

Lees-McRae College Extended Campus Student Handbook 2011-2012

Including

Student Rights and Responsibilities

Student Code of Conduct

- Standards of Behavior
- Regulations and Policies

Judicial Process

Resources

Administrative Policies



Approved and Revised July 28, 2007 by the

Lees-McRae College Board of Trustees

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Part 1: *Introduction*

1.1 **Mission Statement**

The mission of Lees-McRae College is to challenge students to explore horizons, pursue careers, and find their place in the world through education, service and leadership.

1.2 **Institutional Values**

As impersonal as the word "institution" often seems, institutions are made up of people, and successful ones possess value systems just as people do. Institutional Values, then, are those principles, ideals, standards, beliefs, or qualities that the institution holds to be simply, inherently worthwhile. Listed below are our values and how each affects the College.

Learning

Simply put, Lees-McRae College exists to facilitate learning (including, but not limited to, the academic variety). Every corner and function of the College contributes to learning as a common aim of everything we do. At Lees-McRae, learning is an active, interactive, engaged and engaging process.

Possibility

Lees-McRae is dedicated to changing and enhancing lives, to bringing out the best in everyone who comes to the College. We are committed to – and we excel at – finding and realizing potential at all points on the scale of academic achievement. This is accomplished through a genuine emphasis on individual growth.

Community

Lees-McRae is not only a community; we stress responsible and active citizenship in the larger community, whether it is on the local, national, or global levels. The College therefore models and encourages service and leadership as a method of learning and as an end in and of itself.

Heritage

Lees-McRae draws its strength and resolve from its history, and the College endeavors to maintain an active connection to that heritage. This includes a commitment to values-based, principle-centered education as well as service to, and understanding of, the Southern Appalachian region.

Humanity

The above would be a series of static ideals without the dedication and talents of people, which is why the College genuinely emphasizes the individual. We promote a secure, healthy, open, and affirming environment for working, living, and learning, one that encourages integrity, civility, professionalism and respect.

1.3 Student Development Mission Statement

The Student Development Division of Lees-McRae College is committed to guiding, facilitating, challenging and supporting the development of the whole person – mind, body, heart and soul – all within the context of a safe, nurturing environment.

1.4 Message from the Dean of Students

Lees-McRae College was founded by a compassionate and caring man named Edgar Tufts whose legacy lives on in this college committed to Christian principles and ethics. Integrity, high moral standards, ethical behavior, mindfulness, respect for self and others, safety, kindness, and compassion for all things are valued qualities of Less-McRae College community members.

Your behavior, favorable or unfavorable, reflects upon the college. The rules, regulations, and policies listed in this handbook are guidelines for your behavior. Listing everything that may be deemed inappropriate, unfavorable, or even illegal is impossible. Therefore, sound judgment, regard for the rights of others, mindfulness, and moral ethics guide how each person behaves, and such thinking cannot be replaced by a handbook of regulations. However, behavior deemed inappropriate, even if some ‘rule’ about that behavior does not appear in this handbook, will be managed through the judicial process.

1.5 Student Responsibilities

Students have responsibilities to:

- Commit to completion of a degree program.
- Strive for a high level of academic achievement, facilitated by attending all classes, participating in class activities, and completing course requirements.
- Seek counsel when necessary for academic or personal needs and concerns.
- Conduct self in an honest and respectful manner at all times.
- Exercise right of expression in a manner that respects others’ rights.
- Seek to resolve problems first through informal means and then, if necessary, through formal means.
- Participate in course, program, and college evaluation.
- Provide full and accurate information necessary to maintain academic records.
- Become familiar with policies and procedures detailed in the Lees-McRae College Catalog.

1.6 Student Complaints/Suggestions

Students having questions or concerns may follow this link http://www.lmc.edu/student_life/they/ on the college website, to create a formal record @ of the communication. An employee from the college will respond to the question, comment, or concern within 48 hours.

Part 2: *Student Code of Conduct*

2.0 Preamble

This section of the Student Handbook is to help students understand their rights and responsibilities within the Lees-McRae community. The following Code of Conduct is not intended to be all inclusive, but merely to provide students with an appreciation and understanding of conduct that is in keeping with the standards of Lees-McRae College. Each student at Lees-McRae is expected to reflect:

- A seriousness of purpose;
- A desire to acquire an education;
- A desire to assist the college in fulfilling its purpose.

Demonstrated disregard of these standards will be just cause for the college to conclude that the student does not accept these standards and, therefore, should not be a part of the student body. Lees-McRae College reserves the right to dismiss any student who proves to be a detriment to the welfare of LMC, the Extended Campus site and surrounding community. Conduct on and off-campus should reflect the standards set forth in the Student Code of Conduct and should reflect favorably on the College.

Those who prove irresponsible in spirit or in cooperation toward authority may be dismissed, following disciplinary proceedings.

Respect and Honesty

Respect and honesty should be shown to all students and college employees. The failure to show respect (including the use of profanity) or dishonesty will result in disciplinary action.

Responsibility for Self Care

The Lees-McRae College student is expected to demonstrate an ability to take care of his/her own welfare and meet reasonable obligations as a member of the LMC campus community and as a guest on a host campus. Students must be capable of behaving in ways that support their own constructive growth and academic advancement, while not impeding similar goal attainment in others. Behaving in this manner includes, but is not limited to, caring for their physical and emotional health, dealing appropriately with life challenges, successfully getting along with others, making adequate academic progress and abiding by the codes of conduct, academic standards, and applicable laws.

Should circumstances arise which compromise students' abilities to respond effectively to emotional, social, medical, or academic dimensions of their lives,

including but not limited to clear and imminent danger to self and community, they are expected to seek out and/or accept needed assistance. Lees-McRae College is committed to facilitating the welfare, safety and success of all of its students, and is prepared to take whatever steps are necessary to achieve these goals.

2.1 Academics

2.1.1 Academic Integrity Policy

Lees-McRae College fosters a spirit of complete honesty and a high standard of integrity. All students are expected to act in a manner that does not infringe upon the rights and responsibilities of others, including the right to learn and prosper in a campus community free from fraudulence and dishonesty; every student has the responsibility to help maintain such a campus community. The attempt of any student to present as his/her work that which they have not honestly performed is regarded by the faculty and administration as a most serious offense and renders the offender liable to severe consequences and possible suspension.

.01 Definitions

All students are expected to refrain from the following:

Cheating

To practice or attempt to practice dishonesty or deception in the taking of tests or in the preparation or submission of academic work pretending to be one's own; to copy or attempt to copy from another person's test, paper, or other graded work in a course; to use during a testing period, or bring into a testing area with the intent to use, any notes or other prepared materials which a student is not permitted to consult.

Collusion

Action taken by two or more persons to cheat; to allow another to copy ones tests, papers, or other graded course work without the express consent of the instructor; to aid or abet another person in the act of cheating.

Lying

Committing a forgery or uttering a statement known to be false or dishonest, orally or in writing, for the purpose of, or having the effect of protecting or improving one's grade in a course, or one's academic record; also, to utter a statement known to be false or deceitful in a College Disciplinary proceeding or to protect another person from apprehension or punishment for a violation of academic integrity.

Plagiarism

The act of willfully copying a sentence, several sentences or a significant part of a sentence that has been written by someone other than the person submitting

the paper, and neglecting to indicate through the use of quotation marks or blocking that the material has been copied; also, copying from another writer in such a way as to change one or two of the words in the sentence, or to rearrange the order of the wording, or to paraphrase, or to summarize information and then neglect to furnish documentation. This includes, but is not limited to, information derived from books, encyclopedias, magazines, other reference materials, themes, reports, writings of a fellow student, or information obtained through any form of electronic media.

Stealing

The willful attempt, whether successful or not, to take in an unauthorized manner any academic material, including tests, papers, roll books, assignments, etc.

.02 Notification

When an instructor has reasonable grounds to suspect a student has violated academic integrity as described above, the instructor should inform the student of the nature of the violation and afford the student an opportunity to respond. If the instructor concludes that the student has violated the academic integrity policy, the instructor should take appropriate corrective action.

If a student observes an academic integrity violation, he or she must immediately notify the professor of the course in which the infraction took place. The instructor should inform the student of the nature of the violation and afford the student an opportunity to respond. If the instructor concludes that the student has violated the academic integrity policy, the instructor should take appropriate corrective action.

The instructor should keep a complete record of matters pertinent to the academic integrity violation.

.03 Penalties for Violations of Academic Integrity

First Offense

The professor should take appropriate corrective action. Consideration should be given to the severity of the infraction, its impact upon the course grade, its effect upon other students in the course, and/or the circumstances of the infraction. Corrective action may include a repetition of the course assignment, lowering of the grade for the course, or immediate failure in the course.

Intentional plagiarism, stealing (as defined above), cheating on a major examination, or collusion to violate the academic integrity policy should result in immediate failure in the course.

In the event that a penalty of course failure is imposed, the professor *must* notify the Vice President for Academic Affairs, who will change the student's academic transcript to reflect a grade of "XF" for the course, which will be explained in the transcript legend as "Failure Due to Violation of College Academic Integrity

Policy.” Students who are given a grade of “XF” may not withdraw from the course.

The decision of the instructor is subject to appeal if the student believes the charge of academic dishonesty is unwarranted. The student will have fourteen calendar days (exclusive of dates when the College is not in session) from the time of notification of the “XF” grade assignment to give written notification to the Vice President for Academic Affairs disputing the charge.

If a student who has committed one infraction resulting in an “XF” grade fulfills the requirements of graduation without committing a second infraction, the grade of “XF” will revert to a grade of “F.”

Second Offense

In the event of a second academic integrity violation resulting in immediate failure of the course during the same or subsequent semester, the professor *must* notify the Vice President for Academic Affairs and Dean of the Faculty, who will make the following change to the student’s academic transcript: a grade of “XF” for the course, which will be explained in the transcript legend as “Failure Due to Violation of College Academic Integrity Policy.”

This grade, along with the “XF” grade for the first infraction, will become a permanent part of the student’s academic transcript.

In addition, the student must meet with the Vice President for Academic Affairs and Dean of the Faculty within fourteen calendar days (exclusive of dates when the College is not in session), where additional penalties may be imposed, including suspension or expulsion from Lees-McRae College.

2.1.2 Class Attendance

.01 Expectations

Students will attend all classes unless absence is pre-arranged with the instructor or an emergency arises. Every effort should be made to notify the instructor as soon as possible, and all missed work must be completed.

.02 Class Cancellations

When weather conditions or other situations warrant the cancellation of classes, messages will be left on students’ campus e-mail and voicemail as well as the Lees-McRae College web-site (if possible). The following radio/television stations will be notified of any delays or closures as well:

Television

- WBTW (Channel 3)
- WJHL (Channel 11)
- WKPT (Channel 8)
- WMTN (Channel 18)
- WSOC (Channel 9)

Radio

- WECR 102.3 FM & 1130 AM
- WZJS 100.7 FM
- WQUT 98.5 FM
- WKYK 940 AM

WCYB (Channel 5)
 WLOS (Channel 13)
 Charter Bulletin Board (Channel 2)

Students should tune to any of these radio/television stations for information, call the College Switchboard (828) 898-5241, Campus Security (828) 898-8756, or call the Information Bulletin Board (828) 898-2485 for the most accurate, up-to-date information about weather at the main campus.

If your class is held on a community college campus and that college has cancelled classes due to weather, your Lees-McRae College classes will be cancelled as well until that college resumes operations. If weather conditions prevent faculty from Lees-McRae College from traveling to an Extended Campus site, program coordinators will make every attempt to contact students via email and will alert the switchboard at the community college sites and have a sign placed on the classroom door.

