## STUDENT HANDBOOK

### STUDENT PROGRAMS AND ACTIVITIES

#### Student Activities

The Student Activities Program is designed to supplement New River Community and Technical College's academic programs in providing meaningful, educational, cultural, and social experiences. The activities program may include: publications, dramatic activities, departmental clubs, various types of tournaments, dances, and entertainment of different types. Clubs and organizations may be developed with student leaders anytime during the school year; all clubs/organizations and their activities will have a College employee as advisor or sponsor. Students should contact the local campus Student Services Office for additional information. Students on the Bluefield campus are entitled to participate in all student activities. Students on other campuses should check with the Student Services Office for a schedule of activities on a particular campus.

#### Student Government

The goal of New River Community and Technical College is to offer an active Student Government Association (SGA) on all campuses. Some of the activities of the SGA may include dances, films, speakers, and sponsoring of various activities. A counselor at each campus serves as advisor to the respective SGA. Currently only the Greenbrier Valley campus has an SGA; however, plans are underway to offer one on the Nicholas County and Beckley campuses. SGA meetings are held regularly and are open to the student body; however, voting privileges rest only with the elected SGA members. The SGA makes recommendations to the Campus and College concerning needs and concerns of students.

#### Parking

All motor vehicles parking on a campus of New River Community and Technical College must be registered with the campus administrative office or, on the Bluefield campus, directly with the Office of Public Safety. This requirement applies to all motor vehicles used by students, faculty, and staff of the College. Any vehicle requiring a state license is classed as a motor vehicle. Stickers/hang tags are issued upon presentation of a valid tuition and fee receipt. The registration sticker/hang tag must be displayed on the vehicle as directed by the Office of Student Services. Changes of license plates must be reported immediately to the Student Services office. Vehicles which are not registered with New River Community and Technical College and are parked on the campus are subject to ticketing.

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New River Community and Technical College
and/or towing to a nearby garage. Parking tickets are a financial obligation to the College and unpaid fines result in holds on registration, transcripts, and/or graduation.

Before permission to register a vehicle is granted, the following information must be submitted:

- New River Community and Technical College student identification card or receipt for tuition
- Vehicle registration card
- Drivers license

Falsification of the above information will result in automatic cancellation of vehicular registration. Parking regulations are available in the Student Services Office on each campus.

This parking policy does not currently apply to the Beckley Campus nor the Nicholas County Campus.

**Honor Societies**

**Phi Theta Kappa** is a National Honor Fraternity for the community and junior colleges of America. It has its headquarters in Canton, Mississippi and since its inception in 1918 has been serving American institutions which offer associate degree programs. The purpose of Phi Theta Kappa is to recognize and encourage scholarship among associate degree students. Full-time students with a grade point average of 3.00 or above are eligible to become members. Phi Theta Kappa provides a forum for an intellectual climate and an opportunity for the development of leadership. It, therefore, plans meetings and conferences towards this end. It also plans to send delegates every year to the annual convention. Membership in Phi Theta Kappa means membership in an exciting academic fellowship.

**STUDENT ACADEMIC RIGHTS AND RESPONSIBILITIES**

**Standards of Progress for Federal Financial Aid Recipients**

Regulations require that all students make satisfactory academic progress to continue to receive aid from federal, state and college programs. Students must maintain an adequate grade point average and pass a sufficient percentage of the semester hours of credit attempted. Federal regulations limit the maximum number of hours a student may attempt. A copy of the New River Community and Technical College Satisfactory Academic Progress Policy is printed in the Student Handbook and is mailed to students with the initial award letter each year.

Federal regulations published initially in the Federal Register of October 6, 1983, require students to make satisfactory progress in their degree programs to be eligible for assistance from the following programs: Pell Grant, Supplemental Educational Opportunity Grant, Perkins Loan, Direct Stafford Loan, Direct Parent Loan for Undergraduate Students, Federal
Work-Study, State Student Incentive Grant (West Virginia and other state grant programs).

Such progress is to be measured in qualitative terms (grades) and quantitatively (hours completed). Progress will be measured at the end of the Fall and Spring semester. Federal regulations may require us to modify this policy slightly. All aid recipients are given a copy of the most current policy with their aid award notifications. The standards of progress for New River Community and Technical College are:

1. Qualitative Measurement (grade point average): Students must:
   a) meet the grade point average requirements as defined in the "Quality Points, Pass/Fail and Probation, Suspension and Dismissal" sections of the New River Community and Technical College catalog; and
   b) be consistent with graduation requirements as defined in the “Quality Points” section of the New River Community and Technical College Catalog.
   Suspended or dismissed students granted readmission to the College through successful academic appeals will be considered to have met this portion of the requirements.

