

## Equal Employment/Affirmative Action

Germanna Community College is committed to the principle of equal opportunity. The College does not discriminate on the basis of race, sex, color, religion, national origin, age, political affiliation, veteran status, or against otherwise qualified persons with disabilities (except where a bona fide occupational qualification has been established) in its consideration of applicants for admission to its educational programs, applicants for employment, or its treatment of students or employees. Inquiries concerning EEO issues or the Affirmative Action Policy should be addressed to the College's Equal Employment Opportunity (EEO) Officer.

## Information Technology Ethics

Users of the Virginia Community College System's local and wide area computer systems must abide by the following terms. These terms govern access to and use of the information technology applications, services and resources of the VCCS and the information they generate.

The College grants access as a necessary privilege in order to perform authorized functions at the College. Users must not knowingly permit use of entrusted access control mechanisms for any purposes other than those required to per-

form authorized functions. These include log-on identification, password, workstation identification, user identification, file protection keys, or production read or write keys.

Users will not disclose information concerning any access control mechanism unless properly authorized to do so by the College. Users will not use any access mechanism that the VCCS has not expressly assigned to them.

Users will treat all information maintained on the VCCS computer systems as strictly confidential and will not release information to any unauthorized person. Users agree to abide by all applicable state, federal, VCCS, and Germanna computer security and ethics guidelines. Users will follow all the VCCS computer ethics guidelines and protect the data contained therein. If users observe any incidents of noncompliance with the terms set forth herein, they are responsible for reporting them to the Dean of Financial and Administrative Services.

Users acknowledge that the VCCS's network administration or appropriate, designated College officials reserve the right, without notice, to limit or restrict any individual's access and to inspect, remove or otherwise alter any data, file, or system resource that may undermine the authorized use of any network computing facilities.



Users are responsible for adhering to the terms and provisions of this policy. Any user found to be in violation of these terms and provisions will be subject to disciplinary action.

## VCCS Computer Ethics Guidelines

Thousands of users share VCCS computing resources. Every user must use these resources responsibly since misuse by even a few individuals has the potential to disrupt VCCS business or the work of others. Therefore, users must exercise ethical behavior when using VCCS computing resources.

State Law classifies damage to computer hardware or software, unauthorized examination, or unauthorized use of computer systems as misdemeanor crimes. Computer fraud and use of a computer as an instrument of forgery can be felonies. The VCCS's internal procedures for enforcement of its policy are independent of possible prosecution under the law.

**Definition:** VCCS computing resources include mainframe computers, minicomputers, microcomputers, networks, software, data, facilities and related computer peripherals.

**Guidelines:** The following guidelines shall govern the use of all VCCS computing resources:

Users must use only those computer resources that they have the authority to operate.

Users must not provide false or misleading information to gain access to computing resources. The VCCS may regard these actions as criminal acts and may treat them accordingly. Users must not use VCCS computing resources to gain unauthorized access to computing resources of other institutions, organizations or individuals.

Users must not authorize anyone to use their computer accounts for any reason. Users are responsible for all use of their accounts. Users must take all reasonable precautions, including password maintenance and file protection measures, to prevent use of their accounts by unauthorized persons. Users must not, for example, share their password with anyone.

Users must use their computer resources only for authorized purposes. Students or staff, for example, may not use their accounts for private consulting. Users must not use their computer resources for unlawful purposes, such as the installation of fraudulently or illegally obtained software.

Use of external networks connected to the VCCS computing network must comply with the policies of acceptable use promulgated by the organizations responsible for those networks.

Other than material known to be in the public domain, users must not access, alter, copy, move or remove information, proprietary software or other files (including programs, members of subroutine libraries, data and electronic mail) without prior authorization. The College or VCCS computer

network data trustee, security officer, appropriate College official or other responsible party may grant authorization to use electronically stored materials in accordance with policies, copyright laws and procedures. Users must not install proprietary software on systems not properly licensed for its use.