NOTE: At times, some of the media broadcasts are not up-to-date. ***The official delayed or cancelled decision is the one broadcast on campus telecommunications.***

2.1.3 Grade Concerns

When a student believes a grade is incorrect or unfair, the student should consult with the instructor of the course in question to seek an explanation or resolution. Should the student feel the complaint has not been resolved, the student may request review by the Division Chair, who will in turn consult with the instructor. If the matter remains unresolved, the student may submit a written request for review by the Vice President for Academic Affairs.

A student may appeal a grade only if the student alleges that the grade is based upon:

- A computation or factual error;
- Computations contradictory to the syllabus guidelines;
- Criteria other than academic performance; or
- Lack of evidence regarding academic performance because of the instructor's absences due to illness or other incapacity.

2.1.4 Other Academic Concerns

When a student has academic concerns or complaints other than those concerning grades, the student should first consult with the faculty member most directly involved in the circumstance. If the student feels the concern has not been resolved, the student may notify or request a meeting with the Division Chair most directly involved in the circumstance. If the matter remains unresolved, the student may submit the complaint in writing to the Vice President for Academic Affairs.

2.1.5 Withdrawal Prior to Graduation

.01 Voluntary Withdrawal from the College

A student who voluntarily withdraws from the College must complete the exit form provided by the Academic Affairs Office. Failure to complete this form will result in an administrative withdrawal. ALL DEBTS TO THE COLLEGE MUST BE PAID PRIOR TO OFFICIAL WITHDRAWAL.

Students physically unable to withdraw may be withdrawn by their parents or guardians by contacting the Office of Academic Affairs.

.02 Compassionate Medical Withdrawal from the College

A compassionate medical withdrawal may be provided to a student who becomes incapacitated due to illness or injury during the course of a semester, and is unable to complete his/her classes. To receive a compassionate medical withdrawal, students must:

1. Meet with the Director of Academic Advising, who may consult with Health Services, appropriate faculty, or others as needed.
2. Secure a brief letter from his/her doctor, on original letterhead, indicating that the student is under the doctor's care, and that in the doctor's opinion it is in the student's best interest to take a medical withdrawal for the remainder of the semester.
3. Receive final approval for the requested withdrawal from the Vice President for Academic Affairs.

Students who are granted a compassionate medical withdrawal will receive a grade of "W" in all courses for the affected semester. This policy cannot be applied to a portion of coursework. "Ws" do not negatively impact the student's grade point average or ability to continue in good standing at Lees-McRae in future semesters.

Any student who has already had a previous medical withdrawal may be required to meet certain additional criteria for either the withdrawal, or for readmission, at the discretion of the Vice President for Academic Affairs and in consultation with other college personnel.

.03 Involuntary Administrative Withdrawal

A student will be subject to involuntary administrative withdrawal from Lees-McRae if it is determined by clear and convincing evidence that the student is suffering from an emotional or mental disorder and *as a result of the disorder is*

engaging in behavior that is potentially harmful to oneself or others or is disruptive of the educational process or otherwise renders him/her unable to meet reasonable institutional standards. In this event, the following steps will be taken:

1. The Dean of Students or his/her designee shall counsel with the student to determine the merits of a withdrawal and prompt referral to an appropriate mental health facility for evaluation and/or treatment.
2. The college reserves the right to have an independent psychological assessment made as to the student's ability to continue as a member of the college community.
3. When the College and the student are not in agreement on a voluntary withdrawal, except in an emergency situation, the student will be notified in writing of the time and place of a hearing and the possibility of involuntary administrative withdrawal.

In emergency situations, the College reserves the right to take immediate action outside the normal hearing process when such action is warranted to be in the best interest/benefit of the health of the student and the college community. When an emergency situation arises and immediate action is necessary, the student will have the right to a hearing before the Special Committee (see #4 below) within seven (7) work days.

4. A confidential hearing or informal proceeding will be held before a Special Committee consisting of the Director of Counseling Services, a representative from Student Development staff, and a representative from Academic Affairs. A family member or another person of his choosing from within the college community may accompany the student.
5. When a determination is made that involuntary withdrawal is appropriate the above Special Committee shall provide to the student, and when appropriate, the parents, a statement of the reasons for the decision.
6. Fees will be refunded according to the policies as stated in the Lees-McRae College Catalog.

.04 Psychological Withdrawal

A psychological withdrawal may be granted to students who are judged incapable of functioning adequately as a student (i.e., experiencing psychological impairment of such severity that there is need for immediate treatment or care that is beyond the scope of what may be provided at the College). To receive a psychological withdrawal, a student must:

1. Meet with the Director of Counseling Services to determine if the student meets criteria for a Psychological Withdrawal
2. Receive final approval for the requested Withdrawal from the Vice President of Academic Affairs

Students who wish to return to Lees-McRae following a Psychological Withdrawal agree to the following requirements, and sign a contract stating that they will:

1. Leave school for the remainder of the semester
2. Agree to receive treatment from a licensed mental health professional addressing the concerns that necessitated the withdrawal
3. Provide written documentation of having undergone professional treatment and complied with treatment, when requesting to return
4. Meet with the Director of Counseling Services and the Dean of Students prior to being allowed to register

Psychological withdrawals are only granted for the current semester, and constitute a complete withdrawal from school. Psychological withdrawals are not given for selected classes.

2.2 College Life

2.2.1 Alcohol Policy

Lees-McRae College seeks to educate students concerning the use of alcoholic beverages. Recognizing that the use of alcohol is ultimately a matter of personal decision, the College seeks to provide a learning environment on campus that develops individual responsibility free from peer pressure. Through administrators, faculty, counselors, and concerned students, Lees-McRae College provides strong support to those students who make a moral or health decision to abstain.

Guided by a sense of responsibility to each student to provide an environment that is conducive to study and that fosters good physical and mental health, the College has adopted the following policies on alcoholic beverages. Lees-McRae College recognizes the social problems inherent in the misuse of alcohol and views such misuse as being detrimental to the educational purposes of the College. **Drunkness as a result of the use of alcohol is a violation of the alcohol policy and is punishable through the judicial process. No immunity or exemption is granted for misconduct while under the influence of alcohol. Mature judgment and discretion are required at all times.**

.02 General Provisions Regarding the Consumption and Possession of Alcohol

- a. Aiding and abetting in the sale or transfer of alcoholic beverages to any person under the age of twenty-one years is prohibited.
- b. While alcoholic beverages may be consumed by those of legal drinking age in non-public areas, they may **not** be consumed in any public area except for special functions registered as a Special Alcohol Event.
- c. No person, regardless of age, is permitted to have an open container of alcohol in a public area on the Lees-McRae campus. This includes public events such as athletic contests, unless approved by the college.
- d. The use of alcoholic beverages as a prize in a contest, drawing, lottery, etc. is prohibited.
- e. At no time are kegs or other common containers of alcohol allowed on the campus (unless at a Special Alcohol Event). Glass containers are allowed only inside of state law residence hall rooms. Once the seal on a glass container of alcohol is broken, it cannot be removed from that room.
- f. Alcoholic beverages may not be used, sold, possessed or consumed at sporting events, including intramural events, nor on field trips, at off-campus college functions. This includes possession or consumption of alcohol on college vehicles.
- g. Groups and/or individuals in violation of this policy shall be subject to disciplinary action.

.05 Sanctions

The following sanctions may be the normal penalties for alcohol violations. Please note that these sanctions are cumulative over a student's career at Lees-McRae College and do not restart each academic year.

- **First Offense** – May receive a \$100-\$500 fine, 6 months probation, alcohol seminar, letter to parents/guardians.
- **Second Offense** – May receive a \$500-\$1000 fine, 12 months probation, required counseling, letter to parents/guardians, community service.
- **Third Offense** - Suspension. Re-admittance is possible with proof of rehabilitation after one full semester of separation from the College.

2.2.2 Campus Security

Lees-McRae College and all host sites for the Extended Campus provide on-campus security by employing well-trained personnel for the protection of students, employees, guests, and property. The security of the campus, however, is a responsibility shared by all members of the community. Students

must accept responsibility for security by doing the following, whether on the Lees-McRae Campus or at an Extended Campus site:

1. Always lock car doors, park in the appropriate, assigned area, and keep valuables out of vision and located in the trunk.
2. Use sound judgment, such as not walking alone on campus after dark, not loaning a room key to a friend, etc.
3. Report any suspicious person(s) or behavior to a Campus Security Officer as soon as possible. Lees-McRae College and your host college cannot assume any responsibility in the event of theft from vehicles parked on any campus.

Information on Public Law 101 and Clery Act [The Student Right-to-Know and Campus Security Act] may be obtained from the Director of Campus Security.

2.2.6 Disorderly Behavior (both on and off campus)

A student who behaves in a disorderly manner will be considered engaging in conduct unbecoming of a Lees-McRae Student, which is a detriment to the welfare of the College and surrounding community and will be entered into the judicial process. Any student who is in any way involved in disruptive activities will also be entered into the judicial process for disciplinary action.

.01 Disorderly Behavior (both on and off campus) Subject to the Judicial Process

1. The behavior represents a potential or present danger to the college community and/or surrounding community.
2. The charge is a result of an activity conducted on campus (i.e., possession or selling of drugs, theft, etc.).
3. Contraband is possessed on college property.
4. The conduct is deemed detrimental to the welfare of the college and/or surrounding community.
5. A student fails to notify the Office of Student Development within five days of an on-campus or off-campus arrest that carries a charge of a felony or misdemeanor.

Note: Off campus conduct may be subject to college judicial action. Any violation of local, state and/or federal law may result in college judicial discipline regardless of whether occurring on or off campus.

.02 Reporting Incidents

In order to report an incident of crime, the student should:

Contact a member of Campus Security (recognized by uniform, badge, and name tag).

In case of a theft, assault, or other serious crime, Campus Security will notify the appropriate Police or Sheriff's Department.

2.2.7 Disruptive or Dangerous Behavior and/or Reckless Endangerment

Lees-McRae College is concerned about the physical, mental, emotional and spiritual welfare of its students. All students have responsibility for self-welfare, self-guardianship, and self-care. In addition, students are responsible for conducting themselves in a manner that is not violent or disruptive.

As an institution of higher learning, Lees-McRae College strives to balance concern for the health and safety of individual students with those of the broader campus community. When, in the judgment of the College, a student's behavior constitutes a disruption or danger to the living/learning environment which the College seeks to create, or a student's presence on campus, or participation in particular programs or activities, presents a threat to the health or safety of the student or others, the College will intervene. Any behavior that may threaten the well being of students will be dealt with in a sensitive, expedient and appropriate manner. This policy addresses conduct by Lees-McRae College students that may constitute a threat or serious disruption to self or others.

.01 Definition

The term disruptive or dangerous behavior includes, but may not be limited to the following:

1. Suicide attempts or statements of suicidal intent
2. Alcohol or other drug abuse
3. Self-injury
4. Eating disorders
5. Destructive, intimidating or other inappropriate behavior
6. Any behavior that points to possible imminent, foreseeable or existing danger to a student or other member of the College community (including but not limited to climbing the exterior or interior of buildings or trees; and/or performing dangerous stunts with bicycles, snowboards, or skateboards)

.04 Consequences of Disruptive or Dangerous Behaviors

When a student's behavior is perceived to be dangerous or disruptive to themselves or to other members of the campus community, the matter should be referred to the Dean of Students, who will request recommendations from and review the situation in consultation with Counseling Services (who may also be asked to meet with the student) and other professional staff as needed.

If the Dean of Students determines that the student's behavior is a potential danger or disruption to self or others, they may require the student to undergo evaluation by an outside mental health or medical professional.

Recommendations regarding the assessment venue will be made on an individual basis.

The Dean of Students and/or a Student Development administrator reserves the right to contact the student's next of kin, or emergency contact person at any point in cases of disruptive or dangerous behavior. The student will also be encouraged to discuss the matter with his/her family.