2. Quantitative Standards (semester hours completed):
   1. Associate degree students will be eligible to receive federal aid through the semester in which they attempt their 96th credit hour.
   2. Certificate program students will be eligible to receive federal aid through the semester in which they attempt credit hours equal to 150 percent of the program.
   3. Students must successfully complete their hours attempted according to the following guidelines:

<table>
<thead>
<tr>
<th>Hours Attempted</th>
<th>Required Percentage Completed</th>
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<tbody>
<tr>
<td>1-32</td>
<td>60%</td>
</tr>
<tr>
<td>33-64</td>
<td>65%</td>
</tr>
<tr>
<td>65-96</td>
<td>70%</td>
</tr>
<tr>
<td>97 or more</td>
<td>75%</td>
</tr>
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</table>

4. Additional definitions and explanations:
   1) “Attempted” is defined as the cumulative number of hours shown in the "Hours Attempted" field in the Registrar's file. "Cumulative Number of Hours" are the total hours attempted during all enrollment periods, irrespective of receiving financial aid. Students who receive the following grades are considered to have "attempted" those credit hours and thus they count toward the cumulative maximum: withdrawal (W), incomplete (I), failures (F or WI), and all passing grades (A, B, C, D, P, S).
   2) Course repetitions will count as hours attempted. This includes course repetitions for health science students who do not achieve required "C" grades in major and natural science courses.
   3) Continuing student financial aid applicants who did not receive Federal Financial Aid during the previous semester and transfer student applicants in their initial semester at New River Community and Technical College will be placed on probation immediately if the cumulative hours attempted/passed requirement is not satisfactory.
Transfer hours attempted placed on the New River Community and Technical College transcript by the Registrar and hours attempted at New River Community and Technical College will be the basis for measurement.

4) Successful completion will be measured by the number of "hours passed" or "hours earned" whichever is greater recorded on the student's academic transcript at the end of the evaluation period.

5) “Academic Year” for purposes of measurement of progress, is defined as enrollment during any or all of the following: Fall semester, Spring semester, Summer Term I and II.

6) Federal Financial Aid recipients must be enrolled in degree granting programs.

7) Direct Stafford and Direct PLUS Student Loans: In addition to the progress requirements listed above, students must progress from one grade level to the next before they are eligible to receive additional maximum loan amounts. In determining the student's grade level, the Registrar's definition as found in the New River Community and Technical College Catalog will be used. Students in associate degree programs may be certified for loans only at the freshman and sophomore levels.

8) Applicants who are pursuing a second associate degree must submit a course evaluation form signed by the academic advisor so that progress within the second program may be measured. This form also will be used to determine grade level for federal loan certifications. Maximum levels for Pell Grants and guaranteed loans will be observed.

3. Failure to Maintain Satisfactory Progress:
   c) Students who fail the qualitative (grade) portion of the requirement will be notified of their probation, suspension, or dismissal status by the Dean of Student Services.
   d) The first time a student does not complete successfully the quantitative measurement (hours passed), he/she will be placed on financial aid probation. The deficiency from that semester must be made up in the following semester and/or summer terms in addition to the required number of semester hours for his/her enrollment status for the probationary period. Students who make up the initial deficiency during the probationary period will be granted one extended probationary period during succeeding semesters. The probationary status for students who continue to have a marginal deficiency at the end of the initial probationary period may be extended for one semester at the discretion of the Financial Aid Director. If the student does not achieve the required number of semester hours at the end of the probationary or extended probationary period, he/she will be suspended from financial aid.

4. Suspension Due to Non-Attendance. Federal regulations require adjustment of financial aid awards for students who do not begin attendance in all classes upon which the awards were based. Adjustments will be based on Registrar's records including Add/Drop and Withdrawal forms. Students are required to repay adjustment amounts. Students who do not meet repayment terms will be suspended from financial aid. (See appeal section.)

5. Reinstatement. Unless eligibility is reinstated through appeal, students will remain ineligible until that time when they are again in compliance with the standards set forth. It will be the responsibility of students seeking reinstatement
to request the Financial Aid Office to review their records, when they believe they are again in compliance with the requirement.

6. Appeals.

e) Students placed on academic suspension/dismissal due to failure of the qualitative (grade) measurement may appeal grade decisions using procedures in the Academic Appeals section of the College Catalog.

f) Students failing to meet the quantitative (semester hours) measurement may appeal to the Director of Financial Aid. Students must submit a personal letter explaining the reason(s) for the failure as well as an academic plan from the student's advisor stating how and when the student will make up the deficiency. If the Director denies the appeal, the student may request in writing that the appeal be reviewed by the Financial Aid Advisory Committee. The student may attend the appeal meeting. Written quantitative appeal decisions will be provided to the student.

g) Students suspended for nonattendance must pay outstanding financial aid balances and must submit a letter to the Director of Financial Aid explaining their reason(s) for not meeting original repayment terms. A negative decision by the Director may be appealed to the Financial Aid Advisory Committee.

7. Mitigating Circumstances Regarding Appeals.

The major mitigating circumstances in making an appeal will be the documented personal illness of the student, serious illness or death of an immediate family member (mother, father, sister, brother, husband, wife, child, legal guardian) or enrollment in an associate program requiring more than 64 credit hours.

5. The maximum number of semester hours attempted is considered to be adequate and fair under the progress policy. Change of major field of study, completion of developmental courses or transfer of credits normally will not be considered satisfactory grounds for appeal for additional time, but such appeals may be submitted using the process indicated in Section VI.

6. Unacceptable circumstances for appeals are: continued enrollment while seeking admission to a health science program and/or the prior non-receipt of Title IV aid since this is irrelevant to maintaining satisfactory progress in the course of study.