Users must not use any computing facility irresponsibly or needlessly affect the work of others. This includes transmitting or making accessible offensive, annoying or harassing material. This includes intentionally, recklessly, or negligently damaging systems, intentionally damaging or violating the privacy of information not belonging to the user. This includes the intentional misuse of resources or allowing misuse of resources by others. This includes loading software or data from untrustworthy sources, such as free-ware, onto official systems without prior approval from the Technical Services Manager (TSM).

Users should report any violation of these regulations by another individual and any information relating to a flaw or bypass of computing facility security to the Information Security Officer or the Internal Audit department.

**Enforcement Procedure:** Faculty, staff and students at the College or VCCS computing network facility should immediately report violations of information security policies to the TSM.

If the accused is an employee, the TSM will collect the facts of the case and identify the offender. If, in the opinion of the TSM, the alleged violation is of a serious nature, the TSM will notify the offender's supervisor. The supervisor, in conjunction with the College or System Office Human Resources Office and the TSM, will determine the appropriate disciplinary action. Disciplinary actions may include but are not limited to:

- Temporary restriction of the violator's computing resource access for a fixed period of time, generally not more than six months.
- Restitution for damages, materials consumed, machine time, etc., on an actual cost basis. Such restitution may include the costs associated with determining the case facts.
- Disciplinary action for faculty and classified staff in accordance with the guidelines established in the State Standards of Conduct Policy.

In the event that a student is the offender, the accuser should notify the Dean of Student Services. The Dean, in cooperation with the TSM, will determine the appropriate disciplinary actions which may include but are not limited to:

- Temporary restrictions of the violator's computing resource access for a fixed period of time, generally not more than six months.
- Restitution for damages, materials consumed, machine time, etc., on an actual cost basis. Such restitution may include the costs associated with determining the case facts.
- Disciplinary action for student offenders shall be in accordance with the College's Student Standards of Conduct.

The College President will report any violations of state and federal law to the appropriate authorities.

All formal disciplinary actions taken under this policy are grievable and the accused may pursue findings through the appropriate grievance procedure.

## Responsible Computing Policy

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Germanna Community College's computers, networks and information systems exist to promote shared access to computing, communication, and information systems necessary to support the College's mission of teaching research and community service. Thus, all account holders of College information facilities have responsibility to use these systems in a respectful, ethical, professional and legal manner.

Germanna's Responsible Computing Policy applies to any individual using Germanna-owned or leased computers, networks, internet connections, and communications systems transmitting either data, voice or video information. Activities involving these systems shall be in accordance with the VCCS Computer Ethics Agreement, Policy on Use of the Germanna Web Server, Germanna Technology Security Plan, the College's Standards of Conduct for students, other related policies in the Germanna Faculty and Student Handbooks and relevant state federal and international laws.

All users of College information facilities are required to demonstrate respect for:

- the privacy of others;
- intellectual property rights (copyrights, trademarks, licenses, etc.) and ownership of information;
- the operation and integrity of the various information systems;
- individuals' rights to be free of intimidation, harassment, and unwarranted annoyances; and
- relevant state and federal laws relation to information technology.

While the College recognizes and respects the privacy of all users, it cannot guarantee confidentiality in the use of any College information system. Electronic records retained on College systems are subject to state and federal Privacy Acts as well as the Freedom of Information Acts. Individuals are advised that e-mail messages are written records that could be subject to review with just cause and they may be subject to Freedom of Information Act and legal investigation requests. In addition, College system administrators may view any files, including e-mail messages, in the course of troubleshooting system problems. System administrators have the authority to do this and will treat any information on the systems as confidential. World Wide Web information located in designated web directories will be considered public information if read access is granted.

Access to College information systems is a privilege and may be revoked for reasons including, but not limited to, violations of the Responsible Computing Policy attacking the security of the system, modifying or divulging private infor-

mation such as a file or mail contents of other users without their consent, modifying or destroying College data, or using the national networks in a manner contrary to established guidelines. Access may be revoked at any time on a permanent or interim basis by the College system administrators in order to safeguard College resources and protect College privileges. Individuals responsible for abusing the College's Responsible Computing Policy will be held accountable and may be subject to disciplinary action. Revocations may be appealed via the procedures outlined in the Germanna Faculty, Classified Staff or Student Handbooks, as appropriate.