A student referred for outside assessment will be required to sign a release of information authorizing Counseling Services to access the assessment results, and to discuss these results with the professional conducting the assessment, the Dean of Students and other professional staff at the College as needed. Counseling staff will review the assessment results and provide recommendations to the Dean of Students and to the student. If on review of these recommendations, the Dean of Students believes that the student may pose an ongoing danger or disruption to self or the campus community, the student may be allowed or required to withdraw from classes, leave campus, and focus on the recommendations from his/her assessment.

If it is determined that the student can reasonably be permitted to continue in school, under conditions determined by the College, in light of the assessment results, and in consultation with the student, the student will be required to sign a statement authorizing the Dean of Students to monitor compliance with any and all treatment recommendations and the conditions of his/her continued participation in educational programs and activities of the College.

The student will be responsible for paying for the cost of any and all off-campus treatment, including the assessment.

Any student who fails to follow through with the recommended assessment process, at any point from the initial meeting with the Dean of Students through the recommendations given, or with any condition of continued enrollment, or who exhibits further dangerous or disruptive behaviors, or other violation of the Student Code of Conduct will be withdrawn from class and required to leave campus.

.05 Clearance Procedure for Return to Campus after Medical Withdrawal:

Any student who threatens or attempts suicide, or engages in dangerous or disruptive behavior on the Lees-McRae College campus which results in either his/her withdrawal from school, or further evaluation/ treatment at an off campus facility, must receive approval from the Dean of Students in accordance with this clearance procedure, before returning to classes.

After receiving evaluation and/or treatment by a psychiatrist or other qualified mental health care provider, the student must present a letter to the Dean of Students from the treating professional stating that:

1. The student has been evaluated and treated by a psychiatrist or other mental health professional.
2. The student does not pose a clear and present threat of harm to self or others or a clear and present threat of disruption to the College community.
3. The psychiatrist or other mental health professional releases the student to resume attending college.
4. The student has made plans in consultation with the psychiatrist or other mental health professional for appropriate follow-up care, and agrees to follow through with these plans. Specific plans for follow-up care should be outlined in the letter.

Following receipt of the above letter, the student is required to meet with the Dean of Students to discuss the student's readiness to return to campus and what measures will be required of the student to be in compliance. The Dean will consult with Counseling Services and other professional staff prior to making a final determination as to the student's authorization to resume attending class. Following review of all available information, the Dean will notify the student, Campus Security and Counseling Services if that student is eligible to return to the Lees-McRae College campus and what (if any) restrictions apply.

Students must sign a release of information so that the Dean of Students can monitor compliance with follow-up care.

.06 Psychiatric and Other Disabilities

Students with documented disabilities have the right to reasonable accommodations that will allow them to have an equal chance to obtain the same educational benefits as other students. Students with documented disabilities must however, adhere to the same code of conduct as other students. For additional information and assistance students may contact the Coordinator of Disability Services in the Burton Student Success Center and/or Counseling Services.

2.2.8 Failure to Comply

Interference with the execution of college business is prohibited (i.e., failure to comply with Campus Security Officers, and/or any College official). All students are expected to cooperate fully with the requests of college officials, including attendance at mandatory hall meetings and disciplinary sanctions.

The sanction for Failure to Comply may include 1-6 months probation, up to \$100 fine, letter to parents/guardians, and/or community service.

2.2.9 Gambling

Gambling (the exchange of money or goods and services) on the Lees-McRae College campus is prohibited. The only exceptions are free college-sponsored events, with the approval of the Dean of Students. Students participating in gambling activities will be subject to disciplinary action.

2.2.10 Harassment

Lees-McRae College strongly opposes all types of harassment, sexual or otherwise, by faculty, students, employees, vendors, or visitors.

.01 Types of Harassment Prohibited

Harassment consists of unwelcome conduct, whether verbal, physical, written or visual. The College will not tolerate harassing conduct, or that creates an intimidating, hostile, or offensive environment. Physical or mental abuse, all types of harassment, communicating threats, intimidation of any Lees-McRae College student or employee, or placing any individual or group in danger is unacceptable behavior and is considered a suspendable offense.

.02 Definition of Sexual Harassment

Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where tolerance of such actions is made a condition of employment, that interferes with an individual's education or work performance, or simply creates an intimidating, hostile, or offensive learning or work environment. It is illegal and against the College's policy for any faculty member, employee, student, male or female, to harass another person or to create a hostile working or educational environment by either committing or encouraging:

- Physical assaults on another, including but not limited to, rape, sexual battery, molestation, or attempts to commit these assaults; or
- Intentional physical conduct that is sexual in nature, including but not limited to, touching, pinching, patting, or brushing up against another's body; or
- Unwanted sexual advances, propositions, innuendoes, or sexual comments, including making sexual gestures, jokes, or comments, sexually oriented "kidding", "teasing", foul or obscene language or gestures that interferes with another's work or study; or
- Posting or displaying pictures, posters, calendars, graffiti, objects, or other materials that are offensive visual materials which interfere with another's work or study; or
- Pressure for sexual favors, accompanied by implied or other threats or promises concerning one's employment, academic, or student status.

The College will determine whether such conduct constitutes sexual harassment, based on a review of the facts and circumstances of each situation.

.03 Harassment Grievance Procedure

The College will not condone any harassment, sexual or otherwise, of its faculty, students, or employees. All persons engaging in such conduct will be subject to severe discipline, up to and including discharge, for any act of harassment they commit. No person will be subject to any form of retaliation or discipline for pursuing a complaint made in good faith.

Any faculty member, student or employee who either witnesses or feels victimized by harassment are strongly encouraged to promptly report the harassment to the appropriate Senior Staff member. Complaints involving students should be directed to the Dean of Students; complaints involving faculty and staff members should be directed to the Director of Human Resources. After notifying the appropriate Senior Staff member of a complaint, the complainant may request to report the specific events to a person of the same gender.

A complaint leveled by one student against another student will be forwarded to the Judicial Committee (Student Development Office) for resolution. [Note: the appeals process will remain the same.] Any faculty member, student, or employee who either witnesses or feels victimized by harassment is strongly encouraged to promptly report the harassment to the appropriate Senior Staff member. The Senior Staff member, or a designee, will carefully investigate the matter, questioning all persons who might have knowledge of either the incident in question or similar problems. To the extent reasonably possible, confidentiality of a harassment complaint will be maintained and information will be released only to those who need to know. Upon completion of this investigation, the Senior Staff member will resolve the matter based on the facts and circumstances of the situation, and will advise the complainant and the alleged offender of this resolution.

If the complainant or the alleged offender is dissatisfied with the resolution, then either can appeal the Senior Staff member's decision by giving written notice within 10 days after the Senior Staff member advises the complainant and alleged offender of the resolution. The Senior Staff member will promptly appoint a three-member panel to hear the appeal, and designate one appointee as Chair of the panel.

The panel will be comprised of three college employees if the complainant and alleged offender are both employees. If either party is a faculty member, the panel will be comprised of one (1) Faculty Member, one (1) Staff, and one (1) Administrator. If either party is a student, the panel will be comprised of one (1) Faculty Member, one (1) Administrator, and one (1) Student. The panel will hear from each party, and may if necessary hear from third parties to make its decision. The panel will notify the complainant, alleged offender, and the Senior

Staff member of its findings and suggested resolution of the matter. The panel may only make recommendations to the appropriate Senior Staff member as to its suggested resolution of the matter. The Senior Staff member can either modify or affirm the original resolution, and must promptly notify the complainant and alleged offender of the decision.

If the complainant or alleged offender is still dissatisfied with the resolution, then either can appeal the modified or affirmed decision directly to the College President by giving written notice directly to the President, setting forth the reason for his/her dissatisfaction, within five days after the appropriate Senior Staff member has advised each party of the resolution. The President may conduct whatever investigation, and take whatever steps deemed appropriate to resolve the incident. The President's decision is final.

2.2.11 Hazing

Hazing is illegal, dangerous, and is not tolerated by any Lees-McRae College organization, club, or team.

.01 **Definition of Hazing** *(with permission from Stophazing.org)*

"Hazing" refers to any activity expected of someone joining a group, or to maintain full status in a group, that humiliates, degrades, abuses, endangers, or risks emotional and/or physical harm regardless of the person's willingness or perceived willingness to participate. Hazing falls into three categories: subtle hazing, harassment hazing, and violent hazing.

.02 **Subtle Hazing**

Subtle hazing focuses on behaviors that emphasize a power imbalance between new members and other members of the group or team. These types of hazing are often taken-for-granted or accepted as harmless or meaningless. Subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place new members on the receiving end of ridicule, embarrassment, and/or humiliation tactics. New members often feel the need to endure subtle hazing to feel like part of the group or team. Examples of subtle hazing include:

- Deception
- Assigning demerits
- Silence periods with implied threats for violation
- Deprivation of privileges granted to other members
- Requiring new members/rookies to perform duties not assigned to other members
- Socially isolating new members
- Line-ups, drills, and tests on meaningless information
- Name calling
- Requiring new members/rookies to refer to other members with titles (e.g. "Mr.," "Miss") while they are identified with demeaning terms

- Expecting certain items to always be in one's possession

.03 **Harassment Hazing**

Harassment hazing focuses on behaviors that cause emotional anguish or physical discomfort on the part of the new members in order to feel like part of the group. Harassment hazing confuses, frustrates, and causes undue stress for new members. Some types of harassment hazing can also be considered violent hazing. Examples of harassment hazing include:

- Verbal abuse
- Threats or implied threats
- Asking new members to wear embarrassing or humiliating attire
- Stunt or skit nights with degrading, crude, or humiliating acts
- Expecting new members/rookies to perform personal service to other members such as carrying books, errands, cooking, cleaning etc
- Sleep deprivation
- Sexual simulations
- Expecting new members/rookies to be deprived of maintaining a normal schedule of bodily cleanliness.
- Be expected to harass others

.04 **Violent Hazing**

Violent hazing focuses on behaviors that have the potential to cause physical, and/or emotional, and/or psychological harm. Examples of violent hazing include:

- Forced or coerced alcohol or other drug consumption
- Beating, paddling, or other forms of assault
- Branding
- Forced or coerced ingestion of vile substances or concoctions
- Burning
- Water intoxication
- Expecting abuse or mistreatment of animals
- Public nudity
- Expecting illegal activity
- Bondage
- Abductions/kidnaps
- Exposure to cold weather or extreme heat without appropriate protection

.05 **Negative Outcomes of Hazing**

Hazing only has negative outcomes. There are no benefits to hazing. Initiation, when properly conducted, is positive. Hazing is always negative. Possible negative outcomes include:

- New members may incur physical and/or emotional injury.
- If a new member is injured or killed the perpetrators of the hazing may face criminal charges and surely will face college sanctions.

- Potential new student members may choose to leave the organization or even Lees-McRae College during or after the hazing event.
- The organization or team may lose the respect of the campus community.
- Potential recruits may choose to play elsewhere to avoid hazing.
- The institution's reputation as a whole suffers.

.06 **Sanctions for Hazing**

External sanctions for hazing may include criminal charges or NCAA sanctions. Internal sanctions for hazing may include but are not limited to dissolution of the involved organization, suspension of the involved athletic team's season, and/or specific sanctions for individuals involved in the event such as letter to parents/guardians, fine, community service, counseling, education, probation, suspension from the organization, suspension from the College, or expulsion from the College.

2.2.12 Illegal Drugs and Substances

The sale, use, possession, or being under the influence of illegal controlled substances including stimulants or depressants (marijuana seeds included) is prohibited. Any student who uses illegal substances or who shows signs of use may be suspended, as well as referred to the appropriate civil authorities for further action.