8. Comments About the Progress Requirement

h) Students are encouraged to work with their academic advisors, the Student Services staff to receive assistance with study skills and tutoring. Academic Advisors will be notified when an advisee is placed on probation or suspension.

i) Students who withdraw from courses after the official add/drop period and students who receive grades of F, W, and I, greatly increase their potential for failure of the requirement.

<table>
<thead>
<tr>
<th>Chart of Hours Attempted/Completed</th>
<th>Hrs Required To Make Progress</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hrs Attempted</td>
<td>Hrs Required*</td>
</tr>
<tr>
<td>0.5 – 1.5</td>
<td>0</td>
</tr>
<tr>
<td>2.0 – 3.0</td>
<td>1</td>
</tr>
<tr>
<td>3.5 – 4.5</td>
<td>2</td>
</tr>
<tr>
<td>5.0 – 6.5</td>
<td>3</td>
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<tr>
<td>Interval</td>
<td>Count</td>
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<td>-----------</td>
<td>-------</td>
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<tr>
<td>7.0 – 8.0</td>
<td>4</td>
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<tr>
<td>8.5 – 9.5</td>
<td>5</td>
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<tr>
<td>10.0 –</td>
<td>6</td>
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<td>11.5</td>
<td>7</td>
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<tr>
<td>32.0</td>
<td>26</td>
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## Chart of Hours Attempted/Completed

<table>
<thead>
<tr>
<th>Hours Attempted</th>
<th>Hrs Required*</th>
<th>Hrs Attempted</th>
<th>Hrs Required*</th>
</tr>
</thead>
<tbody>
<tr>
<td>42.0 – 43.0</td>
<td>27</td>
<td>91.5 – 92.5</td>
<td>64</td>
</tr>
<tr>
<td>43.5 – 44.5</td>
<td>28</td>
<td>93.0 – 94.0</td>
<td>65</td>
</tr>
<tr>
<td>45.0 – 46.0</td>
<td>29</td>
<td>94.5 – 95.5</td>
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</tr>
<tr>
<td>46.5 – 47.5</td>
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</tr>
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<td>49.5 – 50.5</td>
<td>32</td>
<td>97.5 – 98.5</td>
<td>73</td>
</tr>
<tr>
<td>51.0 – 52.0</td>
<td>33</td>
<td>99.0 – 99.5</td>
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<tr>
<td>52.5 – 53.5</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>101.0</td>
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*Hours required rounded down to the nearest whole credit hour

### Student Insurance Program

New River Community and Technical College provides information about private accident and health insurance plans. For information about these plans, contact the Student Services Office on your campus.

### Equal Opportunity Policy

New River Community and Technical College is an Equal Educational Opportunity Institution. As such, it admits students and employs staff without regard to race, creed or national origin. It neither affiliates knowingly with nor grants recognition to any individual, group or organization having policies that discriminate on the basis of race, color, age, religion, sex, national origin or disabilities as defined by applicable laws and regulations.

Grievance procedures for students are printed in this handbook. Inquiries about the College's equal opportunity/affirmative action policies or accessibility to programs and facilities for disabled students should be directed to the Affirmative Action Office.

### Bomb Threats

It is a serious crime to convey or impart (or cause to be conveyed or imparted) false information concerning the presence of a bomb or any other explosive devices or false information concerning biological or chemical agents on the premise of New River...
Community and Technical College or its satellite institutions. Any person violating this law is subject to State prosecution, as well as College disciplinary action.

**Computer Use and Abuse Policy**

With the proliferation of computers on all four NRCTC campuses and the introduction of internet access for all students it has become necessary to develop a Computer Use and Abuse Policy consistent with the missions and goals of the College.

First and foremost, computers, software, data communications equipment and services were bought and paid for using public funds allocated to the college to support its primary mission, the education of the students. Thus, the use of that equipment and those services for any other purpose should be considered improper. New River Community and Technical College grants accounts to students, faculty and staff on that basis. It may deny and/or revoke any account at any time for any reason at its sole discretion. By using an assigned account, the user agrees to use it exclusively for personal education and/or nonprofit research, administration, community service and/or economic development activities. The user accepts complete responsibility and liability for willful or negligent misuse of his/her account and for complying with New River Community and Technical College policies related to Computer Use and Abuse as well as any policies promulgated by agencies used or contacted through New River Community and Technical College systems or services. Users must read and understand the Computer Use and Abuse Policy contained herein and must regularly review any new policies promulgated, posted or incorporated as part of New River Community and Technical College World Wide Web Servers and/or other online information services.

Secondly, while internet access, particularly when using a web browser, looks very much like viewing television, it is not a one-way system. It is a two-way service, very much like the telephone system in that the user can, and often does, interact with and send information to other users and/or organizations on the net. The cost associated with computer and Internet use are the initial purchase price and maintenance costs for the local equipment, the annual WVNET network assessment for such things as data communications and support and monthly communication charges. There are direct costs associated with this use, so they may not be used indiscriminately for any purpose.