Persons who are victims of computer abuse, harassment, other malicious behavior, or unauthorized account access should report them to the Academic Computing Center supervisor or the Technical Services Manager. For investigative purposes, individuals are advised to retain harassing e-mail messages, dates and times of unauthorized access, etc. Cases will be handled confidentially.

## Smoking

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Since the Surgeon General has determined that cigarette smoking is the largest preventable cause of illness and premature death in the United States, and research indicates that nonsmokers who are exposed to tobacco smoke are also at risk, a safe and healthful environment is one which is as smoke-free as possible.

Germanna has a smoke-free environment in all interior areas of the College buildings. This policy is adopted in compliance with the Virginia Clean Air Act and in the interest of the College to maintain a safe and healthy environment.

## Substance Abuse

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The possession, use, manufacture, or distribution of illegal drugs or other controlled substances by students, faculty, or staff at Germanna Community College is prohibited.

Germanna is committed to taking all actions consistent with the law and individual rights to eliminate illegal drugs on its campuses and to deal firmly and fairly with individuals found in violation of Virginia and/or federal laws pertaining to such substances. Germanna addresses this issue with a program of enforcement, education, prevention, counseling, and referral.

Education and learning are especially impaired by alcohol abuse and illicit drug use. Misuse of alcohol and other drugs among college students inhibits their educational development and is a growing concern among our nation's institutions of higher education. Germanna Community College shares this concern and is committed to creating an environment that promotes and reinforces healthy, responsible living; respect for community laws and campus standards and regulations; the individual's responsibility within the community; and the intellectual, social, emotional, spiritual or ethical, and physical well-being of its community members.

**Health Risks:** Many physical and psychological health risks are associated with abuse of alcohol and other substances. Such behavior may result in problems in school, work, or

relationships. Listed below are some health risks associated with substance abuse.

- Difficulty with attention and learning.
- Physical and psychological dependence.
- Blackouts/Coma
- Depression
- Fatigue
- Damage to the brain, liver, heart, digestive and immune systems.
- Accidents/unwanted sexual activity due to impaired judgment and coordination.
- Increased risk of hypertension, heart disease, cancer, mental illness, other diseases and death.

**Resources Available:** Counseling and referral options are available through the Counseling Center for students who think they, a family member or a friend are at risk of drug or alcohol abuse. An environment which allows students to openly discuss substance abuse problems without fear of reprisal will be maintained. Counseling services are available in the Counseling Center.

The College maintains a close working association with local community agencies that provide counseling and treatment of substance abuse. Information about these agencies and their services is available in the Counseling Center.

**Sanctions and Penalties:** Germanna cooperates with local law enforcement authorities to enforce current statutes. Students, faculty, and staff are hereby notified that illegal involvement with drugs will result in disciplinary action by the College and referral for prosecution.

Disciplinary sanctions for students are enumerated in the Statement of Student Rights and Responsibilities and include suspension or dismissal from the institution. Sanctions for faculty and staff range from referral to counseling and/or reprimands to suspension and termination of employment.

Criminal penalties for violations of local, state and federal statutes regarding the unlawful possession or distribution of illegal drugs and alcohol include fines and/or imprisonment terms, depending upon the classification of the offense.

## Sexual Misconduct

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Germanna Community College will not tolerate sexual misconduct in any form. Sexual misconduct is a flagrant violation of the behavioral expectations for a college community. An educational institution is a community of trust whose very existence depends on the recognition of each individual's importance and value. This trust creates the freedom for each individual to live, think, act and speak without fear of physical harm. Sexual misconduct shatters that bond of trust. All reported violations shall be regarded as serious and will be fully investigated. Acts of sexual misconduct may be punishable through civil and criminal proceedings, as well as through the College's disciplinary processes.

This shall apply to all students and employees of Germanna Community College.

