

# Student Rights and Responsibilities

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NPC Fire Science Instructor Bill Solomon, left, checks a student's cinch on a rescue line during a training exercise.

# Student Rights and Responsibilities

## Policies and Procedures

### Impacting Students

Updates to this information can be found in the Student Services section of the NPC website, [www.npc.edu](http://www.npc.edu).

## Affirmative Action & Title IX

Northland Pioneer College is an EEO/AA employer and does not discriminate on the basis of race, color, national origin, religion, marital status, gender, age, Vietnam Era Veterans' status or disability in admission or access to, or treatment or employment in its educational programs or activities. The college is required by Title IX of the Education Amendment of 1972 and the regulations adopted pursuant thereto in the Title VI and VII of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1974 not to discriminate in such manner.

## Attendance

Upon admission to NPC, a student assumes the responsibility of completing each course for which he or she is registered. The student is expected to **attend all sessions of the classes** in which he or she is enrolled. Any student who has three absences without excuses acceptable to the instructor, medical or otherwise, may be dropped from the class. Students who miss the first two meetings of the class may also be dropped. After a student has been dropped from the class for unexcused absences, an appeal for reinstatement will be considered only under extenuating circumstances.

## Communicable Diseases

Students and employees who are identified as having communicable diseases may attend Northland Pioneer College with reasonable accommodation. Reasonable accommodation will be utilized when there is medical justification that the transmission of the disease is highly doubtful and/or the risk of further exposure or injury to other students and employees is improbable.

When college officials have sufficient reason to believe that a student or employee has contracted a communicable disease, and that through transmission, there is potential harm and/or risk to other students and employees, the student or employee will be required to be evaluated by medical professionals at his/her expense within a designated time frame. If the student or employee chooses not to be medically evaluated, they will be removed from all college activities/responsibilities. Should the student or employee not follow through with a medical evaluation within the designated time frame, they will be removed from all college activities/responsibilities until medical evaluation is attained.

Following medical evaluation, and upon the written recommendations and findings from the attending physician,

the college president, or designee, may require the student or employee to be isolated. Isolation may include, but not be limited to temporary removal of the student or employee from classes and college employment. These decisions will be according to the recommendation of the attending physician and/or public health guidelines.

The college will not assume the responsibility for carrying out the isolation of a student or employee who has contracted a communicable disease. The student or employee will be responsible for securing alternative living quarters should the college require isolation.

The right to privacy and confidentiality of any student or employee who has contracted a communicable disease will be respected. Disclosure of the medical condition will only occur to the extent required to minimize the health risks to other students and employees. The college president or designee will determine appropriate disclosure of information. Employee group medical insurance plans cover treatment and care for communicable diseases in the same way care is provided for any other condition.

[NPC Procedure #2751, based on Policy #1561]

## Plan for Crime Awareness and Campus Security

Also, see *How to Keep Informed*, page 50

### Procedure 2555

NPC shall comply with all federal and state laws concerning crime awareness and campus security. Northland Pioneer College's plan for compliance is set forth in this Procedure.

#### A. Reporting Crimes and Emergencies Occurring on or Next to Campus

Employees, students and all other persons are to report criminal actions or other emergencies occurring on campuses or centers in Navajo and Apache Counties by taking the following steps:

1. **Dial 911.** Use pay or public telephone at the campus/center as appropriate. Pay/public telephone availability is as follows:

**Hopi Center:** Pay phone in student lounge

**Kayenta Center:** Public phone in center office

**Little Colorado Campus:** Public phones in Student Lounge and Learning Center lobby

**Painted Desert Campus:** Pay phone in the Student Center Lounge

**Silver Creek Campus:** Public phones in Campus Office, Student Lounge, Learning Center lobby, Performing Arts Center lobby, pay phone outside Student Lounge.

**St. Johns Center:** Public phone in center office at front desk.

**Springerville/Eagar: Center:** Public phone in center office.

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**White Mountain Campus:** Public phones in Aspen Center hallway, Aspen Center office, Learning Center lobby, Goldwater hallway, Ponderosa lobby.

**Whiteriver Center:** Public phone in center office

2. Report the criminal action or emergency to the appropriate campus or center manager. The reporting individual should complete a *Campus Security Incident Report Form* and *Cover Sheet*. The campus/center manager will forward copies of the *Campus Security Incident Report Form* and *Cover Sheet* to the Vice President for Learning and Student Services, the Chief Operations Officer, and, as needed, local law enforcement. Northland Pioneer College allows anonymous reporting on the *Campus Security Incident Report Form* provided by NPC and delivered to the campus/center manager or the Vice President for Learning and Student Services.
3. Should campus/center manager or staff be unavailable, the reporting individual should contact the Vice President for Learning and Student Services (800) 266-7845, ext. 6141 or his/her administrative assistant (800) 266-7845, ext. 6196. Reporting individuals may also notify any college employee of any criminal action or emergency. The college employee should then make official notification to the college of the criminal action or emergency by completing step 2 as noted above.
4. All students are encouraged to preserve evidence of sexual assaults. Some evidence is perishable and prompt action must be taken to ensure a viable prosecution of the perpetrator. All students and employees are encouraged to report any sexual assault to the authorities by following the procedure outlined in subsection "A" including calling 911 and reporting any incident using the *Campus Security Incident Report Form* and *Cover Sheet*. If a student desires assistance in contacting local law enforcement authorities, NPC staff shall promptly provide such assistance. (See also NPC Procedure 2762.)
5. NPC does not maintain a campus police department or a campus security department at this time.

## B. Security and Access to Campus Facilities

Northland Pioneer College personnel shall ensure that all classroom facilities remain locked when not in use, and only those persons authorized to attend classes or to utilize NPC facilities, *i.e.* students, faculty, staff and those authorized through an approved facility request form to utilize specific facilities, shall have access to NPC facilities.

NPC does not have any on-campus residence halls at the time of adoption of this procedure. If NPC obtains on-campus residence halls in the future, the security of on-campus residence halls on Northland Pioneer College shall be the responsibility of the housing administrator and residence hall head residents. Off-campus contract residence hall security shall be the responsibility of the contract provider and the individual students. On- and off-campus residence hall students are encouraged to keep their individual rooms locked at all times and are not to keep items of excessive value in their rooms. In

## The Campus Sexual Violence Elimination (SaVE) Act

The Campus Sexual Violence Elimination (SaVE) Act addresses sexual misconduct on college campuses.

Covering both students and college employees, SaVE clearly defines the crimes of Domestic Violence, Dating Violence, Sexual Assault and Stalking and requires additional reporting, starting academic year 2014-15, on the annual Clery Campus Crime Statistics report (see [www.npc.edu/Crime-Statistics](http://www.npc.edu/Crime-Statistics)).

Northland Pioneer College prohibits these crimes against our students and employees. How NPC will handle and investigate these crimes can be found by following the **SaVE** link on the Clery Campus Crime Statistics Web page, listed above.

addition, all residence hall students are to receive a copy of the residence hall contract that deals specifically with safety and security considerations while living in campus housing.

## C. Campus Law Enforcement

The college shall work closely with local law enforcement agencies to ensure that proper investigations are conducted and reported to the college. The college will encourage and seek the prosecution of all criminals. Northland Pioneer College designated liaison personnel shall maintain an ongoing working relationship with state and local police agencies. Northland Pioneer College designated liaison personnel shall gather from local law enforcement and maintain statistics concerning the occurrence of criminal activity of students at off-campus locations involving student organizations.

Northland Pioneer College students, staff and faculty are encouraged to report to the proper police jurisdiction agency, any and all crimes. If the crime occurs on campus/center locations, it should be reported to the campus/center managers pursuant to subsection A of this procedure.