New River Community and Technical College has established policies regarding the use or abuse of all hardware, data, software and communications networks associated with NRCTC computer systems. All New River Community and Technical College computer system users are also subject to applicable network (WVNET, BITNET, Internet, etc.) usage guidelines, as well as state and federal laws regarding computer abuse. All New River Community and Technical College computer systems include but are not limited to all minicomputers and their peripheral equipment, all microcomputers and their network and/or peripheral equipment located at any New River Community and Technical College facility including but not limited to the campus in Bluefield, WV, the Greenbrier Valley campus in Lewisburg, WV, the Beckley campus in Beckley, WV, and the Nicholas County campus in Summersville, WV. The "West Virginia Computer Crime and Abuse Act," which defines computer abuse and prosecution possibilities went into effect July, 1989. The Electronic Communications Privacy Act passed by Congress in 1986, cites illegal electronic communications access and interception. Cases of computer
abuse must be reported to the BSC Director, Institutional Technology Services and/or to local, state and federal authorities. Nothing in this policy supersedes or is otherwise meant to contradict any law, regulation or policy promulgated by any higher entity with authority to do so.

**Common Forms of Computer Abuse:**

New River Community and Technical College is responsible for informing users of the rules, regulations and procedures which apply when using any New River Community and Technical College computing resources. Users are responsible for understanding these rules so that they can abide by them. These policies cover NRCTC as well as West Virginia Network for Educational Telecomputing (WVNET) services.

9. Privacy: Investigating or reading another user's file is considered a violation of privacy. Reading unprotected files is intrusive; reading protected files, by whatever mechanism, is considered the same as "breaking and entering."

10. Violations include:
   j) Attempting to access another user's files without permission.
   k) Furnishing false or misleading information or identification in order to access another user's account.
   l) Attempts to access New River Community and Technical College computers, computer facilities, networks, systems, programs or data without authorization.

7. Unauthorized manipulation of New River Community and Technical College computer systems, programs or data.

11. Theft: Attempted or detected alteration of software, data or other files as well as disruption or destruction of equipment or resources is considered theft. Violations include:
   m) Using subterfuge to avoid being charged for computer resources.

8. Deliberate, unauthorized use of another user's account to avoid being billed for computer use.

9. Abusing specific resources such as BITNET and the Internet.

10. Removing computer equipment (hardware, software, data, etc.) without authorization.

11. Copying or attempting to copy data or software without authorization.

12. Vandalism: Violations include:
   n) Sending mail or a program which will replicate itself (such as a computer virus) or do damage to another user's account.

12. Tampering with or obstructing the operation of New River Community and Technical College computer systems.

13. Inspecting, modifying or distributing data or software (or attempting to do so) without authorization.

14. Damaging computer hardware or software.

13. Harassment: Sending unwanted messages or files to other users may be considered harassment. Violations include:
   o) Interfering with legitimate work of another user.

15. Sending abusive or obscene messages via computers.

16. Using computer resources to engage in abuse of New River Community and Technical College employees or any other users.

14. Copyright Issues: New River Community and Technical College prohibits the copying, transmitting, or disclosing of proprietary data, software or documentation (or attempting to commit these acts) without proper authorization. (See Software and Intellectual Rights section).

15. Miscellaneous: Other acts considered unethical and abusive include:
p) Unauthorized and time-consuming recreational game playing

17. Using computer accounts for work not authorized for that account.
18. Sending chain letters or unauthorized mass mailings.
19. Using the computer for personal profit or other illegal purposes.
20. Personal advertisements.
21. Display of offensive material and graphics in public areas. For the purpose of this item all NRCTC computer labs are considered to be “public areas.”

16. Software and Intellectual Rights: Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy and right to determine the form, manner and terms of publications and distribution.

17. Computer Usage Guidelines:

q) You must have a valid, authorized account and you may only use those computer resources for which you are specifically authorized. You are responsible for safeguarding your own account. You should not allow another user to use your account unless authorized by the system administrator for a specific purpose.

22. You may not change, copy, delete, read or otherwise access files or software without the permission of the owner or the system administrator. You may not bypass accounting or security mechanisms to circumvent data protection schemes. You may not attempt to modify New River Community and Technical College software except when it is intended to be customized.

23. You may not prevent others from accessing the system or unreasonably slow down the system by deliberately running wasteful jobs, playing games or engaging in non-productive or idle computer “chatting.”

24. You should assume that any software you did not create is copyrighted. You may neither distribute copyrighted or proprietary material without the written consent of the copyright holder, nor violate copyright or patent laws concerning computer software, documentation or other tangible assets.

25. You must not use the New River Community and Technical College computer systems to violate any rules in the New River Community and Technical College Employee Handbook, College Catalog, Student Handbook or applicable local, state or federal laws. You should promptly report misuse of computing resources, or potential loopholes in computer systems security, to the appropriate authorities (the New River Community and Technical College Computer Center Director or NRCTC Computer Center personnel) and cooperate with the systems administrators in their investigation of abuse.

26. The overall “System Administrator” for the BSC computer systems is the Manager, Administrative Computer Services. There are, however, several subsystems, each with its own administrator. Examples of these are: the Student Information System administered by the Registrar and the Financial Aid System administered by the Director of Financial Aid. In connection with inquiries into possible abuses, New River Community and Technical College reserves the right to examine files, programs, passwords, accounting information, printouts, or other computing material without notice. Privacy of any electronic or printed material examined that is not relevant to the investigation is guaranteed. Disclosure of such material will be subject to penalty.