## Sexual Assault

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**Definition:** Sexual assault is defined as sexual intercourse without consent, including rape (whether by acquaintance or stranger), sodomy, or other forms of sexual penetration. To constitute lack of consent, the acts must be committed either by force, threat of force, intimidations, or through use of the victim's mental helplessness of which the accused was or should have been aware. Mental helplessness includes incapacitation by alcohol or other drugs. Sexual assault also includes intentionally touching, either directly or through clothing, of the victim's genitals, breasts, thighs, or buttocks without the victim's consent, as well as touching or fondling of the accused by the victim when the victim is forced to do so against his or her will.

Verbal misconduct, without accompanying physical contact as described above, is not defined as sexual assault. Verbal misconduct may constitute sexual harassment, which is also prohibited under College regulations.

**Courses of Action for Students:** Student reports of sexual assault should be directed to a Counselor located in the Counseling Center or the Dean of Student Services. Counselors and the Dean are prepared to provide support to victims and/or witnesses of sexual assault while safeguarding confidentiality and assuring anonymity. Referrals may also be made to appropriate community agencies which provide crisis intervention and victim assistance.

Sexual assault is punishable through civil and criminal proceedings as well as through the College disciplinary processes. Sexual assault is a violation of the Standards of Conduct outlined in the Statement of Student Rights and Responsibilities. Students found to have violated the Standards of Conduct are subject to the sanctions outlined in the Statement of Student Rights and Responsibilities which include suspension and dismissal. Students who are victims of sexual assault will be advised that they may file civil and criminal charges through the appropriate law enforcement agencies. Students convicted of sexual assault will be subject to disciplinary actions at the College which may include dismissal or expulsion.

**Procedures for Students:** Procedures for handling student versus student allegations of sexual assault are outlined in the section on Disciplinary Procedures contained in the Statement of Student Rights and Responsibilities. In cases where suspension and dismissal may be imposed, a review committee will be formed upon request to hear the allegation with the right of appeal to the College President. The review committee procedures allow for due process and the protection of the rights of the accused and the complainant. In cases of sexual assault, steps will be taken to safeguard the identity of the complainant outside of the confidential proceedings or the disciplinary process, unless the complainant gives formal consent for his/her identity to be revealed. No part of the complainant's sexual history shall be included as part of the disciplinary proceedings. All reported violations will be investigated.

Investigations of accused sexual assault will be conducted by a neutral third party (a College administrator), who will be appointed by the President. Every effort will be made to maintain confidentiality and to protect the rights of the accused and the complainant. No part of the complainant's sexual history shall be included as part of the disciplinary proceedings.

## Sexual Harassment

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**Definition:** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct or written communication of a sexual nature which is intimidating, hostile, or offensive. Sexual harassment shall be considered to have occurred when:

- Accepting or tolerating such conduct is made a term or condition of student's status or individual's employment, either explicitly or implicitly.
- Accepting or rejecting such conduct is used as the basis for academic or employment decisions affecting the student or employee.
- Such conduct creates an intimidating, hostile, or offensive working or learning environment, or substantially interferes with an employee's work performance or a student's academic performance.

**Courses of Action for Students:** Complaints of sexual harassment should be directed to the Dean of Student Services. Allegations will be fully investigated and appropriate corrective action will be taken immediately if warranted.

If the accused is a member of the College faculty or staff, the case will be handled via the Student Grievance Policy. If the accused is a student, the case will be handled according to procedures outlined in the Statement of Student Rights and Responsibilities. The student complainant will be advised that internal grievance procedures must be exhausted before a criminal complaint may be filed.

All reports will be treated confidentially and the complainant's identity will remain anonymous outside of any confidential disciplinary proceedings. Students who have concerns or questions regarding whether a particular behavior or situation constitutes sexual harassment are encouraged to confidentially consult a Counselor in the Counseling Center.