Any student, staff or faculty member who becomes aware of a crime, or who is the victim of a crime, should make an accurate and prompt report of that crime, in order to ensure successful police action. Pastoral or ecclesiastical leaders are encouraged to suggest voluntary confidential reporting by victims of crimes as set forth in this procedure.

## D. Crime Prevention Awareness and Education

### 1. The annual disclosure of crime statistics.

The Vice President for Learning and Student Services shall prepare and disseminate, as required by law and Northland Pioneer College Policy and Procedure, the annual disclosure required. The terms of this procedure shall be included in the annual report. Northland Pioneer College personnel will gather and maintain statistics for the calendar year in which crimes are reported concerning the occurrence of criminal activity for each and all campuses/centers sites for the following criminal offenses reported to either college personnel or local law enforcement agencies:

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## Campus Security *Continued*

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

Northland Pioneer College personnel will also gather statistics concerning on-campus arrests and campus disciplinary action for:

- (1) Liquor law violations;
- (2) Drug law violations; and
- (3) Illegal weapons possessions.

Crimes shall be reported by category of prejudice and by location based on the following breakdown:

- 1) On campus;
- 2) Of the crimes on campus, the number of crimes that took place in dormitories or other residential facilities for students on campus;
- 3) In or on a non-campus building or property; and
- 4) On public property. No statistical report shall contain any information that would identify a victim. The report need not contain any reports from pastoral or ecclesiastical leaders unless the report is made voluntarily and includes permission to include the report in the statistics.

Northland Pioneer College shall gather from local law enforcement and maintain statistics concerning the occurrence of criminal activity of students at off-campus locations involving student organizations. Off-campus student organizations are those student organizations officially approved and regulated by Northland Pioneer College.

The college will request, through local law enforcement agencies, copies of any and all police reports, concerning incidents or crimes that occur at off-campus student organization locations, which involve students or staff from NPC. College personnel and/or designated liaison personnel shall be responsible to monitor and keep record of all such reports.

All students and employees shall be given the opportunity to learn how to contact appropriate law enforcement officials, the practices and procedures which are used by college officials in the reporting of crimes, and encouraged to be responsible for their own safety and the security of others by being notified of this procedure and the yearly internet publication of the “*Crime Awareness and Campus Security*” report. (see [www.npc.edu/Crime-Statistics](http://www.npc.edu/Crime-Statistics)) Students shall be informed of the report and of the importance of security concerns through information provided in the *College Catalog* and at any orientation for students. Employee security training shall be included at least annually in employee training and in new

employee orientation. Any programs provided by local law enforcement shall be advertised in such training and orientations.

A letter informing local ecclesiastical leaders of the availability of confidential crime reporting at NPC shall be sent annually to such local leaders.

### 2. **Warning reports to members of the campus community.**

NPC will immediately and without delay notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff on campus (as defined in the Clery Act). Please note that, should such a warning compromise efforts to contain the emergency, they may be withheld by NPC in accordance with the Act.

If the immediate dissemination would facilitate safety and security because the crimes are considered to represent a threat to students and employees, the college shall disseminate information relating to the crimes indicated in subsection “D” of this procedure on a case-by-case basis through campus information systems, newsletters, bulletin boards or other informational systems and methods that will facilitate prevention of similar crimes. The college will not disseminate information obtained from reports to pastoral or ecclesiastical leaders unless the victim agrees to voluntarily release the information. No report or informational statement made under this subsection shall include any identifying information about a victim or the accused.

The Residence Hall Administrator, or if the college has no on-campus housing at the time, the Vice President for Learning and Student Services shall hold regular meetings to inform students of the continued need for security practices, including the protection of their personal property.

### 3. **College Community Emergency Notification Process**

Each event will be evaluated to determine the notification method. They may include:

- Community Alert System (RAVE)
- Email
- Text Messaging

NPC will test the emergency response and evacuation procedures annually. Testing may be pre-announced or not and will be documented on the NPC website. (also see *How to Keep Informed*, page 50.)

### 4. **Rape, acquaintance rape and other forcible and non-forcible sex offenses.**

NPC provides information about sexual harassment, rape, acquaintance rape and other forcible and non-forcible sex offenses through its dissemination of its procedure against sexual harassment in the *College Catalog*, the *Employee Handbook* and student and employee orientation and training.

The following services exist for assistance of victims of sexual assaults: Navajo County or Apache County

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Attorney Victim Services and Navajo County or Apache County Crime Victim's Compensation Fund; Community Counseling Center. Contact information for these services is available at the Vice President for Learning and Student Services office. No on-campus counseling is available.

NPC Procedures 2762 and 2625 provide for discipline up to and including termination or expulsion for violations of NPC's policy against sexual harassment and assault. In accordance with Northland Pioneer College Procedure 2762 NPC provides appropriate action, including but not limited to, changes in a victim's academic and living situations (for NPC affiliated housing) if requested by a victim and they are reasonably available.

Notwithstanding any other NPC procedure, an alleged victim of a forcible or nonforcible sexual assault is entitled to have representation at any hearing or proceeding involving the incident on the same basis as the accused, and both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense.

Arizona sex offender registration information can be found at the current Arizona Department of Public Safety Sex Offender Information Site, at the time of revision of this procedure found at [www.azdps.gov/services/public/sex-offender](http://www.azdps.gov/services/public/sex-offender). Some sex offender information is only disseminated locally. The local agency for disseminating sex offender information is the Navajo County Sheriff's Office. Their contact information is PO Box 668, Holbrook AZ 86025, phone (928) 524-4300.

## E. Use, and Sale of Alcoholic Beverages and Illegal Drugs.

See Northland Pioneer College Procedures 2624, 2625, 2750 and Policy 1560. NPC students are expected and required to report to school in appropriate mental and physical condition. It is NPC's intent and obligation to provide a drug and alcohol free, healthful, safe and secure environment.

Based on Policy #1350; Rev 6/11, [see also Procedure #2510]

act and is taking the following steps to ensure a drug- and alcohol-free environment.

1. A drug- and alcohol-free student workplace environment policy and procedure has been developed and approved by the governing board.
2. The college will comply with the amendments by taking a position that conforms to its requirements.
3. Each student will be informed to the college's position on maintaining a drug- and alcohol-free work environment.
4. Students are expected and required to report to school in appropriate mental and physical condition. It is NPC's intent and obligation to provide a drug- and alcohol-free healthful, safe and secure school environment.
5. The college prohibits the unlawful manufacture, distribution, dispensing, possession or use of controlled substances and alcohol on college premises or while participating in any college activity.
6. Violations **will** be referred to the Vice President of Learning and Student Services for action in accordance with Procedure #2625 - Student Code of Conduct, (see page 184). Disciplinary sanctions will be imposed, consistent with local, state and federal law. Violations may result in probation, suspension from school or expulsion. Disciplinary sanctions may also include the completion of an appropriate rehabilitation program.
7. The college recognizes drug and/or alcohol dependency as illnesses and major health problems. The college also recognizes drug and alcohol abuses as potential health, safety and security problems. Students needing help in dealing with such problems are encouraged to seek it, either through their own resources or by requesting help or referral through the advising office. Conscientious efforts to seek help will not jeopardize a student's enrollment.
8. Serious violations will result in students being reported to local law enforcement officials for appropriate local, state or federal action. Prosecution can result in fines, prison terms or both.

## Drug-Free Student Environment

### A Matter of Substance

#### The Drug-Free Schools and Communities Act of 1989

On Dec. 12, 1989, President George H. W. Bush signed the Drug-Free Schools and Communities Act Amendments of 1989. Essentially these amendments require that institutions, such as Northland Pioneer College who contract with or receive grants from federal agencies, certify that they will meet certain requirements for providing a drug-free environment.