18. Penalties for Computer Abuse: Abuse or misuse of New River Community Technical College computing facilities and services may not only be a violation of this policy and user responsibility, but it may also violate the criminal code. Therefore, New River Community and Technical College will take appropriate action in response to user abuse or misuse of computing facilities and services. Action may include, but is not necessarily limited to:

r) Suspension or revocation of computing privileges.

27. Access to all computing facilities and systems can, may, or will be denied.

28. Reimbursement to New River Community and Technical College or the appropriate institution for resources consumed.
29. Other legal action including action to recover damages.
30. Referral to law enforcement authorities.
31. Referral of offending faculty, staff or students to institutional authorities for disciplinary action.

19. Disk Space Allocation: New River Community and Technical College has a finite amount of disk space available on its minicomputer systems. It is therefore incumbent on users to retain only files and email that is actually required for their work. Special drives (M: and N:) are provided to some faculty or staff personnel based on specific, documented needs. These drives are accounts on one of the New River Community and Technical College VAX systems which are accessible from both the VAX and microcomputers. All VAX system and M:/N: drive users shall comply with the following:
   s) Delete unnecessary files and E-Mail as soon as possible.
   t) Keep applications programming (word processors, spreadsheets, etc.) on their hard drives not on M: or N: drives.
   u) Keep all data/document files on their hard drives or floppy diskettes except those that must be shared with other users. Shared files shall be removed when the need to share them has ceased.

32. Purge VAX accounts frequently to remove duplicate copies of files. The Institutional Computer Services staff shall create and maintain student, faculty, staff and special accounts on the various New River Community and Technical College and WVNET computer systems and with various drive space allocations based on the identified requirements for the individual holding the account. Increases in space allocation must be justified by the user, approved by his/her superior and is subject to the availability of drive space. New River Community and Technical College Computer Services personnel shall on a regular basis delete and/or purge files on the New River Community and Technical College computer systems.

Confidentiality of Records

“Educational institutions shall not release personal information on a student except on the condition that the party to which the information is being transferred will not permit any other party to have access to such information without the written consent of the parents or of the eligible student.” Section 438(b) of the Family Educational Rights and Privacy Act of 1974 (the Buckley Amendment). A complete statement of your rights and the institutional policy on directory information are printed on the inside cover of the schedule each term. The complete Student Records Policies and Procedures for New River Community and Technical College is found in the NRCTC Policy Manual and students may obtain a free copy from the Registrar's Office.

All educational records are maintained in the office of the Registrar. Any student, upon proper identification, may request to see the material contained in his or her file. Copies will be made on demand of all material, except that which did not originate at New River Community and Technical College, at a cost of $3.00 per document. No other persons, except those listed below, may see or obtain copies of these records without signed written consent of the student involved except representatives of governmental agencies authorized under the FERPA of 1974 and its amendments. All requests for information should be presented to the FERPA Coordinator who is the Dean of Student Services.
Copies of all correspondence with the Admissions Office or the Registrar's Office, academic substitutions, academic exceptions, transfer agreements, grades and other material generally identifiable as academic in nature are maintained in these files. These files are reviewed, and all material not considered to be essential to represent the academic standing of the student is destroyed periodically.

The Registrar is responsible for maintaining all academic records. These records are available to college personnel who have a legitimate educational interest.

**Tobacco Usage Policy**

All locations of New River Community and Technical College are designated as non-tobacco usage (i.e., smoking tobaccos, chewing tobaccos, and snuff) facilities. Tobacco usage is permitted only in designated areas outside college buildings.

**Alcohol/Drug Policy**

The legal age for the consumption of alcohol and spirits is 21 years in West Virginia. As a nonresidential institution, New River Community and Technical College’s approach to policies and educational intervention regarding the use of alcohol and/or drugs is creative in its focus. The complete alcohol and drug policy is available in the offices of the Campus Directors and Student Services.

20. **Legal Requirements:** Students, faculty and staff on any campus of New River Community and Technical College shall abide by all Federal laws, State statutes and city ordinances regarding the sale, purchase and consumption of alcoholic beverages and illicit drugs including but not limited to the laws that regulate the following:

- Regulation of sales
- Drinking age laws
- Possession of alcohol by person under age 21
- Liability for injury or damage resulting from intoxication

33. **Open container laws state and city**

21. **Standards of Conduct:** The unlawful possession, use or distribution of illicit drugs and alcohol by students or employees on College property or as part of any other College regulated activity is prohibited.

22. **Disciplinary Sanctions:** The College will impose disciplinary sanctions on students who violate the established standards of conduct. Students should be cognizant of the fact that for violation of these standards, they will be subject to disciplinary sanctions up to and including suspension or dismissal and referral for prosecution. It is noted that a disciplinary sanction may include the completion of an appropriate rehabilitation program. Whenever there is an infraction(s) of Federal, State, and city laws(s) by students, the person(s) will be referred to the respective official(s) for prosecution. In all other cases regarding students, penalties for infractions shall follow the guidelines and proceedings as established and published in the current handbooks for students.