All paraphernalia that is associated with and related to the use of marijuana and other illegal stimulants and depressants is prohibited. Any student who possesses such paraphernalia will be entered into the judicial process for disciplinary action, as well as being referred to the appropriate civil authorities for further action.

The sanction for illegal drugs and substances may include but are not limited to probation 6-12 months; fine up to \$1000; letter to parents/guardians; counseling; community service; random drug testing (a positive test may result in immediate suspension); suspension; and/or expulsion. Each violation will be handled situationally.

2.2.13 Law Enforcement Personnel

In the event that a student or any employee is approached on campus by law enforcement personnel seeking information on students, faculty, or staff, the following procedure should be followed:

1. Request proof of identity if not apparent.
2. Maintain a cooperative and courteous attitude.
3. Unless an emergency event:
 - a. Direct daytime inquiries (8:30 a.m. – 4:30 p.m.) to the Student Development Office
 - b. Night time inquiries should be directed to Campus Security

4. In case of an emergency provide pertinent information and assistance as appropriate.

2.2.17 Student Identification

All students are expected to have valid Lees-McRae College student identification. Lees-McRae College Student IDs are to be used for writing checks at the College Exchange, identification for internships and clinicals, use of library materials, entrance to athletic events, Dining Services, and local store and restaurant discounts. The cost for replacement is \$12.00 per ID. IDs are made at Orientation, at the LMC Student Development Office, or during a scheduled visit from a Lees-McRae administrator to your extended campus site.

2.2.19 Transportation to Campus

The student must assume responsibility to arrange transportation from airports, train and bus depots to Lees-McRae College and to their extended campus site. The College does not provide this service.

2.2.21 Vehicle and Traffic Guidelines

Lees-McRae recognizes the use of motor vehicles as a convenience. The College cannot furnish parking spaces to accommodate all vehicles. The College will, however, attempt to provide a reasonable amount of convenient parking spaces in keeping with resources and available sites. Lees-McRae College is not responsible for the parking accommodations at Extended Campus sites.

.01 Parking Regulations and Information

- A. Each student must register any and all vehicles brought and parked on the community college campus where LMC Extended Campus classes are taken. Ask your advisor for information about where to register your car and fees involved.
- B. When parking on the Lees-McRae Campus, you may use a visitor spot. If you need to be on the campus extensively, check with the campus security office to see if you need a temporary pass or a full-time pass. Temporary parking passes are available for a specific period of time, not to exceed two weeks per semester, and are only issued by Campus Security during office hours.
- C. The College assumes no responsibility for automobiles (or contents of automobiles) that are stolen or damaged while parked on college property. The Lees-McRae College Campus Security Officer on duty patrols parking areas, but security of property cannot be guaranteed. Always lock vehicles and do not leave valuables inside any vehicle.
- D. THE CAMPUS-WIDE SPEED LIMIT IS 15 MPH at Lees-McRae College and is radar-enforced. Violators will be ticketed.

2.2.22 Weapons on Educational Property

Effective December 1, 1993, statute (G S. 14-269.2) was significantly revised to prohibit the possession of certain weapons on public and private educational property (such property includes any public or private school building or bus, public or private campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any board of education, school, college, or university board of trustees, or directors for the administration of any public or private educational institution). A person commits a Class I felony if the person possesses on educational property a gun, rifle, pistol, or other firearm, dynamite cartridge, bomb, grenade, mine or powerful explosive as defined in G.S. 14-284.1.

A person commits a misdemeanor, punishable by a maximum of two years imprisonment and a fine, if the person possesses on public or private educational property a BB gun, paint guns, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razor and razor blades (except solely for personal shaving), and any sharp-pointed or edge instrument except for instructional supplies, unaltered nail files and clips and tools used solely for preparing food, instruction, and maintenance.

This statute does not apply to military and law enforcement personnel, and weapons used solely for educational or school-sanctioned ceremonial purposes or used in school-approved adult-supervised programs.

Handling, possession, transportation or use of fireworks, BB guns, paint guns, firearms, weapons, ammunition, knives over three inches, bows and arrows, slingshots, and martial arts equipment, or any like item, is not permitted on the Lees-McRae College campus or at Extended Campus sites. Violation of this rule may result in suspension from the college and further action by appropriate civil authorities.

Throwing snowballs, ice balls, or other missiles at pedestrians, cars, security officers, buildings, etc., is prohibited. This behavior may lead to disciplinary action.

Confiscated weapons and fireworks will be destroyed.

Lees-McRae students in possession of any of the above on any Lees-McRae property or Extended Campus sites will be referred to the judicial process and/or referral to the civil authorities. Sanctions may include expulsion.

2.3.16 Tobacco Free Policy

Lees-McRae College is committed to providing its employees and students with a safe and healthful environment. Lees-McRae College also recognizes the use of tobacco products on campus grounds is detrimental to the health and safety of students, staff, faculty and visitors. Lees-McRae College also recognizes that it has the legal authority to prohibit tobacco use pursuant to G.S. 143-599.

Therefore, Lees-McRae College is a 100% tobacco-free campus.

.01 Use of tobacco is prohibited by students, staff, faculty or visitors:

- on all adjacent sidewalks (including those on the perimeter of campus), parking lots, all campus buildings, facilities or property owned or leased by Lees-McRae College and outside areas of the campus;
- on campus grounds, facilities or vehicles that are the property of the campus;
- at lectures, conferences, meetings and social and cultural events held on school property or school grounds.
- For the purposes of this policy, tobacco is defined as any type of tobacco product including, but not limited to: cigarettes (including any type of cigarette), cigars, cigarillos, pipes, hookahs, smokeless or spit tobacco or snuff.

These regulations apply to students, buildings and classrooms at Extended Campus sites as well.

.04 Tobacco advertisements are prohibited in college-run publications and on grounds or facilities, including athletic facilities, owned or operated by Lees-McRae College.

.05 Compliance

- Violators of the policy shall be issued a verbal reminder of the policy. Visitors who repeatedly violate the policy shall be asked to leave campus,
- Housing & Residential Life is responsible for compliance in campus student residences, per the Lees-McRae College Student Handbook.
- Repeated violations by staff or faculty can result in further personnel action. Oral and written warnings will be submitted to the HR Office for compliance with disciplinary actions per the Employee Handbook

.06 Sanctions imposed for a smoking violation may include probation of 3 to 12 months; fine up to \$1000; community service; parent/guardian letter; loss of housing; suspension or expulsion.

Sanctions imposed for visitation and escort policy violations may include probation of 1 to 6 months; visitation privileges revoked; parent/guardian letter; loss of housing.

Part 3: *Judicial Process*

3.0 Preamble

The Judicial Process at Lees-McRae College is designed to support the purpose as stated in the *College Catalog* and the *Student Handbook*; specifically to insure that each student has the opportunity to grow intellectually, spiritually, physically and socially. To that end, any student whose actions are detrimental to the purpose of the college or to another's opportunity to grow will be referred to the judicial process.

Note: Suspension may be issued at any stage of the judicial process depending on the nature and severity of the violation. Law enforcement agencies may be contacted and become involved with violations per the discretion of the Director of Campus Security and/or Dean of Students.

3.1 Levels of Authority

There are several levels to the judicial process at Lees-McRae College. The role of each level is outlined below:

3.1.1 Role of Student Development Office

The Student Development Office has the right to deal with any conduct infraction immediately.

3.1.3 Role the Associate Dean of Students

1. Conduct hearings involving cases of first offense alcohol and other first offense violations (fire safety, smoking, etc.). If needed, the Associate Dean may hear repeat offenses.
2. Inform each student, in writing, of charges made against that student. This information comes in the form of a "Notice of Judicial Hearing" which details the charges and the time and location of the Judicial Hearing.
3. Determine appropriate sanction for violation(s).
4. Advise the student of his right to appeal, if applicable.
5. Ensure sanctions are enforced.

3.1.4 Role of the Dean of Students

1. Hear appeals originating from the Associate Dean of Students and the Judicial Committee.
2. May hear all levels of cases, but focus particularly on cases that may involve academic and/or social suspension, and/or expulsion.
3. May suspend or interim suspend a student for serious violations, particularly those infractions involving the health and safety of students or employees or conduct that is detrimental to the welfare of the College.
4. The decision of the Dean of Students is final.

3.1.5 Role of the Judicial Committee

1. Hears cases that are particularly complicated, repeat alcohol and drug offenses, safety issues, and issues dealing with sexual misconduct.
2. Make decisions regarding the cases presented to the Committee.
3. Advise the student of his/her right to an appeal to the Dean of Students or his/her appointee, if applicable.
4. Membership: The Judicial Committee consists of the Chair (selected by the Dean of Students) and at least one faculty member, one residential living staff member, and one staff member and one student. Every effort will be made to assemble the entire committee. However, if circumstances make this impossible, at least a quorum must be present to hear a case. (At least 50% of the committee must be present to represent a quorum.)
5. Process: Hearings are closed to everyone except committee members and the students involved. All hearings will be tape recorded.

3.2 Sanctions

The following are examples of sanctions that may be taken:

3.2.1 Verbal Warning

Students receive a verbal warning outlining the consequences of further violations of Lees-McRae College Campus and Housing Policies.

3.2.2 Probation

Students may be placed on probation for any duration of time not to exceed one year. This sanction may be given to students who have violated any Lees-McRae College Code of Conduct or Housing Policy, or students whose behavior does not meet the expectations of a Lees-McRae student, or who those have a history of repetitive offenses. Types of probation:

1. **General:** Given to students who have repetitive offenses or a series of non-related violations.
2. **Facility:** Given to students who have offenses which occur in a specific facility or building on campus student may not be permitted inside the designated building other than to attend classes.
3. **Specific:** A student may lose such privileges as housing and other co-curricular activities

3.2.3 Campus Work/Community Service

Students may be given campus work/community service at any level in the disciplinary process. The student must complete these hours and provide proof of this completion. If the student fails to complete the campus work/community service hours by the given deadline, he/she will be sent to the Judicial Committee for Failure to Comply.

3.2.4 Counseling

Students may be given counseling at any level in the disciplinary process. The student will be given a "counseling guidelines" sheet and must set up the initial session with a personal counselor by a given deadline. The personal counselor

will decide the number of counseling sessions a student must attend to complete this requirement.

3.2.5 Alcohol Seminar

A student who is found guilty of a first offense alcohol violation will be required to attend an alcohol seminar. These seminars are held once a month and the student will be given a specific date and time to attend a seminar. Students will be fined for non-compliance if they fail to attend their assigned seminar.

3.2.6 Drug Screening

A student who is found in violation of a drug or substance violation will be subject to random drug testing. The student will assume responsibility for the cost of this drug screening.

3.2.7 Parental Notification

Parents may be notified of their student's disciplinary violations at any level in the conduct review process. Parents will be notified for violations in which a student's safety is at risk including alcohol and drug violations. They will also be notified any time a student is suspended (including interim suspension).

3.2.8 Interim Suspension

Students may be put on interim suspension for any duration of time not to exceed six months.

3.2.9 Suspension

Students may be suspended at any time during the disciplinary process depending on the nature and severity of the violation. When a student has been suspended he/she must leave the College premises within 24 hours of the time in which the sanction is given unless other provisions are made by the Student Development Office. The student may not return to campus except with permission from the Dean of Students.

3.2.10 Other Possible Sanctions:

There are other sanctions, which may be given to students who have violated any Campus Policy depending on the nature or severity of the violation. These sanctions may or may not be given in conjunction with Sanctions #1-9. Other possible and appropriate sanctions, which may be given at any time during the disciplinary process, include:

1. Restitution
2. Written apologies
3. Fines
4. Contact with law enforcement agencies
5. Expulsion

Notes: Sanctions and Disciplinary Actions other than those outlined in the Student Handbook may be taken at the discretion of the Associate Dean, the Judicial Committee, or the Dean of Students.