The governing board and administration believe strongly in the right of students to learn in an environment that is free from illegal drugs and alcohol use. The college expects to comply fully with the

### Drug and Alcohol Abuse

#### What are the Costs? What are the Dangers?

The monetary effects of drug and alcohol abuse on individuals in this country run into billions of dollars annually. Abuse of controlled substances has direct costs of increased medical expenses in addition to the indirect cost associated with increased sick days, lower productivity, poor work performance and drug-related crimes.

Estimates of the percentage of accidents attributable to drug and alcohol abuse are in the 50 percent range. This includes automobile, home and work-related accidents. Many of these accidents result in death, serious injury or permanent disability to their victims. And, it is noteworthy that it is not always the substance abuser who is the victim of such accidents. Frequently it is the coworker, the family member, the passenger in the other car who is injured or killed as a result of another person's substance abuse.

Northland Pioneer College places a high value on its students and recognizes that they have a right to learn in a safe environment, free

## Drug & Alcohol Abuse Costs Continued

from drugs and alcohol. The college will make every effort to provide this kind of environment through the support and enforcement of its Drug-Free Policy.

### Substance Abuse Problems

#### Need Help?

If you have a problem with drug or alcohol dependency and wish to get help you may contact a Northland Pioneer College academic adviser. Your request for assistance will be held in strictest confidence and you will be referred to one of the following community agencies: (Area Code 928)

#### Change Point Integrated Health

Holbrook, 524-6126

Show Low, 537-2951

Winslow, 289-4658

#### White Mountain Apache Tribe

Rainbow Center, 338-4858

#### Hopi Guidance Center

737-6300

#### Navajo Nation Department of Behavioral Health Services

871-6235

#### Community Information & Referral Services

(800) 352-3792

### Description of Health Risks Associated with Use of Illicit Drugs and Abuse of Alcohol

There are severe health risks involved or associated with the use of illicit drugs and the abuse of alcohol, and the college has reference materials available to any person who is concerned about his/her use of illicit drugs or alcohol or involving the conduct of any other person. These references are available by contacting the advising offices. Health risks associated with commonly used illicit drugs and alcohol are listed hereafter.

#### 1. Marijuana or Hashish

Marijuana, which is also known as pot and comes from the cannabis plant, may have the following effects: It is harmful to unborn children during pregnancy, can lead to lung disease, can inhibit short-term memory, can slow reaction time, can impair visual tracking, can speed up heartbeat and lead to high blood pressure, can break down immune system or depress immune system; and most important, frequent use is linked to cognitive impairment (an inability to think abstractly and understand concepts.)

#### 2. Hallucinogens

The hallucinogens (drugs that produce changes in perception, mood and thought) include Ecstasy, LSD, mescaline, psilocybin, DMT and STP. PCP, a dissociative anesthetic, has similar effects. The effects of LSD are unpredictable and may range from euphoria and heightened sensory awareness to hallucinations, panic reactions and flashbacks. PCP is a very dangerous drug

that also has terribly unpredictable effects involving development of psychotic states or severe depression. Medical treatment is necessary in cases of severe hallucinogen reactions.

#### 3. Depressants, Barbiturates and Tranquilizers

Depressants, barbiturates and tranquilizers have depressing effects on the central nervous system and can lead to physical and psychological dependence. These drugs are popular and are overused by Americans.

#### 4. Cocaine

Cocaine is an "upper" derived from the leaves of the South American coca plant. It is an expensive drug used by people in many professions, despite its illegal status. Regular use can lead to depression, weight loss, paranoia and hallucinations. These effects are the more positive ones associated with cocaine and are similar to those caused by amphetamines. Cocaine is a powerful drug that over stimulates the central nervous system and produces an artificial euphoria. Even the occasional user takes dangerous chances, but chronic use can create a harmful dependency that affects behavior and multiplies health risks. To make matters worse, cocaine tricks people into feeling better than they are, making it possible for them to put on a "superhuman" exterior, while inside they may be suffering. Similar effects may be obtained from the closely related substance known as crack.

#### 5. Opiates

The opiates – opium, its derivatives (Morphine, heroin and codeine) and the synthetically produced drug methadone – have sedative and analgesic effects. Heroin is the opiate that is of most concern to law-enforcement officials. Initially an extremely pleasant drug, heroin use quickly leads to dependence and increasingly larger quantities must be taken simply to ward off withdrawal symptoms. The exposure orientation holds that addiction results simply from exposure to the drug over time.

#### 6. Amphetamines

Amphetamines, methamphetamine, crank or ice are sometimes known as "speed" or "uppers." Other forms of amphetamines are prescribed by doctors to suppress appetite and relieve mild depression. For people who have neurological and behavior disorders, amphetamines can be harmful. But amphetamine abuse in a normal person can lead to full-blown psychosis as well as to milder effects such as insomnia, restlessness, irritability, difficulty in concentrating, agitation and confusion.

#### 7. Alcohol

There are several typical patterns to alcohol abuse: regular, daily use of large quantities; regular, heavy drinking confined to such periods as weekends; and unpredictable binge drinking. Alcohol abuse is often called problem drinking, whereas alcohol dependence is referred to as alcoholism. There is an extremely wide range of problems associated with alcohol abuse. Health risks may include hallucinations, strokes, nerve and muscle damage, alcoholic hepatitis, cirrhosis of the liver, cancer and many

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others, including death. The connection between alcohol and fatal road accidents makes this drug one of, if not the, most dangerous of drugs.

## Drug-Free Workplace

1. Employees who fail to abide by the terms and conditions of Policy #1560 (Drug-Free Workplace) shall be subject to the Due Process Policy and Procedure of the college (#1591 and #2755). Violation of this policy may result in disciplinary action up to and including terminations. In addition there may be possible legal consequences for some violations.
2. An employee must inform his or her supervisor of a conviction no later than five days after criminal conviction for illegal drug activity occurring on or off college premises while conducting college business. Failure to report such conviction will subject the employee to the Due Process Policy and Procedure as specified above.
3. Any employee reasonably believed to constitute a risk to persons or property while operating any college equipment will not be permitted to do so. Any employee asked not to operate college equipment or drive a personal vehicle because of impairment, but who insists, will be advised that the college will immediately report this to the appropriate law enforcement agency, when applicable.
4. Any employee with a drug or alcohol problem is encouraged to seek help. Such may be sought through the employee's own resources or through his/her supervisor, the director of human resources or other agencies. An employee's request for assistance does not jeopardize his or her job rights. However, the seeking of such help does not prevent disciplinary action under any college policy violation for impaired job performance.

## Drug Prevention Program

### Review and Retention of Records

For the 2016-17 academic year, 5,000 College Catalogs were distributed noting the college's anti-drug and alcohol position and the contact personnel that could provide referral assistance. Referral Guides are available online at [https://mynpc.npc.edu/ICS/NPC\\_Life/](https://mynpc.npc.edu/ICS/NPC_Life/).

During the 2014 calendar year, district-wide there were: one aggravated assault and two burglaries. For information by location see: [www.npc.edu/Crime-Statistics](http://www.npc.edu/Crime-Statistics).

### Alcohol and Drug Policy and Prevention

The *Crime Awareness and Campus Security Report* is available through the NPC website at [www.npc.edu/Crime-Statistics](http://www.npc.edu/Crime-Statistics) and in written form upon request. A printed copy of all information available on this website may be obtained by contacting Mark Vest, Vice President for Learning and Student Services, at (800) 266-7845, ext. 6141, or email [mark.vest@npc.edu](mailto:mark.vest@npc.edu).

# Release of Educational Records

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## Procedure to Inspect Educational Records

Students may inspect and review their educational records upon request to the appropriate record custodian.

Students should submit to the record custodian or appropriate college staff person a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The record custodian or an appropriate college staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given within 45 days or less from the date of receipt of the request.

When a record contains information about more than one student, the student may inspect and review only the records that relate to him or her.