23. **West Virginia State Alcohol Law:** The following guidelines are based on West Virginia State Law. An individual shall not:

- Appear in a public place in an intoxicated condition.
- Consume alcoholic beverages in a public place.
- Consume alcoholic beverages in a motor vehicle, moving or parked.
- Offer alcoholic beverages to another individual in a public place.
- Knowingly sell alcoholic beverages to an individual less than 21 years of age.
ee) Knowingly buy for, give to, or furnish alcoholic beverages to an individual less than 21 years of age.

ff) Knowingly serve alcoholic beverages to an intoxicated individual.

gg) Misrepresent his or her age for the purpose of obtaining alcoholic beverages.

34. Possess on campus or at a campus event a common supply or common source of alcoholic beverages such as kegs or punch bowls, from which alcoholic beverages may be served.

24. West Virginia State Laws Regarding the Unlawful Possession, Use, or Distribution of Alcohol: The following guidelines are based on West Virginia State Law.

hh) Any person under the age of twenty-one years who purchases, consumes, sells, possesses or serves wine or other alcoholic liquor is guilty of a misdemeanor, and, upon conviction thereof, shall be fined in an amount not to exceed five hundred dollars or shall be incarcerated in the county jail for a period not to exceed seventy-two hours or both fined and imprisoned or, in lieu of such fine and incarceration, may, for the first offense, be placed on probation for a period not to exceed one year.

ii) Any person under the age of twenty-one years who, for the purpose of purchasing wine or other alcoholic liquors from a licensee, misrepresents his or her age or who for such purpose presents or offers any written evidence of age which is false, fraudulent or not actually his or her own or who illegally attempts to purchase wine or other alcoholic liquors, is guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed fifty dollars or shall be imprisoned in the county jail for a period not to exceed seventy-two hours or both such fine and imprisonment or, in lieu of such fine and imprisonment, may, for the first offense, be placed on probation for a period not exceeding one year. Any person who shall knowingly buy for, give to or furnish wine or other alcoholic liquors from any source to anyone under the age of twenty-one to whom they are not related by blood or marriage, is guilty of a misdemeanor and shall, upon conviction thereof, be fined in an amount not to exceed one hundred dollars or shall be imprisoned in the county jail for a period not to exceed ten days or both such fine and imprisonment.

35. Information regarding West Virginia law provided by the Mercer County Prosecuting Attorney.

**Weapons**

The possession or use of any type of weapon on any campus of New River Community and Technical College is strictly prohibited.

**Policy on Sexual Harassment**

25. It is the policy of New River Community and Technical College that no member of the College community may sexually harass another. Sexual harassment is a violation of Title VII of the 1964 Civil Rights Act as amended (section 1604.11 of EEOC's regulation on sexual discrimination of 1980) and Title IX of the Educational Amendments of 1972 and the Higher Education Amendment of 1992 (Public Law 102325).

26. Definition: Sexual harassment is defined as unwelcome sexual advances, such as requests for favors and other verbal or physical conduct of a sexual nature, which adversely affect the working or learning environment, i.e.:

jj) Submission to such conduct as a condition of employment or education.

kk) Submission or rejection of such conduct affects an individual's status in the work or learning environment.

36. Unwelcome sexual advances which interfere with an employee's or student's performance by creating an intimidating, hostile or offensive environment. Sexual harassment may be overt behavior affecting the work or academic environment; or may be verbal behavior which may consist of demands, attacks or consistent use of sexually offensive language. This definition does not in any way affect social interaction or relationships entered into freely by individuals.
27. **Grievance Procedures:** Anyone who believes they have been subjected to sexual harassment is encouraged by New River Community and Technical College to pursue the matter through the institution's informal or formal procedures as further described and/or to contact local law enforcement authorities. Anyone who wishes to report or seek advice about alleged sexual harassment should contact one of the following: Affirmative Action Officer, the Dean of Student Services, or a counselor in Student Services.

II) **Informal Procedure:** Faculty, staff and students are encouraged to make complaints concerning allegations of sexual harassment. Strict confidentiality will be maintained in all procedures. It is hoped that most situations can be resolved by discussions with the parties involved at the informal level. The complainant may decide to take the following action: Attempt to talk with the accused with or without a third party, describe the behavior, express that the behavior is unwanted and ask that the unwanted behavior be stopped. If the conversation is not effective at this point at the informal level, then the injured person may want to proceed to the formal stage.

37. **Formal Hearing:** If the complainant is not satisfied with or does not wish to pursue resolution at the informal level, the formal grievance procedure will be invoked at the request of the complainant. The filing of a formal grievance of sexual harassment must begin with a written signed complaint filed in accordance with the grievance policy appropriate to the sexually harassed person. The formal grievance procedures at New River Community and Technical College are described below.