Suspension may be issued at any stage of the judicial process depending on the nature and severity of the violation. Law enforcement agencies may be contacted and become involved with violations per the discretion of the Director of Campus Security, Associate Dean of Students, Dean of Students, or Student Development Administrator.

3.3 Rights of the Accused

Lees-McRae College firmly believes that students should be guaranteed certain rights. Those rights are as follows:

3.3.1 Right to written notice of all complaints against the student.

Students will be heard for more than one complaint if deemed necessary (time and manner). The notice must be received at least 24 hours prior to the scheduled hearing, unless the severity of the charges requires an immediate hearing. The student may have the option of waiving the 24-hour notice. The student bears the responsibility to appear at the scheduled hearing. Failure to do so will forfeit the student's right to appeal and may lead to additional charges. The case will be heard if the student does not appear and he/she has received the proper notice.

3.3.2 Right of sanctioning within the structured disciplinary system.

The exception to this right is within the last ten days of each semester and the summer sessions, during which time the Associate Dean of Students or the Dean of Students or his/her designee will handle all disciplinary matters.

3.3.3 Right to a separate hearing.

A student may request a separate hearing if the student is charged for the same violation as another student (stemming from the same incident).

3.3.4 Right to subsequent appeal under certain conditions (listed below).

All appeal requests must be initiated within 24 hours of the decision being appealed.

.01 Grounds for Disciplinary Appeals

Appeals will be granted for the following reasons:

1. Procedure not properly followed by the judicial officer.
2. Sanction does not fit the violation (See *Student Handbook*).
3. New evidence has come to light.

.02 Disciplinary Suspension Appeals Information

1. Requests for disciplinary appeals must be initiated in writing within 24 hours of the suspension decision to the Student Development Office Manager.

2. Between the disciplinary suspension decision and the appeal hearing, if the student behaves in an unacceptable manner, the appeal may be denied or the local law enforcement agents may be contacted.
3. The College will contact student's parents immediately upon initial decision of suspension. The suspended student is urged to contact his/her parents as well. The College will mail a notice of disciplinary suspension within 24 hours.

.03 Other Appeals Information

For all decisions except disciplinary suspension and those rendered by the Dean/Associate Dean of Students or the Judicial Committee:

1. The student may submit a written request for an appeal (stating his/her reasons for the appeal) to the appropriate judicial officer. This written request must be submitted within 24 hours of the decision being appealed.
2. The judicial officer will then decide if there are appropriate grounds for an appeal to deny or accept the request.
3. The student will be notified of his/her acceptance or denial to appeal.
4. If an appeal is applicable, an appeal hearing will be scheduled immediately.

Part 4: Resources

While all these resources are housed on the Lees-McRae College campus, they are all available to Extended Campus students as well as to main-campus students.

4.1 Health Services

4.1.1 Available Treatments and Medications

A Registered Nurse is available on campus daily Monday - Friday to assist the students in treating illnesses and injuries. Only over-the-counter non-prescription medications are dispensed from Davis Health Services (located in Cannon Student Center). There is no charge for a visit. The nurse will assist in obtaining a doctor's appointment or hospitalization, if needed.

A doctor is on campus 8 hours per week.

Students are advised to see the nurse before going to the hospital (except in an emergency).

THE NURSE AND DOCTOR ARE NOT AUTHORIZED TO WRITE EXCUSES FOR CLASS ABSENCES.

4.1.2 Confidentiality

Based on recommendations of the American College Health Association, Lees-McRae College does not require that students be asked to respond to questions about the existence of AIDS, ARC, or a positive HIV antibody test. We do, however, encourage students to inform the Health Services Office if they have AIDS, ARC, or a positive HIV antibody test in order for the College to refer students to proper medical care and education. This, like all other medical information, will be handled in a strictly confidential manner in accordance with the procedures and requirements which are already in effect.

4.1.3 Immunizations

A Record of Immunizations is not required for Extended Campus students. (NC G.S. 130A-155.1)

4.3 Carson Library

The library serves as a gathering place for individuals and groups to read, conduct research, and study. Students are reminded of the following basic library rules.

- a. Enter and leave the library quietly. Whether coming in for class or to study, students must remember that other students are trying to study; it is disrespectful to disturb others. Students may be asked to leave the library

- if they are causing a disruption. Continued violations will result in judicial sanctions.
- b. No cell phone conversations are permitted in the library. All cell phones, pagers, etc. must have ringers turned off. If a student must take or place a call, he/she may go to the lobby area or outside. Students who violate this rule will be asked to leave the library. Continued violations will result in judicial sanctions.
 - c. Shoes and shirts are required in the library.
 - d. Drinks, in spill-proof containers, are allowed in the library.
 - e. **FOOD IS NOT PERMITTED IN THE LIBRARY!**
 - f. A valid student ID is required to check out material.
 - g. Students are responsible for all materials checked out on their ID. Students should not loan a student ID to anyone. Lost and unreturned library items will be charged to student accounts and include the replacement cost and a twenty dollar processing fee for each item.
 - h. Groups may be asked to move into one of the study rooms or leave the library if they are disturbing others. Study groups are welcomed and encouraged to use the library, but basic courtesy must be maintained. Two study rooms are available on the upstairs balcony for groups of 6 or 8 students needing to work together. Students working at tables must keep conversations to a whisper and should not disturb those around them.
 - i. Use of all library computers is first and foremost for research and writing papers. Students who are surfing the Internet, checking their e-mail and/or using chat programs will be asked to surrender their seat to students who need the computers to do research or type a paper.
 - j. Study halls are subject to all rules of the library. Study hall groups are welcome to use the library and must be accompanied by a coach, assistant coach or a college employee responsible for the conduct of the group. Study halls will conform to all library rules governing student behavior. Group leaders will be alerted when group members are not conforming to the rules. Any group reprimanded more than twice will be required to leave the library and to find another place to study.
 - k. Other disruptive behaviors. Students will be asked to leave the library for any other behaviors deemed by the library staff to violate rules of good conduct yet not specifically cited herein.
 - l. Extended Campus students have library privileges at the community college that hosts their LMC Extended Campus classes.

4.4 Disability Services Office

Lees-McRae College is dedicated to ensuring that students with disabilities have equal access to educational opportunities. The Office of Disability Services provides assistance and encouragement to meet the challenges of college life. For students with a documented physical or learning disability, an accommodation plan can be formulated to fit the students' learning styles and

needs. The student has responsibility to meet with the Director of Disability Services, file a documented disability record, and create an accommodation plan.

1.5 Burton Center for Student Success

All tutorial services are housed in the Burton Center for Student Success. Services include one-on-one and group tutoring to support academic disciplines on campus, as well as study skills assistance. The Math Lab and Writing Center are housed in the Burton Center and offer focused assistance in developing math and writing skills.

1.6 Counseling Services

The Lees-McRae College Counseling Center provides free, confidential services for Lees-McRae students, including individual and group counseling; walk-in consultations; emergency psychological services; and psycho-educational outreach programming. The Counseling Center also offers consultation for students, faculty, staff, or parents who are concerned about a student, family member or other personal concerns.

The Counseling Center is located in the Student Development Suite, located in the Cannon Student Center. Hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. For after-hours emergencies, the counselor can be reached through Campus Security (extension 8756) or any Residence Life Staff. Emergencies may also be directed to the New River Behavioral Health 24-Hour Crisis Line at 828-733-5889.

1.7 Student Development Office

Student Development does many things to assist students in finding their unique purpose while at Lees-McRae College. Student Development offers interest inventories, personality indicators, career counseling, job fairs, and a class on career and life planning. There is also special programming on topics of motivation, life after graduation, resume writing and interviewing, and choosing a major. Life at Lees-McRae also offers the opportunity for challenge in the classroom, new experiences through the volunteer opportunities, and discovering of self through spiritual activities as well as social activities and residence life.

Student Development facilitates interpersonal relationships in numerous ways including via personal counseling, mentoring, residence life training and programs, supper seminars, international programming, intramurals, diversity dialogues and training, clubs, programming targeted to strengthen relationships and personal growth, and community education, and service.

Student Development does many things to assist students in developing autonomy. Students are offered personal and career counseling, First Year Seminar classes, and Life and Career Planning (for sophomores, juniors, and

seniors). There are also programming opportunities, in which students can help plan and present, on various topics that allow students to search for autonomy. Leadership opportunities are made available through Student Government, and Residence Life. Various residence hall options accommodate students' desires to find the residential experience that best meets their needs (students may contact the office of Residential Living for information on different residential options).

Lees McRae's Student Development division encourages a healthy environment for its students by providing nursing care if they are sick or injured, and sponsoring programs on eating disorders, substance abuse awareness, and sexual assault. Student Development holds the Stress Fest health fair, sponsors the Red Cross blood drive twice a year, administers flu shots, advises students on birth control, and offers counseling and information on various physical and emotional conditions. The Broyhill Wellness Center is open to all students and is located in the Canon Student Center.

Students have opportunities to develop leadership through Student Development programming, which includes training and in-service for Residence Life staff, Student Government Association procedures and programming, club charter requirements, and the Peer Leader program in orientation.

Service opportunities abound through the Student Development Office. There is a service requirement for all freshmen as part of the First Year Seminar class. During Mountain Day of Service, faculty, staff, and students participate in dozens of service projects on campus and in the surrounding communities. The Bonner Leaders program offers students the chance to serve others and receive academic vouchers. Many academic courses provide opportunities to meet course objectives through service to the community. Several service trips to international sites are conducted annually.

Part 5: Administrative Policies

5.1 Computing Resources Usage

5.1.1 General Policy Statement

Lees-McRae College provides access to computers and electronic resources primarily for use in support of the educational mission of the College. It is the responsibility of each individual to use these resources in compliance with all College policies, as well as all State and Federal Laws and regulations. Failure to comply with these policies may result in disciplinary sanctions or other legal actions and is a suspendable offense.

The guidelines below apply to both academic and personal use of computing resources. They reflect State and Federal regulations, as well as Lees-McRae College policy. The complete text of all college computing policies can be found on the college web site under the e-services menu. The college reserves the right to add, delete and/or modify computing policies and procedures and also to extend, limit, restrict, or deny privileges and access to its information resources without notification. Students are expected to check and delete college e-mail messages on a regular basis.

5.1.2 Acceptable Use Guidelines

1. Copyrights and licenses
 - a. All software protected by copyright must be used as specified by the owner of the copyright or as otherwise permitted by copyright law
 - b. In addition to software, all other copyright information (text, images, etc.) retrieved from computer resources must be used in accordance with applicable copyright law.
 - c. Plagiarism of electronic information is subject to the same sanctions as apply to any other media. (See section on plagiarism in the *Student Handbook*.)
2. Unlawful messages - Use of computing resources to send obscene, threatening, harassing, or other messages, which are a violation of state, federal, or other law is prohibited.
3. Lees- McRae's Policy on Sexual Harassment applies to behavior involving use of computing resources, including the display of "offensive visual materials, which interfere or are intended to interfere with other person's work or study." (See "Policy on Sexual Harassment" in the *Student Handbook*.)
4. Information belonging to others - Users must not intentionally seek to access or modify data files or programs belonging to others, or to obtain passwords, without the permission of those other users.