## Limitation on Right of Access

Northland Pioneer College reserves the right to refuse to permit a student to inspect the following records:

1. The financial statement of the student's parents.
2. Letters and statements of recommendation for which the student has waived his or her right of access, or which were maintained before Jan. 1, 1975.
3. Records connected with an application to attend Northland Pioneer College or a component unit of Northland Pioneer College if that application was denied.
4. Those records which are excluded from the FERPA definition of educational records.

## Annual Notification of FERPA Rights

Students will be notified of their FERPA (Family Educational Rights and Privacy Act) rights by publication in the college *Catalog* and on the NPC website, [www.npc.edu/FERPA-rights](http://www.npc.edu/FERPA-rights).

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the college receives a request for access.
2. Students should submit to the college registrar a written request that identify the record(s) they wish to inspect. The registrar will make arrangements for access and notify the student of the time and place where the records may be inspected.
3. Students may ask the college to amend a record that they believe is inaccurate. The student should write the college official responsible for the record, clearly identify the part of the record requested to be changed and specify why it is inaccurate.

## Notification of FERPA Rights *Continued*

4. If the college decides not to amend the record as requested by the student, the college will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
5. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
6. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the college in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the college has contracted (such as an attorney, auditor or collection agent); a person serving on the Navajo County Community College District Governing Board; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
7. A school official has a legitimate educational interest if the official needs to review an education record to fulfill his or her professional responsibility.
8. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Northland Pioneer College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-4605

## Notice of Directory Information

Northland Pioneer College has designated the following items as directory information: student name, address, telephone number, email address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletics teams, dates of attendance, degrees and awards received, photographs, audio or video recordings and the most recent previous school attended. The college may disclose any of these items without prior consent, unless a student notifies NPC's Records and Registration Office in writing to the contrary by the end of the second week of classes of the fall semester, or the second week of spring or summer semester if student was not enrolled fall semester.

**Students (as well as former students and alumni) must notify the NPC Records and Registration Office EVERY YEAR if they do not want their directory information disclosed.**

# Harassment and Unlawful Discrimination

## Procedure 2762

Northland Pioneer College, consistent with its commitment to provide a healthy working and learning environment for all professors, staff members and students, will not tolerate sexual harassment or discrimination that violates federal or state law.

### I. Definitions

#### A. Sexual Harassment

Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or student status; (2) submission or rejection to such conduct by an individual is used as the basis for employment decisions affecting such individuals, or a student's status; or (3) such conduct has the purpose of effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile or offensive environment.

#### B. Unlawful Discrimination

Not all discrimination is unlawful. For example, discrimination based on merit such as in awarding differing grades to students based on performance is lawful. Likewise, employment discrimination based on performance, all things being equal is lawful. Unlawful discrimination is that discrimination prohibited by law such as discrimination in employment based on race, color or national origin. Likewise, discrimination based on age as defined by the Age Discrimination in Employment Act or based on disability as defined by the Americans with Disabilities Act or the Rehabilitation Act is illegal. Generally speaking, discrimination based on race, color, national origin, sex or religion is illegal and will not be tolerated at Northland Pioneer College.

### II. Educational Programs

#### A. Human Resources Office

The Human Resources Office provides educational and training programs that will assist members of the college community in understanding that sexual harassment, hazing and unlawful discrimination will not be tolerated. The office staff also helps the college community understand and recognize discrimination and harassment in its many forms, and informs the college community how to report harassment or unlawful discrimination when it occurs. As part of this program, the Human Resources Office distributes copies of this procedure to all offices at the college and presents periodic workshops and seminars at least once a year.

#### B. Other Education

Supervisors and department heads shall also help educate employees under their direction or supervision about this procedure concerning Harassment and Unlawful Discrimination. Student services administrators provide the student body members information about the college's procedure concerning Harassment and Unlawful Discrimination.



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## III. Complaint Procedures

### A. Duty to Report

Any employee who feels that he or she has been sexually harassed or unlawfully discriminated against shall immediately report it to their supervisor, department head or vice president. Any student who feels that he or she has been sexually harassed or unlawfully discriminated against shall immediately report it to any student services administrator or the Vice President of Learning and Student Services. In the event that the employee or student cannot report the conduct to one of these persons, or in the event that the supervisor, department head, student services administrator, or a vice president is the person accused, the employee or student shall report the harassment to the Human Resources Office. In the event the Human Resources Office is involved, the report shall be to the president. In the event the president is the subject of the complaint the report shall be to the NPC Board.

### B. Supervisor Duty to Report

Any employee, supervisor, department head or student services administrator who becomes aware of possible harassment of, or unlawful discrimination against, an employee or student, either as a result of having received a complaint directly from the employee or student, or from any other reliable source of information, shall immediately report the harassment to the appropriate supervisor, department head or vice president; or in the event that the supervisor, department head or vice president is the person accused, the supervisor shall report the harassment to the Human Resources Office. All such reports shall be in writing.

### C. Investigation

All reports of harassment or discrimination shall be investigated by Northland Pioneer College. The vice president or dean of the affected department, the Vice President of Learning and Student Services, or an individual appointed by the president in consultation with College Counsel shall conduct an investigation and recommend corrective action to the president. All complaints of sexual harassment or unlawful discrimination shall be promptly and thoroughly investigated. To the extent possible, a complaint will be treated as confidential; however, the college has a responsibility to all employees and students to investigate harassment or unlawful discrimination charges, which may include interviewing the offenders and any possible witnesses. Following the investigation, the entity conducting the investigation shall recommend appropriate action on all violations of this procedure concerning harassment and unlawful discrimination and shall file a written report of its investigation including any corrective action suggested with the president. In the event that the harassment complaint involves the president, the board shall perform the responsibilities of the president in the matter.

### D. No Retaliation

Under no circumstances will any person be retaliated against for making a good faith complaint concerning harassment.

## IV. Discipline

### A. Corrective Action

Any employee or student who has been found to have violated this procedure concerning harassment and unlawful discrimination will be subject to disciplinary action up to and including termination or expulsion. The president or his or her designee shall impose corrective action or discipline based on the report of the investigation.

### B. Appeal

If the corrective action is covered by College Procedure 2755, "Due Process: Suspension Without Pay or Dismissal," the college shall proceed accordingly. If the corrective action involves a student, NPC shall follow Procedure 2625. If the corrective action does not involve Procedure 2755 or a student, the individual involved may request an opportunity to present information or evidence to the president regarding the corrective action. Such a request shall be in writing and include a description of the information, why it is relevant, and whether it was previously disclosed in the process of the investigation. The president may meet with the employee, confer with the employee or others or otherwise consider the information. The president shall render his or her decision within a reasonable time. The president's decision is final. An aggrieved student complainant may file a grievance under Procedure 2605 for an action or inaction if the college does not initiate a Student Conduct Code proceeding. The presiding authority in any proceeding brought under any college procedure may protect an alleged victim of sexual harassment from further harassment by allowing appropriate modifications to procedure upon the agreement of the college.

### C. General Duties of College Personnel and Students

In addition to the specific reporting requirements under the complaint portion of this procedure, all college employees, faculty members, students and staff members have a responsibility to maintain a proper learning environment at Northland Pioneer College. That responsibility includes not participating in or encouraging unlawful discrimination or sexual harassment, and when necessary preserving a proper learning environment, reporting any unlawful discrimination or sexual harassment, and cooperating in any investigation of improper conduct. A failure to fulfill the responsibility detailed in this subsection is cause for discipline up to and including expulsion or termination.

### D. False Accusations

The college recognizes that false accusations of harassment or unlawful discrimination, especially of sexual harassment, may have serious effects on innocent individuals. Any employee or student who knowingly files a false charge of harassment or unlawful discrimination, or who gives false information concerning a charge of harassment or unlawful discrimination, shall be subject to disciplinary action up to and including termination or expulsion.