1) If the complainant is a student, the grievance procedures will apply as follows: The student grievant shall file in writing a statement about the alleged sexual harassment with the Dean of Student Services. If the grievance is a student grievant against another student, the Dean of Student Services shall forward the formal complaint to the Student Conduct Board for a hearing. The Board shall render the decision within ten working days of the receipt of the grievance to the Dean of Student Services for expeditious communication to the grievant and the accused. All hearing bodies shall adhere to the procedures as stated in the Student Conduct Code in the Student Handbook. If a student complains about a faculty or classified employee, the President shall appoint an Ad Hoc Committee consisting of two students, two classified employees, two faculty members and one division chairperson. If appropriate, current members of the Student Conduct Committee will be appointed to the Ad Hoc Committee. The designated Ad Hoc Hearing Committee shall render the decision within ten working days of the receipt of the grievance to the President for expeditious communication to the grievant and the accused. All hearing bodies shall adhere to the procedures as stated in the Student Conduct Code of the Student Handbook.

2) If the complainant is a staff member, the Staff Grievance Policy, outlined in the Classified Employee Handbook, will be followed. Disciplinary action against classified staff as a result of a proven case of sexual harassment will be determined by the policies stated in the Classified Employee Handbook.

3) If the complainant is a faculty member, the Faculty Grievance Procedure, outlined in the Faculty Handbook, will be followed. Disciplinary action against faculty as a result of a proven case of sexual harassment will be determined by the policies stated in the Faculty Handbook.

38. **Other Action:** Anyone who has been subjected to sexual harassment may seek action beyond the New River Community and Technical College informal and formal procedures as described, by contacting local law enforcement authorities or the Equal Employment Opportunity Commission.

28. The sexual harassment policy will be printed in the Faculty, Staff and Student Handbooks and in the Affirmative Action Manual.

**Drug-Free Schools and Communities Act**

The use of drugs (including alcohol) is incompatible with the goals of an academic community. In compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free
Schools and Community Act of 1986, New River Community and Technical College has adopted the following policy:

New River Community and Technical College does not permit or approve of the possession, distribution, or use of alcoholic beverages or illegal drugs on the campus. This is consistent with the West Virginia Higher Education Policy Commission Policy Bulletin No. 42.

The College Policies and Resources for Alcohol and Other Drugs has been distributed to all students, staff, faculty, and administration of New River Community and Technical College.

The policy and procedures inform students and employees about:

- the dangers and risks of alcohol and other drugs
- policies regarding a drug-free campus and workplace
- consequences of violations of the policy
- resources for intervention and treatment

Additional information concerning alcohol and other drug policies may be obtained by contacting the Campus Dean or the Student Services Office.

**GENERAL STUDENT RIGHTS AND RESPONSIBILITIES**

**Disciplinary Proceedings, Student Affairs, Policies, and Regulations**

The policies, rules, and regulations of New River Community and Technical College are an implementation of the State College System Board of Directors Interpretive Rule Title 131, Series 57, “Student Rights and Responsibilities” (Effective July 1, 1985). “Student Rights and Responsibilities” takes precedent over the College’s policies, rules, and regulations if they are in conflict.

It should be understood that attendance at New River Community and Technical College is a privilege granted by the State of West Virginia. The student, by matriculation, pledges to abide by and uphold those philosophies and ideas of scholarship and character by which the College guides and regulates its activities. To preserve the integrity of its stated program and to safeguard the interest of all its members, the College reserves the right to require the withdrawal of any student at any time it is considered necessary to protect its programs and ideas.

New River Community and Technical College assumes that each student is a mature, responsible individual who has entered this institution by voluntary registration for educational advancement. While working toward this goal, the College requires that each student maintain a pattern of social behavior in keeping with good taste and high moral standards.

Any action on the part of a student which fails to show respect for good order, for moral standards, for personal integrity, for rights of others, or for the care of property shall be cause for disciplinary action against the offender. Any employee or student of the College may report misconduct to the Dean of Student Services.

New River Community and Technical College is dedicated not only to learning and the advancement of knowledge but also to the development of ethically sensitive and responsible persons. The College seeks to achieve these goals through a sound educational program and policies governing student conduct that encourage independence and maturity.
Every student who is privileged to matriculate at New River Community and Technical College is obligated at all times to assume a sense of responsibility for his or her actions, to respect constituted authority, to conform to the ordinary rules of good conduct, to be truthful, to respect the rights of others, to protect public and private property, and to make the most effective use of time in securing an education. Students are subject to the College rules and regulations and to the "Student Rights and Responsibilities" as enacted by the State College System of West Virginia, whether they are on or off campus as long as they are enrolled at New River Community and Technical College.

New River Community and Technical College distinguishes its responsibility for student conduct from the control functions of the wider community. When a student has been apprehended for the violation of a law of the community, the State, or the Nation, the College will not request or agree to special consideration for the student because of status as a student. Ordinarily, the College will not impose further sanctions after law enforcement agencies or the courts have disposed of a case, unless the offense was against persons or property of the College.

The College may apply sanctions or take other appropriate action when students' conduct interferes with the College's: (a) primary educational responsibility to ensure the opportunity of all members of the College community to attain their educational objectives, or (b) subsidiary responsibilities of protecting property, keeping records, providing living accommodations and other services, and sponsoring non-classroom activities such as athletic events, lectures, concerts, and social functions.

Due process and procedural fairness are basic to the proper enforcement of all College rules. No disciplinary sanction shall be imposed unless the student has been notified in writing of the charges against him/her and has had an opportunity to: (a) appear alone or with another (student, parent, or College staff member and, in case of dismissal, legal counsel) to advise or assist him/her before an appropriate committee, or official; (b) know the nature and source of the evidence against him/her and to present evidence in his/her own behalf. Appeals from the Conduct Officer or the Conduct Board must be made within five class attendance days after notification (verbal or written) of the decision.