5. Encroaching on others' access and use - Users must not engage in activities which adversely affect use of computer resources by others. Examples of these activities include but are not limited to sending of chain letters, printing excess copies of documents, unauthorized modification of system facilities, and damaging equipment, software, or computer files.
6. Non-academic use - Academic use by Lees-McRae College students takes precedence over all other use of computing resources available in the computing labs, the Library, and other areas for use primarily by students. Non-academic use (games, E-mail, etc.) is considered secondary, and individuals involved in these activities are encouraged to be considerate of those who may be waiting to use the computers for academic purposes. If all other computers in a particular area are in use, students using the resources for non-academic purposes may be asked to yield to those waiting to do research or assignments.
7. Maintenance of personal equipment: Users are responsible for maintenance of equipment not owned by the college, as well as for maintenance related to their own configurations (i.e. personal files, desktop, etc.). Students are required to have an active and up-to-date virus-scanning program on their computer prior to attaching to the campus network. The college reserves the right to block any network access by personal computers found to be interfering in network operations, including but not limited to the spreading of viruses, improper functioning of attached network devices and the use of software to illegally share music, movies or other copyrighted data not owned by the student. The College is not responsible for damage resulting from viruses contacted while using campus-computing equipment.

5.1.3 Reporting Violations or Problems

Problems with computing equipment owned by the College and violations of acceptable use policies should be reported to the Director of Information Technology or, if the violation or problem is observed in one of the Library computing areas, to the librarian on duty. In addition, users receiving virus alerts or other information regarding factors, which might adversely affect campus-computing resources, are encouraged to notify the Director of Information Technology.

5.1.4 Online Profiles (Facebook, Myspace, Etc.)

Lees-McRae College faculty and staff will not search through online profiles with the intent to find violations. However, if an online profile that shows a student or students in violation of the Code of Conduct is discovered or brought to the attention of Lees-McRae faculty or staff, action will be taken. Profiles should be congruent with the positive representation a student is expected to exhibit in class and anywhere else on the Lees-McRae campus. Each student should be

aware that online profiles are in a public domain and are an extension of who they are. As a warning to students, people are being denied jobs due to inappropriate content contained within online profiles.

5.2 Sales and Solicitation

Sales and solicitation may be made only by an officially recognized campus organization and/or if that activity is for the general benefit of the College and/or community. Door-to-door selling or solicitation is not permitted in any residence hall.

5.2.1 Procedures for Obtaining Sales and Solicitation Approval

1. Obtain approval from the VP for Institutional Advancement (see Fund Raising Policy).
2. Coordinate scheduling with the College employee responsible for facility where the activity will take place.
3. Assume responsibility for set-up and clean up of the area to be used.
4. Provide all materials needed (signs, tape, change, etc.)
5. Request approval at least a week prior to the planned event.

5.2.2 Posting Notices on Campus

1. All notices on campus must be approved by either the Director of Campus Life, Director of Residence Life or Resident Director.
2. In accordance with Lees-McRae College's policy prohibiting alcohol on campus, advertisements involving alcohol are prohibited. The only exceptions to this policy are an advertising menu where alcohol is listed as a beverage item, and college approved alcohol events.
3. The College assumes the right to remove all notices it considers inappropriate or which have not had prior approval.
4. Notices cannot be placed on glass exit doors or windows of exit doors.

5.3 Programming

5.3.1 Guest Speakers

As an institution of higher education, Lees-McRae College supports and encourages campus organizations to invite speakers and entertainers from off campus to come to Lees-McRae. Prior to extending an invitation, the organization must have the approval of the club advisor and The Office of Campus Life. If these procedures are not followed or if the Director deems the proposed program not to be in concert with the Mission of the College, use of campus facilities may be refused. A refusal by the Director may be appealed to the Dean of Students.

Any major club-sponsored campus event affecting the College community must be scheduled through the Office of Campus Life. In the event that it becomes necessary to change the time, date, or location of a scheduled event, this may be done upon approval of the Director.

All off-campus publicity concerning a visit to the campus by an off-campus speaker or entertainer must be channeled through the Advancement Office. The club advisor or The Director of Campus Life will be responsible for seeing that this is accomplished.

5.3.2 Campus-Wide Programs

Some campus-wide programs (Opening Convocation, Graduation) are coordinated by and through the Academic Affairs Office. Those individuals in charge of these areas are responsible for approving all speakers and programs. Any question concerning the appropriateness or desirability of a program should be taken to the Academic Affairs Office.

5.3.3 Publicity

Off-campus publicity for any campus functions must be channeled through the Advancement Office of Lees-McRae College. It is the responsibility of the department bringing someone to campus to see that this is accomplished. All areas of the campus community should be notified through Electronic Mail when a special guest or special program is to be on campus.

5.4 Student Publications and Use of Media

As an institution of higher education, Lees-McRae College encourages the free exchange of ideas and opinions by faculty, staff, and students of Lees-McRae College, which is private in structure and affiliated with Presbyterian Church, U. S. A. The College reserves the right to govern the distribution of materials, which are considered obscene, libelous, unduly offensive, or that promote activity that is prohibited or is contrary to the mission of the College. Material shall be considered "unduly offensive" if it is demeaning of an individual or group and presented in such a manner that would tend to evoke a fight or other violent response.

It is not the role of Lees-McRae College to screen editorial comments with regard to accuracy; however, students, faculty, and staff are strongly encouraged to seek truth and to communicate that truth in ways that promote harmony while acknowledging diversity on campus.

Students and employees, acting on behalf of campus organizations, in many ways represent the institution and shall therefore be held to a higher degree of accountability with regard to communications. Any news releases or other contact with the press shall be channeled through the Advancement Office.

Campus organizations may also utilize the Campus Post office for free distribution of club newsletter, publications, and promotional materials, as long as these materials are in compliance with the above stated guidelines. Prior to distribution of any editorial piece through campus mail, a copy must be submitted to the Director of Campus Life for the purpose of ensuring compliance with the above stated policy.

The use of other media as a means of communicating ideas and opinions on campus shall conform to the above stated guidelines. Use of electronic mail (E-Mail) shall fall under the supervision of the Dept. of Computer Services. Students who wish to use e-mail should consult with the Dept. of Computer Services for further guidelines and policies governing its use.

5.5 Organizational Fundraising

The Student Government Association at a regular meeting should approve all Club and Organization fundraising activities and approval shall be reflected in the minutes.

Any fund raising activity conducted by college personnel (faculty, staff, students), which uses the College's name, must be coordinated in advance with the Vice President for Institutional Advancement (Chaffee Administration Building). While most gifts to Lees-McRae are eligible for deduction by the donor for tax purposes, some contributions are subject to special rules or excluded from deductibility. Therefore, no solicitor shall make representation to any donor concerning the tax deductibility of any particular gift to the college without first consulting appropriate members of the Institutional Advancement staff.

A full report of all fund raising activities, including the names and addresses of donors, and a full description of donations received, must be sent to the Institutional Advancement office immediately upon conclusion of fund raising. If fundraising projects extend over long periods of time, interim reports should be sent to the Institutional Advancement office so that gifts may be officially acknowledged in a timely manner.

5.6 Family Educational Rights & Privacy Act

5.6.1 Basic Requirements of the Law

The Family Educational Rights & Privacy Act (FERPA) of 1974, amended in 2003, also known as the Buckley Amendment, is a federal law which states (a) that a written institutional policy must be established and (b) that a statement of adopted procedures covering the privacy rights of students be made available. The law provides that the institution will maintain the confidentiality of student education records.

Education Records Definition

Education records include files, documents, and other materials which contain information directly related to students. Education records do **not** include:

- Records and documents of institutional personnel which are kept apart from educational records.
- Records on the student which are made or maintained by a physician, psychiatrist, psychologist, counselor, or other recognized professionals or paraprofessionals acting in their official capacity.
- Financial records on the parents of the student.
- Records of instructional, supervisory, and administrative personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute.
- Disciplinary records. Disciplinary records are maintained by the Office of Student Development and are not part of the educational record. Through the Dean of Students, outcomes of disciplinary proceedings are available only to those individuals or agencies/organizations allowed under FERPA guidelines.
- Student health records, employment records or alumni records. Physicians of the students' choosing, however, may review health records.

5.6.3 Access to Student Education Records

.01 Outside the College

Lees-McRae accords all the rights under the law to students who are dependents as well as those declared independent. No one outside the institution shall have access to nor will the institution disclose any information from students' education records without written consent of the students except to personnel within the institution, to officials of other institutions in which students seek to enroll, to persons or organizations providing students financial aid, to accrediting agencies carrying out their accreditation function, to persons in compliance with a disciplinary order, and to persons in an emergency in order to protect the health or safety of students or other persons. All these exceptions are permitted under the Act.

.02 Within the College

Within the Lees-McRae College community, only those members, individually or collectively, acting in the students' educational interest are allowed access to student education records. These members include personnel in the Offices of the President, Provost, Registrar, Vice President for Business Affairs, Dean of Students, Director of Financial Aid, and personnel within the limitations of their need to know. However, all of the above individuals (with the exception of the President of Lees-McRae College) must receive permission from the Provost, and/or Registrar before viewing the students' records. In the absence of the Registrar and Provost, the President of the College may grant permission to individuals wishing to view student education records.

.03 Directory Information

At its discretion the institution may provide Directory Information in accordance with the provisions of the Act to include: student name, address, telephone number, date and place of birth, major field of study, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, and weight and height of members of athletic teams.

Students may withhold Directory Information by notifying the Registrar in writing two weeks after the first day of class for the fall and spring terms. Requests for non-disclosure will be honored by the institution for only two academic years.

.04 Student Access to Education Records

The law provides students with the right to inspect and review information confined in their education records, to challenge the contents of their education records, to have a hearing if the outcome of the challenge is unsatisfactory, and to submit explanatory statements for inclusion in their files if they feel the decisions of the hearing panels to be unacceptable.

The Provost of Lees-McRae College has been designated by the institution to coordinate the inspection and review procedures for student education records, which include admissions, personal and academic records.

Students wishing to review their education records must make written request to the Registrar listing the item or items of interest. Only records covered by the Act will be made available within forty-five (45) days of the request.

Students may have copies of their record with certain exceptions; e.g. a copy of the academic record for which a financial "hold" exists, or a transcript of an original or source document which exists elsewhere (for example, a copy of the high school record). Allowable copies would be made at the students' expense at prevailing rates.

Students may not inspect and review the following as outlined by the Act: financial information submitted by their parents, confidential letters and recommendations associated with admissions, to which they have waived their rights of inspection and review; or educational records containing information about more than one student, in which case the institution will permit access only to that part of the record which pertains to the inquiring student. The institution is not required to permit students to inspect and review confidential letters and recommendations placed in their files prior to January 1975, because those letters were collected under established policies of confidentiality and were used only for the purposes for which they were collected.

5.6.4 Student Procedure to Amend Education Records

Students who believe that their education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other

rights may discuss their problems informally with the Provost and Registrar. If the decisions are in agreement with the students' requests, the appropriate records will be amended. If not, the students will be notified within a reasonable period of time that the records will not be amended; and they will be informed by the Provost of their right of a formal hearing.

Student requests for a formal hearing must be made in writing to the Provost who, within a reasonable period of time after receiving such requests, will inform students of the date, place and time of the hearing. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their choice, including attorneys, at the students' expense.

The hearing panels, which will adjudicate such challenges, will be the members of the President's Council of Lees-McRae College. Decisions of the hearing panels will be final, will be based solely on the evidence presented at the hearing, and will consist of written statements summarizing the evidence and stating the reasons for the decisions and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing panels, if the decisions are in favor of the students. If the decisions are unsatisfactory to the students, the students may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing panels. The statement will be placed in the education records, maintained as part of the students' records, and released whenever the records in question are disclosed.

Students who believe that the adjudications of their challenges were unfair or not in keeping with the provisions of the Act may request, in writing, assistance from the President of the institution. Further, students who believe that their rights have been abridged, may file complaints with The Family Educational Rights and Privacy Act Office (FERPA), Department of Health, Education and Welfare, Washington, D.C. 20201, concerning the alleged failures of Lees-McRae College to comply with the Act.

Revisions and clarifications will be published as experience with the law and institution's policy warrants.