[Based on Policy #1541; Rev May 1, 2006]

## Hazing Prevention

See also A.R.S. §15-2301  
Procedure 2627

NPC seeks to promote an encouraging learning environment. Hazing is antithetical to that goal. Hazing by organizations, groups or individuals will not be tolerated at NPC. All students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of the Hazing Prevention Procedure, including reporting incidents of hazing when they occur.

### I. Definitions

- A. "Hazing" means any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which both of the following apply:
1. The act was committed in connection with an initiation into, an affiliation with or the maintenance of membership in any organization that is affiliated with an educational institution.
  2. The act contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.  
Examples of hazing include paddling in any form, physical or psychological shocks, late work sessions that interfere with scholastic activities, advocating or promoting alcohol or substance abuse, tests of endurance, submission of members or prospective members to potentially dangerous or hazardous circumstances or activities which have a foreseeable potential for resulting in personal injury, or any activity which by its nature may have a potential to cause mental distress, panic, human degradation or embarrassment.
- B. "Organization" means an athletics team, association, order, society, corps, cooperative, club or other similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.
- C. For purposes of this procedure, "student" means any person who is enrolled at NPC, any person who has been accepted for enrollment at NPC or any person who intends to enroll at NPC within the next 12 months. A person who meets the definition of a student for purposes of this paragraph shall continue to be defined as a student for purposes of this procedure until the person graduates, transfers or withdraws from NPC.

### II. Prohibited Conduct

- A. Hazing is prohibited at NPC.
- B. Any solicitation to engage in hazing is prohibited.
- C. Aiding and abetting another person who is engaged in hazing is prohibited.
- D. It is not a defense to a violation of the hazing prevention policy if the hazing victim consented to or acquiesced in the hazing activity.

- E. All students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of the hazing prevention policy.

### III. Complaints and Reports

- A. **Duty to Report.** Any employee or student who witnesses, becomes aware of, or is the victim of hazing shall immediately report the incident to the Vice President for Learning and Student Services. If the Vice President for Learning and Student Services is unavailable or a report to the Vice President would involve a conflict of interest, the employee or student shall report the hazing to the president. The report or complaint shall be in writing if an employee is making it and shall be requested to be in writing if a student is making the complaint or report. If the student declines to make the report or complaint in writing, the NPC employee who takes the report or complaint shall file the report in writing.
- B. **Investigation.** All reports or complaints of hazing shall be investigated by the Vice President for Learning and Student Services or by an investigator appointed by the president if the Vice President for Learning and Student Services is unavailable for any reason. All complaints or reports of hazing shall be promptly and thoroughly investigated. To the extent possible, a hazing complaint will be treated as confidential; however, the college has a responsibility to all employees and students to investigate hazing charges, which may include interviewing the offenders and any possible witnesses. Following the investigation, the Vice President for Learning and Student Services shall take or recommend appropriate action on all violations of this Procedure Against Hazing and shall file a written report of the investigation to the President including an indication of any corrective action that will be taken. Corrective action may include making recommendations for employee discipline to the president, including, but not exclusively, institution of due process, Procedure 2755, or commencement of a student disciplinary proceeding under Procedure 2625. Any decision not to take action shall be communicated to any complainant. An aggrieved complainant may appeal the decision through the student or employee grievance procedures.
- C. **Sanctions.** Violations of this procedure shall be considered a grave violation of the Student Conduct Code and Procedure 2625 and will subject a student to discipline up to and including dismissal. Any employee violation of this procedure shall be considered cause for discipline up to and including dismissal. In addition to these consequences, an organization as defined in this procedure may be disciplined by suspension of its permission to conduct operations at NPC if the organization knowingly permitted, authorized or condoned the hazing activity.

Other sanctions against an organization may include:

1. Loss of campus privileges for the student organization;
2. Restitution for damages that may have resulted from the incident;
3. A statement of warning; and
4. A probationary period.

Reinstatement of the organization may be conditioned on compliance with any of the foregoing or any other reasonable

# Student Rights and Responsibilities

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conditions imposed by NPC. An organization shall be afforded a pre-suspension hearing before the president, or his or her designee, to afford it an opportunity to rebut the allegations against it. Any substantiated hazing activity that involves a violation of criminal law by any person shall be reported to local law enforcement personnel.

## IV. Intention

This procedure is not intended to prohibit:

1. Customary athletics events, contests or competitions that are sponsored by an educational institution.
2. Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program.

[Based on Policy #1541 and A.R.S. § 15-2301, revised 3/27/17]

## Peer-to-Peer Distribution of Intellectual Property

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In accordance with the Higher Education Opportunity Act of 2008 (HEOA), Northland Pioneer College is hereby providing this annual disclosure of information related to the unauthorized distribution of copyrighted materials through illegal downloading or peer-to-peer distribution of intellectual property.

College users are reminded that **federal copyright laws** apply to many forms of intellectual property, including copyrighted music and videos. This warning applies to printed and digital materials. Users must not engage in illegal music, video or movie downloads. When it is determined that a user is suspected of distributing copyrighted materials without proper authorization, NPC's Information Services division will conduct a thorough investigation of the circumstances and may then refer the matter to the appropriate vice president for action.

It should be noted that Digital Millennium Copyright Act (DMCA) notices that come from outside the college are based on investigations that have already been conducted. Federal and state officials have the authority to prosecute offenders based on the evidence they possess relative to the incident. The jurisdiction of such officials supersedes that of any Northland Pioneer College disciplinary action.

The unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may be subject to civil and criminal liabilities.

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

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or

“statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504, 505.

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

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

NPC has additional information resources available on our website:

**NPC Procedure 2130: Computer and Electronic Access and Usage:** [www.npc.edu/procedure-2130](http://www.npc.edu/procedure-2130)

**NPC Procedure 2131: Peer-to-Peer File Sharing:** [www.npc.edu/procedure-2131](http://www.npc.edu/procedure-2131)

**General copyright information:** [copyright.columbia.edu/](http://copyright.columbia.edu/)

Legal Sources for Online Content (music, videos, etc.) [mynpc.npc.edu/ics/Legal\\_Downloads.jnz](http://mynpc.npc.edu/ics/Legal_Downloads.jnz)

## Photo and Videotape Notice

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NPC takes photos and video footage of students throughout the year. These images often include students in classrooms, study areas, music and theater productions and other events. NPC reserves the right to use these images as part of its publicity and marketing efforts. Students who enroll at NPC do so with the understanding that these images might include them and might be used in college publications and for publicity.

For any course presented via interactive instructional video (VID), audio (AUD), and/or in the model classrooms (MODL) each student's voice, physical presence and participation in classroom activities will be transmitted to distance-learning sites. Similarly, student's participation in internet courses, including written assignments, could be accessible to others via the internet. By registering for these classes each student agrees that the transmission of his/her voice, presence, assignments and participation in these classes will not be in violation of his/her personal rights and each student hereby releases any claim for the use of such for the duration of the class.

## Student Appeal of Grade

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### Procedure 2666

A student who believes that an unfair grade has been awarded may appeal the grade by sequentially following the steps described below. Any appeal must be initiated no later than five (5) weeks from the start of the semester immediately following the awarding of a grade. (A summer session does not constitute a “semester.”)

A grade may be changed without an instructor’s consent, but only if evidence demonstrates beyond a reasonable doubt that the grade awarded represents a significant injustice to the student, and only by following these procedures. If the student receives a satisfactory decision at any stage in the process, the Records & Registration Office will be directed to modify the student’s transcript accordingly.

#### **Step I:**

The student will request a meeting with the instructor, giving notice that the appeal process is initiated. If a mutually satisfactory understanding is reached, the process is concluded. If not, the student may proceed to Step II.