Sanctions affecting the conduct of students shall be based on general principles of equal treatment.

Copies of Series 57, "Student Rights and Responsibilities" and Series No. 60, "Student Academic Rights" are available in the Office of the Dean of Student Services or the Campus Directors.

**Grievance Procedures for Disabled Students**

The grievance procedure, as described herein, is provided to give students who qualify as disabled under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act an avenue for resolving problems regarding access to programs and facilities at New River Community and Technical College. Because of the immediate nature of such problems, efforts have been made to make turn-around times at the various levels as short as possible. These time frames may be extended upon mutual agreement of the individuals involved.

**Level I**

Students desiring to file a grievance regarding accessibility to programs or facilities of NRCTC may initiate the process by contacting the college's ADA Coordinator. If the
grievance involves specific action taken by a college employee, the grievance must be filed within five (5) working days of that action. The grievance shall be referred to the appropriate administrator for review and investigation. A response will be provided to the student within five (5) working days of receipt of the grievance by the administrator.

**Level II**

If the student believes the written answer to the grievance is in error or improper, the student may within five (5) working days of receipt of the administrative response ask the ADA Coordinator to call a meeting of the ADA Committee to consider the grievance. The Committee shall consist of the ADA Coordinator, the Dean of Student Services, the Classified Senate Chair, the Faculty Senate Chair, an SGA selected appointee, the Director of Admissions, the Vice President of Financial and Administrative Affairs, the ADA representative for students, the Director of Student Support Services and an appointed faculty member. The student filing the grievance must submit the appeal in writing and must include any documents considered at the first level. The student must state why the response of the administrator is not satisfactory and tell what will resolve the issue.

The Committee will review the grievance and make its recommendation to the President or her/his designee within ten (10) working days of receipt of the grievance. The President will consider the recommendation of the Committee and provide a written response to the student within ten (10) working days of receipt of the Committee recommendation.

**Student Grievance Procedure**

**Purpose**

The purpose of the Student Grievance Procedure shall be to provide equitable and orderly processes to resolve any differences or dispute between a student and a staff or faculty member about College policies or learning activities affecting the student. This may include but is not limited to grading, instructional procedures, class attendance policies, instructional quality, and other situations where the student believes he/she is being treated unfairly or arbitrarily.

**Procedure**

**Step 1:** The student with a grievance must first discuss the grievance with the staff or faculty member involved. Every reasonable effort should be made by both parties to resolve the matter at this level. The initial conference must occur within ten (10) class days of the event, or, if a grade appeals, within ten (10) class days after the start of subsequent school term not including summer sessions.

**Step 2:** If the student continues to be dissatisfied with the results of step one, he/she may, within five (5) class days after the conference with the instructor or staff member, file a written appeal with the immediate supervisor of the individual instructor or staff member involved. The supervisor may attempt a resolution satisfactory to the parties involved, but if no agreement is reached, he/she will set a date for a meeting of all parties with a Student Grievance Committee. The Student Grievance Committee is an Ad Hoc Committee consisting of five (5) members--two students appointed by the SGA Advisor/counselor (in conjunction with the Student Government Association), two faculty members, and a Chairperson appointed by the Chief Academic Officer or his/her designee. Both student and faculty members of the committee shall have the authority to
determine whether an academic or other process was fair, prejudicial and/or capricious, and to recommend to the appropriate Vice President a suitable remedy.

The Student Grievance Committee shall meet under the following guidelines:

- The chairperson shall vote only in case of a tie.
- The student shall have the right to be accompanied by a representative of his/her choice from the institution. Such representative may consult with, but may not speak on behalf of, the student or otherwise participate directly in the proceedings, unless they are given specific permission to do so by the Chairperson of the Student Grievance Committee. If the representative is to be an attorney, the student must notify the Office of the Chief Academic Officer of this fact within a minimum of five (5) working days in advance of the Student Grievance Committee meeting.
- Both the student grievant and the faculty or staff member against whom the grievance has been filed may present witnesses or relevant materials during the proceeding.
- All parties to the grievance must remain present for the entire meeting.
- The meeting shall be closed to all others.

The committee shall form its recommendations within five (5) working days of its final session. All recommendations for grievances related to grades, faculty, or academic policy shall be forwarded to the Vice-President/Chief Academic Officer. In other matters, the committee may refer its recommendations to the President for the area the Committee deems appropriate.

The President receiving the committee recommendation shall, within seven (7) working days after the meeting, prepare a statement of decision on the matter with copies to the student, the faculty or staff member against whom the grievance was filed.

**Step 3:** If the student, faculty, or staff member is not satisfied with the decision of the President, he/she may, within a period of ten (10) working days, make a written appeal to the President. The President may at his/her discretion hold a meeting to hear both parties in the grievance or may make a decision based on the record of the Student Grievance Committee hearing and/or the recommendation of the Provost. The President will notify the parties involved in the grievance of his/her decision in writing, within ten (10) working days after receiving the written appeal.