5.7 Non-Discrimination Policy

Lees-McRae College does not discriminate on the basis of race, sex, color, age, religion, national and ethnic origin, disability, or other individual distinctions in its programs, procedures or hiring and employment practices. The college will take affirmative action to ensure this policy is enforced.

5.8 Intercollegiate Athletics

Lees-McRae College is a member of the NCAA Division II and competes in the Carolinas/Virginia Athletic Conference (CVAC). As a member of the NCAA, Lees-McRae complies with the organization's RANDOM DRUG TESTING PROGRAM for the intercollegiate athletes.

5.9 Intellectual Property Rights Policy

5.9.1 Copyright Policy

Lees-McRae College encourages and supports the creation, development, expression, and publication of written and recorded materials by College students, faculty and staff. Such activity furthers the broad College goals of excellence in knowledge creation, communication, and dissemination.

Publication, a common means for communication and dissemination, is also a common indicator of scholarly productivity and quality because publication per se is often preceded by external evaluation of the quality and significance of the work. Therefore, publication is an important activity for the College to encourage and support, both because of its scholarly significance and its role in the communication of knowledge.

An important corollary of publication is copyrighting, which secures for a limited time an exclusive right of ownership to authors or creators for their work. Owners of copyrighted material may transfer or grant license to use their protected work, usually in return for some fee or other benefit. Thus, copyrighting protects these proprietary and financial interests while encouraging publication.

Many works developed for publication by College authors or creators are undertaken at their own initiative. The College clearly recognizes the long-standing norms of academic freedom and legal tradition that College personnel through their own initiative may prepare materials that may be copyrighted by and generate income for the author(s) or creator(s). The College has no interest in restricting the ability of its personnel to produce copyrightable materials and to receive royalties there from.

The College does recognize, however, a proprietary interest in some materials prepared with its support, by its personnel, or under its auspices for which copyrights are requested. College support of the scholarly activities leading to creation, development, expression, and publication of written or recorded materials takes many forms, including clerical and research assistance; supplies, equipment, and use of College facilities and services; specifically assigned time for the work; and graphics and computer services.

5.9.2 Purposes of the College Copyright Policy

Identify the proprietary rights of personnel and of the College in respect to copyrightable materials; establish procedures for clarifying and negotiating proprietary rights when those of the College intersect with those of its personnel;

establish procedures for licensing use of College copyrighted materials; and establish an income distribution schedule for royalties resulting from licensing agreements or other marketing arrangements for College copyrighted materials.

5.9.3 Publication Rights of College Personnel

The policy of the College with regard to copyrighted materials is intended to foster and support the traditional freedoms of the College's students, faculty and staff in matters of publication. It is also intended to ensure that the College's legitimate ownership interests in certain classes of materials are adequately protected and that commercial development is conducted in a manner consistent with the College's public mission.

5.9.4 Categories of Work

Literary Works—Books, Articles, Software
Dramatic Works—Plays and Music
Pictorial, Graphic, and Sculptural Works
Sound Recordings, CDs, Cassettes
Musical Works—Music and Lyrics
Pantomimes and Choreographic Works
Motion Pictures and Audio-Visuals (Multi-Media)
Architectural Works and Plans

The ownership of materials initiated and produced by authors who are College staff members shall remain with the authors, except for the classes of works identified below. This policy follows the principle that ownership of copyright generally vests in the author(s) or creator(s) of the copyrighted work. When ownership vests in the author or creator, she/he is entitled to all rights and privileges associated with commercial development of the work including (but not limited to) copyrighting the work, registering the copyright, licensing the use of the work, publishing, marketing, paying fees and expenses associated therewith, and receiving royalties there from.

5.9.5 Principles of College Ownership

There are, however, exceptions to the "author/creator as owner" principle. These arise in cases of (1) "works for hire," (2) works substantially assisted by the College, (3) works done under a sponsorship agreement between the College and an external agency, and (4) works contributed to the College. The College desires to publish, copyright, and license the use of only those materials, which fall into one of these categories and have a potential for royalty return. The potential for royalty return indicates that there is economic value to their dissemination requiring copyright protection. Other College-owned materials should be placed in the public domain by publishing them with copyright protection and a corollary permission clause allowing general "not for profit" use. Thus, the principle of author or creator as owner applies to all but the following categories of copyrightable materials or works.

5.9.6 “Works for Hire”

Copyrightable materials produced by College employees as the result of direct work assignments to meet specific objectives or as an assigned College duty other than general academic research and normal teaching assignments are “works for hire” for which the copyrights belong to the College. Such materials are usually not initiated by the author, although they may result from performance of a general assigned duty (e.g., a staff member may prepare a manual, instructional materials, or computer programs as a general assignment of his/her job). Such materials also include works commissioned by the College, which fit within any of the categories of “specially ordered or commissioned” works enumerated in Section 101(2) of The Copyright Act of 1976. The College supports the primary cost of the work and all income derived from the work accrues to the College, to be shared as indicated below.

5.9.7 Works Substantially Assisted by the College

There are some instances, in which copyrighted materials are substantially assisted by College support, such as (but not limited to): salary awards above and beyond the normal academic year salary; other staff salaries and effort; use of facilities and equipment; College computing and graphic services. Where such assistance goes beyond the author’s/creator’s academic year salary, use of office space, personal use of library and computing resources, or use of word processing equipment and clerical assistance, resulting in additional costs to the College, then the work was created with the substantial assistance of the College. It is correspondingly reasonable to review the rights to ownership and equities for that work in consideration of the magnitude and importance of College assistance in its creation.

Therefore, for work that is created with substantial College assistance, the rights and equities of ownership shall be negotiated and agreed upon in writing by the author(s) or creator(s) of the work and the Provost prior to release of College copyright privileges. It is desirable in most cases to negotiate agreements prior to the commitment of the College assistance for the work. The College may agree to assign all rights of ownership to the author or creator; assign joint ownership rights, sharing in all income derived from the work; negotiate a royalty-free nonexclusive license to reproduce and use the work for College activities in return for sole ownership by the author or creator; negotiate a value of the College’s assistance and receive payment of no more than fifty percent of royalties accruing to the author or creator up to the value of the College assistance, in return for sole ownership by the author or creator; or any combination of the above that adequately reflects the College’s level of support.

Whatever arrangement is negotiated, the author or creator shall acknowledge in writing in the work the support of Lees-McRae College in producing the work.

The Provost shall utilize the assistance of the Intellectual Property Rights Committee in negotiating the ownership rights and equity. If no arrangement can

be mutually agreed upon, the Intellectual Property Rights Committee and the Provost shall make independent recommendations regarding ownership and equity to the President, who shall assign the rights of ownership and equity and whose decision will be final.

5.9.8 Production of Films or Instructional Materials

The development and sale or rental of audio-visual or other instructional materials produced by individuals while under College contracts or developmental grants shall be reported and appropriate agreements made to respect the mutual interest of all parties

5.9.9 Externally Sponsored Works

The ownership of copyrightable materials prepared either wholly or partially with the support of grants or contracts from an external agency shall be determined according to the terms and conditions of the applicable grants or contracts. Where the applicable grant or contract is silent on rights to and income from copyrightable materials or where the agency has no policy pertaining thereto, rights to ownership shall be determined to remain with the author.

5.9.10 Works Contributed to the College

College personnel may choose to contribute copyrightable materials to the College and thereby assign all rights of ownership to the College. The College may choose to accept or not to accept such works for College ownership. In accepting such works for College ownership, the Provost may negotiate a limited license for personal use by the author or creator as well as a share of any royalties earned by the College from commercial development in return for contribution of the copyrightable work. Nothing in this section shall be construed to be contrary to the policies of Lees-McRae College publications in regard to ownership rights or equities.

5.9.11 Student Works

Unless subject to the provisions above, copyrightable works prepared by students as part of the requirements for a degree program are deemed to be the property of the student, but are subject to the following provision.

The College shall have, as a condition of the degree award, a nonexclusive royalty-free right to retain and use a limited number of copies of the copyrightable work and the right to secure its publication for archival use.

5.9.12 Responsibilities and Administration

The Provost shall be responsible for promoting general awareness of this policy by College personnel and for answering any specific questions having to do with its terms or implementation.

College personnel agree to abide by this policy and by procedures for its implementation as a condition of their employment.

The Provost shall appoint an Intellectual Property Rights Committee consisting of three members of the faculty, and two administrative staff members for terms of three years. Initial appointments shall be for staggered terms to avoid disruptive member changes every third year. The Committee shall meet at least once a year.

The Provost shall develop and approve agreements about and assignments of copyright to authors or creators, to the College, or to both, in regard to works, which are produced with substantial College assistance.

The Provost shall provide assistance in securing the copyright to any works in which the College has proprietary rights and equity.

The Provost shall provide assistance in licensing or distributing any copyrightable works in which the College shares rights and equities with the author or creator or external sponsor.

The Provost shall establish appropriate accounts and procedures for receiving and distributing income accruing to the College as the result of licenses to use copyrighted 120 works in which the College has proprietary rights and equities or for which there are other agreements assigning income to the College.

5.9.13 Distribution of Income

Net income accruing to the College from the commercial licensing or development of wholly College-owned copyrights resulting from works for hire shall be distributed as follows:

Thirty-three percent of the net income accrues to the author(s) or creators, with the balance of sixty-seven percent to the College.

Net income is gross income less expenses for copyright registration, marketing, or other requirements for use and sale of materials outside the College.

Although this is the norm for College copyright agreements, the distribution formula is subject to negotiation for works substantially assisted by the College, externally sponsored works, and works contributed to the College. The distribution formula in these instances should reflect the level of College support or assistance.

5.9.14 Definitions

As used in this policy, the following terms have the indicated meaning:

(1) *Written materials*. All literary, dramatic, musical materials or works, all pantomimes, and choreographic works, pictorial, graphic, and sculptural works,

and all other materials or works including computer programs published or unpublished, copyrighted or copyrightable at any time under the Federal Copyright Act as now existing or hereafter amended or supplemented.

(2) *Literary materials.* Works expressed in words, numbers, or other verbal or numerical symbols or indicia, regardless of the nature of the material object, such as books, periodicals, manuscripts, phonograph records, film, tape, disks, or cards in which they are embodied.

(3) *Recorded materials.* All sound recordings, visual, audio-visual, and television films, tapes, or disks, video tapes, kinescopes, computer tapes or disks containing electromagnetic representations of written materials or computer programs.

(4) *Works.* Written or recorded materials

(5) *Publication.* Distribution of copies or recordings of a work to the public by sale or other transfer of ownership, or by rental, lease, or lending

(6) *College personnel.* Part-time and full-time members of the faculty, administrative staff, professional staff, and any other employees or consultants to the College or persons being trained in College-sponsored programs

(7) *Work for hire.* Work created under the circumstances set forth in Section 101 of The Copyright Act of 1976.

(8) *Substantial assistance.* College salary, above and beyond the academic year or contract year salary; assignment of College -salaried staff other than author(s) or creator(s) to creation or production of the materials above and beyond clerical assistance; or use of College facilities and equipment in creation or production of the materials above and beyond use of assigned office space, libraries, personal use of computing resources, and word processing equipment. Faculty Improvement Leave with pay does not constitute substantial assistance in the creation of material subject to copyright

5.9.15 Patent Policy and Regulations of Lees-McRae College

As a nonprofit educational institution devoted to teaching, research, and other scholarly activities in the public interest, Lees-McRae College encourages faculty and staff, as part of their assigned duties and scholarly activities, to conduct research that may result in useful inventions. The respective rights and obligations of the College, research sponsors, and inventors relative to inventions resulting from research at the College are defined by this policy.