#### **Step II:**

The student may consult with an adviser regarding the appeal. The adviser will attempt to mediate between the student and instructor. If a mutually satisfactory understanding is reached, the appeal process is concluded. If not, the student may proceed to Step III.

#### **Step III:**

The student may appeal to the dean of the appropriate division within five working days of completing Step II. The dean will request a written statement from the student prior to the conference, indicating the basis for the appeal.

The dean will then assume a mediating role, convening a conference with the student, instructor, and anyone else believed capable of assisting in reaching a resolution. The conference must occur within 10 working days. The dean will

provide a written response to the student, instructor, and Vice President for Learning and Student Services within 10 working days following the conference.

In the event a dean is the instructor of issue in the appeal, the Vice President for Learning and Student Services will appoint another dean to mediate.

If either party is not satisfied with the recommendation, the process may proceed to step IV.

#### **Step IV:**

A written appeal is made to the Vice President for Learning and Student Services within five working days of receiving the response written in Step III. The vice president will then conduct an inquiry involving all parties within 10 working days. A decision will be rendered based on the inquiry and reported in writing to both parties within 15 working days of receiving the appeal.

If either party is not satisfied with the recommendation, the process may proceed to Step V.

#### **Step V:**

An appeal can be made within five working days of receiving the response written in Step IV. It must state the specific grounds for the appeal, referencing and attaching all responses prompted by the preceding steps.

The College President will conduct an inquiry involving all parties. The President may then elect to hear the appeal, or make a decision based on evidence gathered from the inquiry. Whichever option the president chooses, the decision is final and binding.

Both parties will be notified in writing within 25 days of receiving the appeal.

**Note:** If an instructor is on leave at any juncture of the five-step period, the process may be delayed until he or she returns.

Revised June 12, 2017

## Student Conduct Code

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### Procedure 2625

The college offers each of its students the freedom to learn and to enjoy the benefits and rewards of college life. In return, the college expects each student to assume the responsibilities that accompany these freedoms. In accordance with laws enacted by the Arizona State Legislature, the Northland Pioneer College District Governing Board has adopted the following code of student conduct and discipline.

#### **Article I: Definitions**

The following are definitions of terms or phrases contained within this procedure. The following definitions apply to this procedure only.

A. **College Community** – any person who falls into the following groups: student, faculty member, college official or any other

person employed by the college. The Vice President for Learning and Student Services shall determine a person’s status in a particular situation.

- B. **College Official** – any person employed by the college, performing assigned administrative or professional responsibilities pursuant to this code.
- C. **College Premises** – includes all land, building, facilities and other property in the possession of or owned, used or controlled by the college.
- D. **Days** – Working days exclusive of official holidays as identified in the college catalog; all time lines may be extended by mutual agreement of involved parties.
- E. **Faculty Member** – any person hired by the college to conduct

# Student Rights and Responsibilities

instruction and designated by the President for oversight and administration of all academic violations of the Student Conduct Code.

- F. **Student** – all persons taking courses at the college either full time or part time. Persons who are not officially enrolled within a four-semester time period but who have a continuing relationship, based on attendance with the college, within a two-year period of time, are considered “students.”
- G. **Vice President for Learning and Student Services** – College administrator designated by the President for oversight and administration of all non-academic violations of the Student Conduct Code.
- H. **Academic Misconduct** – all acts of misconduct associated with academic work in a classroom, laboratory, online or clinical learning setting. Academic misconduct includes, but is not limited to, cheating, plagiarism and violations of ethical standards set by individual programs and courses.
  - 1. **Cheating** – includes, but is not limited to, the following:
    - a. Use of any unauthorized assistance in taking quizzes, tests, assessments or examination;
    - b. Dependence upon the aid of sources beyond those authorized by the faculty member in writing papers, preparing reports, solving problems or carrying out other assignments or clinical responsibilities;
    - c. The acquisition, without permission, of tests or other academic material belonging to a member of the college faculty or staff.
  - 2. **Plagiarism** – includes, but is not limited to, the following:
    - a. Use of paraphrase or direct quotation of the published or unpublished work of another person without their full and clear acknowledgement;
    - b. Unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers and/or other academic materials;
    - c. Use of information gathered from the internet that is not properly acknowledged or identified as such.

## Article II: Administration of Student Conduct Code

- A. For a case that involves non-academic misconduct, the Vice President for Learning and Student Services shall determine the composition of the student conduct hearing panel and determine who shall be authorized to hear each case.
  - 1. For a case that involves academic misconduct, the Chair of Instructional Council or his or her designee shall determine the composition of the student conduct hearing panel consisting of three members of the faculty who are authorized to hear the case.
- B. The Vice President for Learning and Student Services shall develop procedures for the administration of the Student Conduct Code and rules for the conduct of hearing that are consistent with provisions of the Student Code.
- C. Decisions made by the Vice President for Learning and Student Services shall be final, pending the use of the student grievance procedure.

## Article III: Prescribed Conduct

- A. **Jurisdiction of the College**

Generally college jurisdiction and discipline shall be limited to conduct which occurs on college campus or center premises and/or supervised activities, or which adversely affects the college community and/or pursuit of its objectives.
- B. **Conduct – Rules and Regulations**

Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article IV.

  - 1. Academic misconduct, as defined in Article I, Item H of the Student Conduct Code.
  - 2. Attempted or actual theft of and/or damage to property of the college or property of a member of the college community or other personal or public property.
  - 3. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or conduct which threatens or endangers the health or safety of any person.
  - 4. Conduct which is disorderly, lewd or indecent; breach of the peace; or aiding, abetting or procuring another person to breach the peace on college premises or at activities sponsored by or participated in by the college.
  - 5. Illegal manufacture, use, possession or distribution of narcotic or other controlled substances except as expressly permitted by law.
  - 6. Use, possession or distribution of alcoholic beverages or public intoxication.
  - 7. Unauthorized possession, duplication or use of keys to any college premises or unauthorized entry to or use of college premises.
  - 8. Illegal or unauthorized possession of firearms, explosives, other weapons or dangerous chemicals on college premises.
  - 9. Failure to comply with direction of college officials or law enforcement officers in the performance of their duties and/or failure to identify one’s self to these persons when requested to do so.
  - 10. Gambling on college premises.
  - 11. Violation of published Governing Board policies, college rules or regulations.
  - 12. Violation of federal, state or local law on college premises or at college sponsored or supervised activities.
  - 13. Theft or other abuse of computer time, including but not limited to:
    - a. unauthorized entry into a file, to use, read or change the contents or for any other purpose;
    - b. unauthorized transfer of a file;
    - c. unauthorized use of another’s identification and password;
    - d. use of computing facilities to interfere with the work of another student, faculty member or college official;
    - e. use of computing facilities to send obscene or abusive messages;

# Student Rights and Responsibilities

## Student Conduct Code *Continued*

- f. use of computing facilities to interfere with normal operation of the college computing system;
- g. violation of any and all posted policies and procedures regarding use of college computers.

14. Failure to comply with the sanctions imposed under the Student Code.

### C. Violation of Law and College Discipline

1. When a student is charged only with an off-campus or center violation of federal, state or local laws but not with any other violation of this student code, disciplinary action may be taken and sanctions imposed for misconduct that demonstrates that the student poses a risk to the college community. In such cases, no sanction may be imposed unless the student has been found guilty in a court of law or has declined to contest such charges, although not actually admitting guilt, *e.g.* “no contest” or “*nolo contendere*.”
2. College disciplinary proceeding may be instituted against a student charged with violation of a law that is also a violation of the Student Code, for example, if both violations result from the same factual situation, without regard to the tendency to civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Conduct Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
3. When a student is charged by federal, state or local authorities with a violation of law, the college will not request or agree to special considerations for the individual because of their status as a student. If the alleged offense is also a subject of a proceeding before a hearing panel under the Student Conduct Code, however, the college may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the college community. The college will cooperate fully with the law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the probation or parole of student violators. Individual students and institutional employees, acting within their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

## Article IV: Procedures for Non-Academic Misconduct

### A. Procedure for Adjudication of Student Non-Academic Misconduct

Any member of the college community may file charges against any student for their conduct under the Student Conduct Code. Charges involving non-academic misconduct shall be prepared in writing and directed to the Vice President for Learning and Student Services for administration of the Student Conduct Code. The Vice President for Learning and

Student Services will adjudicate all non-academic misconduct. The vice president shall hereafter be referred to as “the appropriate administrator.”

