

Policy# 5101

Policy Title: CODE OF CONDUCT

Responsible Oversight Director: Director, Student and Partner Advancement

Date of Current Revision: October 1, 2016

A. PURPOSE

The Southern Virginia Higher Education Center (SVHEC) is committed to maintaining a safe, civil, and respectful environment for SVHEC staff, SVHEC partner-enrolled students, SVHEC training program participants, and visitors. To that end, the following Code of Conduct policy is provided as a guide. The SVHEC has the authority to bar individuals found in non-compliance with the Code of Conduct and other SVHEC policies from the Center.

B. AUTHORITY

Virginia Code Section §23.1-3126, as amended, grants authority to the Board of Trustees to establish rules and regulations for the institution. Section VIII (E) of the Board of Trustees Bylaws grants authority to the Executive Director to implement the policies and procedures of the Board relating to the SVHEC operations.

The policies of the SVHEC fall within the following framework and hierarchy and, therefore, are subject to compliance with laws and regulations instituted by higher levels of authority:

1. Federal laws and regulations
2. State laws and regulations
3. Board of Trustees policies
- 4. SVHEC policies**
5. Departmental policies and procedures

In the event of a conflict between different levels in 1 through 5 above, the lower numerical heading shall take precedence over higher numerical heading.

C. DEFINITIONS

Complaint - An informal claim by a member of the SVHEC Community (SVHEC Board members, SVHEC staff and instructors, SVHEC education and training partner staff and instructors, SVHEC partner-enrolled students, SVHEC training program participants, and visitors) or by a third party against a member of the SVHEC community regarding alleged improper, unfair, arbitrary, or discriminatory treatment. A complaint may constitute a grievance, if the complaint is not mutually resolved and if the complaint falls within the definition of a grievance.

Complaint/Grievance Process - Process by which a member of the SVHEC Community (SVHEC Board members, SVHEC staff and instructors, SVHEC education and training partner staff and instructors, SVHEC partner-enrolled students, SVHEC training program participants, and visitors) or a third party may make a complaint. If the complaint is not appropriate for informal resolution, the complainant may file a formal written complaint, using the SVHEC Complaint/Grievance form, with the Chief Finance and Operations Officer, who will notify the appropriate parties involved. The CFOO will convene the SVHEC Complaint/Grievance Committee to review the complaint/grievance submitted. The complaint/grievance process ends with the decision of the Complaint/Grievance Committee, which is final.

Grievance - A dispute or disagreement raised by a member of the SVHEC community (SVHEC Board members, SVHEC staff and instructors, SVHEC education and training partner staff and instructors, SVHEC partner-enrolled students, SVHEC training program participants, and visitors) alleging improper, unfair, arbitrary or discriminatory action by an SVHEC employee involving the application of a specific provision of an SVHEC policy or procedure, or SVHEC training program policy or procedure. Informal complaints not mutually resolved may become grievances if the complaint falls within the definition of a grievance, a formal written complaint is filed using the SVHEC Complaint/Grievance form, and the complainant follows the SVHEC Complaint/Grievance Process.

SVHEC Community - The community, by definition, includes but is not limited to, the SVHEC Board members, SVHEC staff, and instructors, SVHEC education and training partner staff and instructors, SVHEC partner-enrolled students, SVHEC training program participants, visitors and any others who are impacted by the policy under consideration.

SVHEC Complaint/Grievance Committee - Group of individuals selected to review complaints/grievances filed by a member of the SVHEC community who wishes to appeal an action or a SVHEC training program participant who wishes to register a complaint/grievance related to their program. Membership of the SVHEC Complaint/Grievance Committee is made up of SVHEC staff and faculty.

SVHEC Education Partner - An entity with whom the SVHEC has a relationship to provide for- credit higher education and/or workforce training at or through the SVHEC.

SVHEC Partner-Enrolled Student - An individual who is enrolled with one or more SVHEC education partners and takes classes at or through the SVHEC via the respective partner(s). SVHEC partner-enrolled students are subject to the policies of their each partner institution(s) as well as those of the SVHEC.

SVHEC Training Program - Any workforce training course, class, workshop or set of multiple courses, classes, and workshops for which SVHEC training program participants enroll with the Southern Virginia Higher Education Center. This does not include programs, classes, courses, or workshops for which SVHEC training program participants are enrolled via an SVHEC education or training partner.

SVHEC Training Program Participant - Individual who is enrolled in an SVHEC training program.

Visitor - Member of the SVHEC community not falling into the classification of SVHEC Board member, SVHEC staff or instructor, SVHEC education or training partner staff or instructor, SVHEC partner-enrolled student, or SVHEC workforce training program participant; member of the general public accessing the SVHEC facilities.

D. SCOPE

This policy applies to all members of the SVHEC Community, including SVHEC Board members, SVHEC staff and instructors, SVHEC education and training partner staff and instructors, SVHEC partner-enrolled students, SVHEC training program participants, and visitors. The website <http://www.svhec.org/svhec-policies> is the official location of SVHEC policies.

E. POLICY STATEMENT

All members of the SVHEC community, including SVHEC Board members, SVHEC staff and instructors, SVHEC education and training partner staff and instructors, SVHEC partner-enrolled students, SVHEC training program participants, and visitors are to follow the SVHEC Code of Conduct. SVHEC partner-enrolled students also must follow all policies of the partner institution with which they are enrolled.