As a condition of College employment, all right, title and interest in discoveries or inventions, including patents thereon resulting from any research or investigation conducted in whole or in part I of Lees-McRae College shall be the sole and

exclusive property of Lees-McRae College. Assignments or waivers of such rights, titles, and interests may be made by Lees-McRae College to external sponsoring agencies or others, as provided in subsequent clauses of this policy. Promptly upon the conception of a potentially patentable invention or discovery and before either filing for patent or reducing the invention or discovery to practice, the inventor shall disclose to Lees-McRae College such invention or discovery and shall assign, in writing, all rights to the invention or discovery to Lees-McRae College. Such disclosure shall contain a general description of the field of the invention

or discovery, a specific disclosure of the invention or discovery, any prior part of which the inventor(s) is aware, a general statement (if possible) of the economics of the invention or discovery, a listing of the notebooks or other records containing the first description of the invention or discovery, the name of the person to whom the invention or discovery was first disclosed, and the date of such disclosure. Such disclosure shall also contain an election as to the method for payment of patenting and/or licensing and related costs and schedule of distribution of net income received as provided in subsequent clauses of this policy.

All information, which may reasonably be related to inventions or discoveries, shall be held confidential by the inventor and shall be disclosed only to Lees-McRae College or others directed by the Officers and agents of Lees-McRae College.

All information as described above shall be maintained in confidence unless such information is, or becomes, publicly available through no fault to the inventor or unless written permission is obtained from an authorized officer or agent of Lees-McRae College to disclose such information.

Whenever requested by Lees-McRae College, the inventor shall make, sign, execute, and deliver all applications, assignments, and other papers which, in the opinion of Lees-McRae College or its counsel, are deemed necessary, proper, or desirable for obtaining Letters Patent of the United States and any other countries, and for transferring all such discoveries, inventions, improvements, patentable ideas, methods, processes, trade secrets, and Letters Patent and applications therefore to Lees-McRae College, its successors, and assigns.

5.9.16 Distribution of Net Income

An inventor shall select a method for payment of costs to obtain patents and/or licenses and a related schedule for distribution of net income, for any such inventions or discoveries selected by Lees-McRae College for patenting and/or licensing. An inventor shall choose at the time of disclosure of the discovery or invention whether or not to (a) pay all costs of obtaining patents and/or licenses or (b) request the College to pay all costs. If the inventor elects option (a), then

net income from the invention or discovery will be shared by Lees-McRae College and the inventor(s) (or heirs or legatees of the inventor(s)) according to schedule A below; if the inventor elects option (b), then net income from the invention or discovery will be shared by Lees-McRae College and the inventor(s) (or heirs or legatees of the inventor(s)) according to schedule B below.

Schedule A

All costs are paid by inventor(s) prior to distribution of income. No College funds may be used to pay costs.

Cumulative Net Distribution

Income Category	Inventor(s)	College
Up to \$50,000	90%	10%
\$50,001 to \$100,000	75%	25%
\$100,001 or more	50%	50%

Schedule B

All costs are paid by Lees-McRae College prior to distribution of income.

Cumulative Net Distribution

Income Category	Inventor(s)	College
Up to \$2,000	100%	0%
\$2,001 to \$50,000	50%	50%
\$50,001 to \$100,000	40%	60%
\$100,001 or more	25%	75%

Net income from any invention or discovery shall consist of earnings received by Lees-McRae College from the invention or discovery after payment of all costs incurred by the Lees-McRae College or the inventor(s) as applicable in connection with the invention or discovery and beginning at the moment of invention. Such costs shall include the cost of pursuing patent protection, and developing, marketing, and licensing the invention. If there is a plurality of joint inventors, that part of the net income accruing to the inventors will be distributed equally among the inventors unless some other distribution is specifically requested in writing by the inventors. If a plurality of institutions is involved in an invention, an agreement will be negotiated by the institutions in consultation with the inventors.

All income received pursuant to an invention or discovery shall be deposited in a separate College account from which shall be deducted an amount equal to the sum of all College or inventor (whichever is applicable) costs paid or billed for

obtaining a patent, license, or related activities. After such deductions have been made and distributed, net income distribution according to the elected schedule shall be made on an annual basis.

5.9.17 Intellectual Property Rights Committee

.01 Committee Membership

The Provost or designee shall appoint an Intellectual Property Rights Committee consisting of three faculty members and two administrative staff members of the College.

.02 Duties of the Committee

Review all applicable inventions and discoveries and determine and advise in each individual case whether a discovery or invention resulted from research, investigation, or activity conducted in any laboratory or facility of the College and is the property of College.

Determine and advise the Provost whether or not the discovery or invention, which is the property of College, has a sufficient value or is of a sufficient interest to the College to warrant its retention; or, if the same should be relinquished to the inventor or otherwise dealt with.

Advise the Provost about acquiring on behalf of the College, by agreement, on such terms and conditions as it deems appropriate, an interest in such patentable discoveries and inventions in those situations in which it shall have been determined that the discovery or invention does not otherwise belong to the College.

Determine and advise the Provost whether or not to pursue the patentability and development of a discovery or invention that is the property of the College.

Recommend to the Provost appropriate courses of action, including prospective purchasers or licensees of inventions or discoveries, and advise the Provost on the terms and conditions of any agreements.

.03 Provost Response to Committee Recommendations

The Provost is hereby empowered and authorized, after receiving the advice of the Intellectual Property Rights Committee, and after reporting to the President and the Board of Trustees, to act on or reject the Patent Advisory Committee's determinations, and to sell, assign, convey, or grant on behalf of the College any such discoveries and inventions or any rights or shares in such discoveries and inventions, including patent rights, to such persons, firms, or governmental agencies for such consideration or upon such terms and conditions, including dedication to the public, as shall be deemed by the President, after consultation with the inventors, to be in the proper and best interest of the College.

Within six months after disclosure of an invention, the Provost shall elect whether to apply for a United States patent and shall initiate the patent search; relinquish all rights to the invention to the inventor(s); or indicate how the invention shall be otherwise dealt with.

The Provost or designee is authorized by the Board of Trustees to make arrangements with external sponsors of research to obtain research funding from such sponsors. Such arrangements may include, but are not limited to, assigning all rights to inventions or discoveries to the sponsor, or granting an exclusive or nonexclusive license to the sponsor with or without royalties to be returned to the College. Any such agreement must be in writing and signed by an authorized Officer or agent of the College. Such agreements will be in consultation with the investigator(s).

5.9.18 Procedure and Regulations Governing Invention Disclosures

.01 Purpose and Authority

By regulations adopted by the Board of Trustees, the Intellectual Property Rights Committee is charged with the responsibility for advising the Provost in carrying out the Patent Policy of Lees-McRae College. Pursuant to that goal, the Intellectual Property Rights Committee has adopted the following procedure governing the disclosure and submission of inventions.

.02 Lees-McRae College's Rights in Certain Inventions

Any invention or discovery developed through the use of Lees-McRae College facilities is the property of Lees-McRae College. Lees-McRae College shall develop legal protection and utilize such inventions which may benefit the public or Lees-McRae College. Under the Patent Policy & Regulation, the net income received by the College on any invention or discovery shall be shared with the inventor(s) according to options selected by the inventor(s) and approved by the Vice-President shown in Schedules A and B.

If Lees-McRae College determines that it has no interest in such inventions, it may assign or release all rights therein to the inventor or inventors. In order to protect the rights of both the College and the inventors, the prompt submission or disclosure of all such inventions or discoveries to the Intellectual Property Rights Committee is necessary.

Certain research contracts with private industry and particularly with the federal government contain patent ownership clauses, which may grant patent rights to or take patent rights from the College or its students, faculty and staff. The contracts should be evaluated for consistency with the Patent Policy & Regulations of the College. Accordingly, the early submission of such contracts to the Intellectual Property Rights Committee for its reviews and approval is necessary.

.03 The Intellectual Property Rights Committee Recommendations

The Committee shall evaluate inventions submitted to it to determine:
If the invention is such that Lees-McRae College has no rights there under the Committee shall consider whether or not the invention was developed under a sponsored research contract in which the grantor is given all rights or whether or not the invention was made without using Lees-McRae College facilities.

If the invention, as the property of the College, requires further legal protection and can be licensed or otherwise used to produce royalty or other income to the College and the inventors.

The inventor(s) shall ordinarily be given an opportunity to present all relevant information and recommendations to the Committee in writing or in person.

After making the above determinations, Intellectual Property Rights Committee shall make its recommendations to the Provost. The Provost is empowered and authorized to act on or reject such determinations.

Through its Chair, the Intellectual Property Rights Committee shall maintain liaison with the College's legal Counsel or other agents in making patentability searches, securing proper legal protection for the selected inventions, and in obtaining the maximum benefit there from.

.04 Procedures

Recognizing that time is of the essence in securing legal protection for inventions, the Intellectual Property Rights Committee shall meet expeditiously as required to carry out its defined duties. In its evaluation of inventions the Intellectual Property Rights Committee shall normally communicate its decisions and recommendations in writing to the Provost within three months of the receipt of the disclosure. The inventor(s) shall be informed of the decision of the College with respect to the submitted invention within six months of the date of receipt of the disclosure.

.05 Liaison with Attorneys and Prospective Licensees, etc.

The Office of Academic Affairs shall provide liaison among the inventor(s); Intellectual Property Rights Committee; Legal or Patent Counsel; external sponsors of research; prospective licensees; developers, promoters, and other persons having an interest in acquiring or developing rights in inventions or discoveries from Lees-McRae College. The Provost shall convey significant matters to the Patent Advisory Committee for review, policy guidance, and recommendations.

.06 Records

The Intellectual Property Rights Committee shall keep appropriate records of all such submitted inventions, patent application, patents and agreements, etc., as are necessary to perform its functions.

5.9.19 The Inventor's Responsibilities

.01 Submission of Disclosure and Assignment of Exclusive License

Any student, faculty or staff member who has made or participated in the conception of an invention or discovery using Lees-McRae College facilities shall submit to the Provost an Invention Disclosure Form completed to the fullest extent possible. At the same time, a copy of the completed Invention Disclosure Form shall be submitted, for informative purposes, to the head of the appropriate administrative unit (Division Chair, Department Head, Supervisor, etc.). Use of the standard Invention Disclosure Form, which is available from the Office of Academic Affairs, is recommended to assure that the Intellectual Property Rights Committee receives all necessary information. Additional drawings, photos, reports, etc., may be attached to the Invention Disclosure Form as necessary to complete the disclosure.

Because the completed Invention Disclosure Form may be the first complete written record of the invention, it should be signed and dated by the inventor(s) and by at least one witness who is competent to understand the invention.

At the same time that the Invention Disclosure Form is filed, the inventor shall assign all rights to the invention or discovery to the College and shall elect a patent expense payment and income distribution option as provided in Schedule A or Schedule B.

Each faculty member, student, or staff member who participates in patent activities with business, industry, governmental agencies, or individuals in conjunction with consulting, research, or other professional activities (commensurate with Lees-McRae College personnel policies) must inform the Provost when patent activities are initiated.

.02 Cooperation with the Intellectual Property Rights Committee

Each inventor shall cooperate with the Intellectual Property Rights Committee to the extent required to assist in evaluating the invention and to enable the Intellectual Property Rights Committee to secure optimum legal protection on selected inventions.

.03 Caveat

Under the provision of the patent laws of the United States and the patent laws of many foreign countries, a published description (publication) or public use of an invention by the inventor or anyone else, if made more than one year prior to the official filing date of a patent application for that invention, will make the invention unpatentable and will cause the forfeit of all patent rights in the invention. In some foreign countries, patent rights are lost upon publication or public use of the invention at any time before the filing date of the patent application for the invention. A "Publication" has been interpreted to include a typewritten thesis deposited in a library, oral presentations at professional meetings, etc. Accordingly, any questions regarding publication, public use, or disclosure of an

invention that may ultimately be considered for patent protection should be referred to the Patent Advisory Committee for its consideration and guidance.