. Overall level of detail provided in the request and budget hearing.

**The following items will not be funded for any activity:**

- Charitable contributions (students may participate in charitable fundraising activities)
- Scholarships
- Compensation for services if the individual is a member of the club or organization
- Funds to provide financial support to off-campus organizations
- Products that violate College policies
- Anything that promotes or has the potential to promote violence, illegal activities, defamation of individuals or defamation of groups
- Anything that assists the promotion or opposition of a specific political party or candidate

**Funding Allocation Appeal Procedure**

An organization or club can appeal a funding allocation to the coordinator of student life. The appeal must be submitted in writing within five business days of the funding allocation decision the coordinator of student life may request that the SGA reconsider the request and any additional information provided, or may decide to grant the appeal decision without further SGA involvement. A decision of the appeal will be provided in writing to the organization or club within five business days.

**Inactive Student Organizations and Clubs**

Any recognized student club or organization that is allocated funds by the College shall meet three standards in order to receive College recognition and funds. A student organization or club shall meet at least once in both the fall and spring semesters and must submit the minutes of their meetings to their respective student activities specialist. The club or organization shall not allow any funds in their account to remain inactive (i.e., no deposits or withdrawals), for a period of nine months in any academic year. Failure to spend these monies shall result in funds being refunded to the student activities fund by the end of the fiscal year in which the club was declared to be inactive. The club or organization must assure that their president or designee regularly attends SGA Senate meetings. If a president of an official club or organization is unable to be the Senate member, each semester the club or organization must select a member of their organization to represent them in the Senate. The club or organization president must provide the SGA secretary written notification of the designee for the person to officially receive voting rights and be counted as present. If any club or organization misses more than 30 percent of the meetings during a particular semester, the SGA may recommend that the club or organization be declared inactive.