1. Any charges should be submitted within thirty (30) days of the incident. The appropriate administrator will rule on the timeliness of the charges.
2. The appropriate administrator may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the appropriate administrator. Such administrative judgments shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the appropriate administrator may later serve in the same matter as the hearing panel or a member thereof.
3. All charges shall be presented to the accused student in written form. A time shall be set for a hearing, not less than five (5) or more than fifteen (15) working days after the student has been notified. Maximum time limits for scheduling of hearing may be extended at the discretion of the appropriate administrator. The appropriate administrator may appoint a hearing panel consisting of one administrator, one faculty member and one classified staff member. Should the hearing panel determine that charges have merit, the panel will recommend to the appropriate administrator the nature of the sanction to be imposed on the student.

### B. Interim Suspension

In certain circumstances, the Vice President for Learning and Student Services may impose an interim suspension prior to a hearing or rendering of administrative judgment.

1. Interim suspension may be imposed only for the following:
  - a. To insure the safety and well-being of members of the college community or preservation of college property.
  - b. To insure the student’s own physical or emotional safety and well-being.
  - c. If the student poses a definite threat of disruption of or interference with the normal operations of the college.
2. During the interim suspension, the student shall be denied access to the college, including classes and/or all activities or privileges for which the student might otherwise be eligible, as the Vice President for Learning and Student Services may determine to be appropriate.

### C. Sanctions

1. The following sanctions may be imposed upon any student found to have violated the Student Conduct Code:
  - a. **Warning** – a notice in writing from the Vice President for Learning and Student Services by certified mail to the student that the student is violating or has violated institutional regulations.
  - b. **Probation** – a written reprimand for a violation of specified regulations that prohibit the student from

# Student Rights and Responsibilities

- representing the college or participating in student activities. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulations during the probationary period.
- c. **Loss of privileges** – denial of specified privileges for a designated period of time.
  - d. **Restitution** – compensation for loss, damage or injury.
  - e. **Discretionary sanctions** – work assignments, service to the college or other related discretionary assignments.
  - f. **College suspension** – separation of the student from the college for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  - g. **College expulsion** – separation of the student from the college. The Vice President for Learning and Student Services may review this sanction at a later time, but not less than two (2) calendar years after the date the expulsion occurred.
2. More than one of the above sanctions may be imposed for any violation.
  3. All sanction(s) shall be determined and imposed by the Vice President for Learning and Student Services based upon administrative judgment or the findings and conclusions of the hearing panel. The Vice President for Learning and Student Services will consider the recommendations for sanction(s) of the hearing panel but will not be bound by its recommendations. The Vice President for Learning and Student Services will forward the sanction(s) determined to be appropriate along with the findings and conclusions to the accused student within two (2) working days after receipt of the findings.
  4. No student may be found to have violated the Student Conduct Code solely because the student failed to appear before the Vice President for Learning and Student Services or hearing panel. In all cases, the evidence and support of the charges shall be presented and considered.

## Article V: Hearings for Non-Academic Misconduct

- A. **Hearing shall be conducted by the appropriate administrator according to the following guidelines:**
  1. Hearings shall be conducted in private unless the student requests a public hearing.
  2. Admission of any person to the closed hearing shall be at the discretion of the appropriate administrator.
  3. In hearings involving more than one accused student, the appropriate administrator, in their discretion, may permit the hearing concerning each student to be conducted separately.
  4. The complainant and the accused shall have the right to be assisted by any adviser they choose, at their own expense. The adviser may be an attorney. Both the complainant and the accused are responsible for

presenting their own case and, therefore, advisers are not permitted to speak or participate directly in any hearing before a hearing panel.

5. The complainant, the accused and the hearing panel shall have the privilege of presenting witnesses, subject to the right of cross-examination.
  6. Pertinent records, exhibits and written statements may be accepted as evidence for consideration at the discretion of the appropriate administrator.
  7. All procedural questions are subject to the final decision of the appropriate administrator.
  8. After the hearing, the hearing panel (if consisting of multiple members) shall determine by majority vote whether the student violated the designated sections of the Student Conduct Code. The hearing panel shall render written findings of fact and conclusions and forward with recommended sanctions to the appropriate administrator within three (3) working days of the conclusion of the hearing.
  9. The hearing panel's determination shall be made on the basis of whether the evidence indicates that it is more likely than not that the accused student violated the Student Conduct Code.
  10. The hearing guidelines outlined in Article V only apply to Article V of the Student Conduct Code.
- B. **Administration of Conduct Records**

Other than college expulsion, disciplinary sanctions shall not be made part of the student's academic record, but shall become part of the student's confidential record. Upon graduation, the student's confidential record may be expunged of disciplinary actions upon the student's application to the Vice President for Learning and Student Services, depending on the nature of the disciplinary action. Cases involving the imposition of sanctions other than suspension or expulsion shall be expunged, at the student's request, from the student's confidential record five (5) years after final disposition of the case.

### C. Appeals

Appeals will be made in writing to the President's Office. The President or designee shall investigate the student's appeal and render a verdict, which shall be final. **An appeal must be initiated within ten (10) days** from the date of mailing of written sanction notification to the student's last known address on file at the NPC Registrar's Office. It is the responsibility of the student to keep his/her address current with the Registrar's Office.

## Article VI: Procedures for Academic Misconduct

Any member of the college community, including the instructor of record for a course, may file charges for academic misconduct against any student. Charges involving academic misconduct shall be prepared in writing and directed to the instructor of record for the course in which the alleged academic misconduct occurred.

- A. Any charges should be submitted within thirty (30) days of the incident. A Report for Academic Misconduct Violations (PDF) must be submitted to the Vice President for Learning and Student Services with a brief description of the nature

# Student Rights and Responsibilities

## Student Conduct Code *Continued*

- of that misconduct. The instructor of record will rule on the timeliness of the charges.
- B. The instructor of record will determine if the charges have merit and will document how such a determination was reached.
  - C. The instructor shall inform the student of the alleged misconduct, in writing.
  - D. An instructor of record may impose any of the following sanctions upon any student which he or she finds to have committed academic misconduct:
    1. A verbal warning to the student.
    2. A lowered score on the graded work that involves academic misconduct.
    3. A score of zero on any test or graded assignment involving academic misconduct – with or without the opportunity to resubmit the assignment for a grade.
    4. Referral to the plagiarism “boot camp” or other related discretionary assignments related to the offense.
    5. Referral to a Hearing Panel for Academic Misconduct pursuant to Article II, Section A.1.
    6. More than one of the above sanctions may be imposed for any violation.

If the Instructor of Record believes that a more severe sanction is warranted by the facts of the case or because of a pattern of previous misconduct, then the case must be referred to a Hearing Panel.

A student who objects to the sanction imposed by the instructor is entitled to a hearing before the faculty panel pursuant to Article II, Section A.1. The request for a hearing must be made within five (5) calendar days after the student is notified by the instructor of record of the sanction to be imposed.