Members of the SVHEC community are expected to comply with all SVHEC policies, rules, and regulations in addition to state, local, and federal law, violation of which may result in disciplinary action. In addition, the following is prohibited conduct for members of the SVHEC community while at the SVHEC, engaging in SVHEC-sponsored activities, or off the premises of SVHEC to the extent the conduct adversely affects the SVHEC community or the pursuit of its objectives or creates a hostile environment for any member of the SVHEC community on the premises of the SVHEC:

1. Use or possession of ammunition, firearms, other weapons, alcohol, or illegal or illegally- obtained drugs on the premises, including the parking lot.
2. Conducting oneself in a manner that endangers the health and/or safety of others or presents a threat of physical harm to others.
3. Stealing, destroying, defacing, damaging, or misuse of SVHEC property or property of another person.
4. Harassment of any member of the SVHEC community or third parties.
5. Sexual assault, sexual harassment, and other forms of discrimination against any member of the SVHEC community or third parties.
6. Obstructing or disrupting teaching, training, work, research, administration, disciplinary procedures or other authorized activities of the SVHEC and its partners.
7. Cheating, including plagiarism, in any SVHEC Training Program.
8. Furnishing false information to any SHVEC employee or official.
9. Forgery, alteration, or misuse of any SVHEC document, record, or instrument.
10. Unauthorized possession, duplication, or use of keys to any SVHEC facility or unauthorized entry to or use of SVHEC premises.
11. Abuse of computer facilities, equipment, and resources to include, but not limited to:
 - a. Unauthorized entry into, transfer, or downloading of a file
 - b. Use of another individual's identification or password
 - c. Use of computer facilities and equipment to interfere with the work of a member of the SVHEC community
 - d. Use of computer facilities and equipment to send harassing or obscene messages
 - e. Use of computer facilities and equipment to access, download, or otherwise view pornographic or obscene materials or images
 - f. Other violation of SVHEC Policy #4101, *Use of SVHEC Information Technology Resources and Systems* ("Computer Acceptable Use" Policy).

SVHEC PARTNER-ENROLLED STUDENTS found to be in violation of the SVHEC Policy #5101 *Code of Conduct* may, depending on the nature of the offense, be:

1. Turned over to the official partner representative or a law enforcement official;
2. Reported by SVHEC staff to the appropriate partner representative with a written explanation of the offense; and/or
3. Banned from the SVHEC premises temporarily or indefinitely.

Sanctioning of partner-enrolled students shall be the responsibility of the SVHEC Education Partner

SVHEC TRAINING PROGRAM PARTICIPANTS found to be in violation of the SVHEC Policy #5101 *Code of Conduct* may, depending on the nature of the offense, be:

1. Asked to immediately vacate the premise or be turned over to a law enforcement official;
2. Given a written explanation of the offense and the potential sanctions, with copies provided to SVHEC leadership, and/or the proper law enforcement official;
3. Provided an opportunity to respond to the alleged offense(s) before the SVHEC Chief Financial Operations Officer (CFOO); and
4. Subjected to sanctions proportionate to the offense including, but not limited to, dismissal or suspension from the SVHEC Training Program, ban from the SVHEC premises temporarily or indefinitely, written reprimand, or written counseling.

VISITORS TO THE SVHEC found to be in violation of the SVHEC Policy #5101 *Code of Conduct* may, depending on the nature of the offense, be:

1. Asked to immediately vacate the premise or be turned over to a law enforcement official;
2. Given a written explanation of the offense and the consequences, with copies provided to SVHEC leadership, and/or the proper law enforcement official; and/or
3. Banned from the SVHEC premises temporarily or indefinitely.

All other members of the SVHEC community excluding those listed above (partner-enrolled students, SVHEC training program participants, and visitors) found to be in violation of the Code of Conduct will be subject to the disciplinary procedures of their employer or in the case of the SVHEC BOT, the Board by-laws.

SVHEC Code of Conduct Complaint/Grievance Process:

If a SVHEC training program participant, or visitor wishes to file a complaint/grievance in response to a disciplinary action resulting from an infraction of SVHEC Policy #5101 *Code of Conduct*, he/she may complete and submit the SVHEC Complaint/Grievance Form and request, within ten business days of the date of the disciplinary action decision, an appointment to appear before the SVHEC Complaint/Grievance Committee. All procedures for review of the disciplinary action will be in accordance with the SVHEC Complaint/Grievance Process (www.svhec.org/svhec-policies/complaint-grievance-process). The Complaint/Grievance Committee may choose to uphold the original disciplinary action, vacate, or impose a different sanction. The decision of the Complaint/Grievance Committee will be final.

POLICY HISTORY

Director Policy Review Committee & Policy Responsible Oversight Director - Approval to Proceed:

Patricia M. Nelson

Responsible Oversight Director's Signature

8/23/2013

Date

Executive Director – Provisional Approval of Policy:

Betty A. Adams

Executive Director's Signature

8/23/2013

Date

Executive Director – Provisional Approval of **REVISED Policy:**

Betty A. Adams

Executive Director's Signature

10/1/2016

Date

Date of Presentation to Board of Trustees: **December 6, 2017**

Board Action: Approve the Policy

Reject the Policy

Matthew M. Cowan

Chairman's or Designee's Signature

12/6/17

Date

Policy Creation Date: August 23, 2013

Last Revision Date: October 1, 2016

Scheduled Review Date: October 1, 2021