### Article VII: Hearings for Academic Misconduct

All charges shall be presented to the accused student and the Chair of Instructional Council or his or her designee in written form. A time shall be set for a hearing, not less than five (5) or more than fifteen (15) working days after the request for a hearing. Maximum time limits for scheduling of hearing may be extended at the discretion of the Chair of the Hearing Panel. Should the Hearing Panel determine that charges have merit, the **Panel** will recommend to the **Vice President for Learning and Student Services** the nature of the sanction to be imposed on the student. The Hearing Panel may recommend any sanction or sanctions in Article VI, Section D, or any sanction or sanctions in Article IV, Section C.

All sanction(s) shall be determined and imposed by the Vice President for Learning and Student Services based upon the findings and conclusions of the hearing panel. The Vice President for Learning and Student Services will consider the recommendations for sanction(s) of the hearing panel but will not be bound by its recommendations. The Vice President for Learning and Student Services will forward the sanction(s) determined to be appropriate along with the findings and conclusions to the accused student within two (2) working days after receipt of the findings.

### Appeals

Appeals will be made in writing to the President’s Office. The President or designee shall investigate the student’s appeal and render a verdict, which shall be final. **An appeal must be initiated within ten (10) days** from the date of mailing written sanction notification to the student’s last known address on file with the NPC Registrar’s Office. It is the responsibility of the student to keep his/her address current with the Registrar’s Office.

[Based on Policy #1440; Rev 01/27/17]

## Plagiarism Traffic School

The Plagiarism Traffic School is an alternate disciplinary resource for instances of possible plagiarized work instead of the *Student Conduct Code*. Students receive a referral form via email with directions to complete a tutorial and submit paperwork within two (2) weeks. If the deadline is not met, the Vice President for Learning and Student Services will contact the student for a *Student Code of Conduct* violation. The online tutorial program is maintained by VAIL (Virtual Academic Integrity Laboratory) at the University of Maryland’s University College. Students may choose to use this resource even if not required by an instructor. You’ll find the link under the *MyCourses* tab in your *MyNPC* account.

## Student Grievance

### Procedure 2605

Students who believe that they have been treated unfairly may use this Procedure to have their views considered. This procedure applies to all student grievances except those that are governed by more specific procedures, such as Procedure #2666, Student Appeal of Grades, and Procedure #2627, Hazing. Nothing in this procedure is intended to limit the Administration’s ability to investigate possible problems without regard to whether a grievance has been submitted.

This Procedure should be used only for problems that affect a student directly and in a significant way. Insubstantial grievances may be disposed of summarily.

### Initiating a Grievance

A student who has a grievance shall first attempt to resolve the grievance informally. If that cannot be done, or if informal attempts to resolve the grievance would be futile, the student shall submit a statement of grievance to the Vice President for Learning and Student Services. The statement shall:

- State that the student is invoking the grievance procedure.
- Provides the student’s name and contact information.
- Identify the nature of the grievance, including the names of any individuals whose actions or inaction are relevant to the grievance.
- State what action the student wants to have taken to resolve the grievance.
- Identify the steps that have been taken to resolve the grievance informally and the outcome of such efforts. If the student



# Student Rights and Responsibilities

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believes that informal attempts to resolve the grievance would be futile, the student shall explain why.

Grievances should be submitted promptly. Undue delay in submitting a grievance may result in dismissal of the grievance.

## Investigation of the Grievance

The Vice President for Learning and Student Services shall determine how best to investigate the grievance. The Vice President for Learning and Student Services may investigate the grievance personally. The investigation may instead be assigned to an employee who has sufficient authority over the individuals or the condition involved to resolve the grievance if it is found to be meritorious. The Vice President for Learning and Student Services may take such other approach to investigating the grievance as may be appropriate.

If the Vice President for Learning and Student Services determines that the student has made insufficient efforts to resolve the grievance informally, the Vice President for Learning and Student Services may decline to investigate the grievance until such efforts have been made.

## Decision

Whoever investigates the grievance shall render a written decision within thirty (30) days after the statement of grievance has been filed. If unusual circumstances make compliance with that deadline impractical, a decision shall be rendered as soon as possible, but in no event more than sixty (60) days after the statement of grievance has been filed.

The written decision shall state the reasons for the decision. It shall be shared with the student who brought the grievance.

## No Reprisals

No reprisals shall be taken against any student for bringing a grievance or for cooperating with the investigation of a grievance.

[Based on Policy #1430; Rev. 6/5/13]

# Student Right-To-Know

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As required through the Student Right-To-Know and Campus Security Act of 1990, Northland Pioneer College is obligated to annually disclose graduation and transfer-out rates to current and prospective students. Individuals seeking this information should contact the office of the Vice President for Learning and Student Services.

# Important Notices

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## Northland Pioneer College Catalog 2017–2018

Be aware that this catalog does not establish a contractual relationship. The general catalog sets forth the official policies, rules and regulations that apply to every student attending the college. Such directives may be modified during the college year by digital publication of a catalog supplement update to the online catalog, [www.npc.edu/college-catalog](http://www.npc.edu/college-catalog).

## Americans with Disabilities Act

Northland Pioneer College complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination against people with disabilities in any activity or service operated or funded by state or local government, similar to the Section 504 requirement for services operated or funded by the federal government. Inquiries regarding either of these Acts should be directed to the Vice President for Learning and Student Services.

## Financial Statement

The Northland Pioneer College annual audit specifically titled *Navajo County Community College District (Northland Pioneer College) Single Audit Reporting Package* is a public record and is available at the State of Arizona Office of the Auditor General website (<http://www.azauditor.gov/reports-publications/community-colleges>) or from the office of the Chief Business Officer, Northland Pioneer College, P.O. Box 610, Holbrook, AZ 86025-0610, (800) 266-7845, ext. 7440.

## Public Notice of Nondiscrimination

Northland Pioneer College does not discriminate on the basis of race, color, national origin, veteran status, religion, marital status, gender, age or disability in admission or access to, or treatment or employment in its educational programs or activities. District grievance procedures will be followed for compliance with Title IX and Section 504 requirements. The Affirmative Action Compliance Officer is the Director of Human Resource, 2251 E. Navajo Blvd., Holbrook, AZ 86025, (800) 266-7845. The Section 504 Compliance Officer is the Coordinator of Disability Resource and Access, 1001 W. Deuce of Clubs, Show Low, AZ 85901, (800) 266-7845. The lack of English language skills will not be a barrier to admission and participation in vocational education programs.

## Protection of Intellectual Property

Northland Pioneer College uses many software products that are registered trademarks or tradenames. Often these are used in academic programs and may include all Microsoft or Adobe products; QuickBooks, Medisoft; BASIC; Cisco; PASCAL; JAVA; COBOL; C; C++; Novell; UNIX; AutoCAD; and AutoSketch. Except as expressly written in any license agreement, all rights are reserved by the product manufacturer.

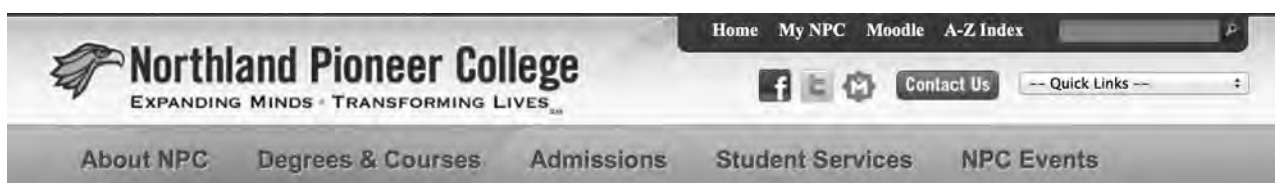
# Got Questions?



at [www.NPC.edu](http://www.NPC.edu)

AskNPC aims to answer any question anyone has about anything at NPC! The AskNPC database either gives you the answer or points you to the appropriate office to get an answer. There's even a **mobile app** for AskNPC for iPhones and Droids. Simply download it to your phone!

## So just AskNPC!



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For the latest Class Schedules, Academic Calendars,  
Program Information, News, Events and more!