**Procedures for Students:** Sexual harassment by a student is a violation of the Standards of Conduct outlined in the Statement of Student Rights and Responsibilities and may result in suspension or dismissal. Disciplinary procedures may require the formation of a review committee. A review committee will hear the allegation with the right of appeal to the College President. Review committee procedures provide for due process, protecting the rights of the complainant and the accused.

Sexual harassment of a student by a member of the College faculty or staff constitutes a complaint of unfair treatment and a violation of College policy. Any employee found in violation of the sexual harassment policy shall be subject to corrective action, which may include termination of employ-

ment. A valid complaint of unfair treatment will be handled through the Student Grievance Policy, with the following exceptions. In cases of sexual harassment, the student alleging sexual harassment is not required to file the initial complaint with the alleged harasser. Should the student reach Level 4 in pursuing resolution of the grievance and a grievance panel is elected, the President will constitute the Grievance Panel according to the guidelines set forth in the Student Grievance Policy.

## HIV Infection

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The HIV Infection Policy at Germanna Community College has been developed and applied in accordance with the guidelines set forth by the American College Health Association. Questions may be directed to the Dean of Student Services.

The existence of any form of HIV infection will not be considered in the admissions process.

Students with HIV Spectrum Disease will be allowed regular classroom attendance and use of College facilities in an unrestricted manner as long as they are physically able to attend class.

The College will not ask students to respond to questions about the existence of HIV infection. However, students are encouraged to disclose knowledge of potentially serious medical conditions (for example, HIV infection) so appropriate education, counseling and/or referrals may be made. This, like all other medical information, will be handled in strictest confidence. Referrals to free local anonymous testing are available through the Counseling Center.

A separate policy exists with specific guidelines for students enrolled in the College's nursing program and students and faculty involved with biological research in the laboratory setting. It is published in the *Nursing Program Student Handbook*.

A person with advanced stages of HIV infection will be considered as having a disability and will have the legal rights guaranteed to disabled persons. Existing support services for persons with disabilities will be made available to persons with HIV infections.

## Parking

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The main parking lots are available for all students, employees and visitors; however, parking is restricted in areas designated with reserved, disabled, faculty/staff, or permit parking signs. Unauthorized parking in these spaces is a violation and is subject to action by the College to have the vehicle booted or towed with a minimum \$20.00 fine for booting. Parking on the roadway (bordering the parking lane) is a violation per state law and the vehicle may be towed by the State Police, with substantial cost for recovery. Parking in unmarked areas or on the lawn is also prohibited and subject to the above sanctions.

## Children on Campus

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Children should not be brought to the campus in lieu of appropriate child care. College facilities cannot accommodate the care of children while parents are working or attending class. Since Germanna and its staff cannot be responsible for the safety and welfare of children, arrangements should be made for them off-campus. Children should not be brought into classrooms, laboratories, the Testing Center, the Tutoring Center, or the Academic Computing Center because of disruption of instruction or study, exposure to material unsuitable for children, and possible danger to the children. Children on campus must be supervised by a parent or guardian at all times, and the parent or guardian is responsible for seeing that the children are mindful of others using College facilities.

## Inclement Weather

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In the event of an emergency or inclement weather, a decision regarding a closing or late opening will be made by 6:00 a.m. In the absence of any announcement, classes will be held.

Announcements will be made as follows:

**Day Class Closings:** When an individual campus is closed, all classes are canceled at that particular campus. No faculty, staff or students involved at that particular campus are to report to that campus except essential personnel who are to report as soon as possible.

Closings occurring during the day will be announced by the Deans of Instruction on each campus and communicated to any other appropriate locations through site administrators.

**Evening Class Closings:** If a decision is not made by 6:00 a.m., an announcement regarding the cancellation of evening classes will be made as soon as possible but not later than 4:00 p.m. If there is no announcement, classes will be held.

**Late Openings:** Classes will begin when the college officially opens and any remaining time for instruction will be utilized. For example, if the class is scheduled to begin at 9:30 a.m. and the college opens at 10:00 a.m., instruction for that class will commence at 10:00 a.m.

***Safety Notice:** If classes are held, each individual must assess conditions at the point from which that person is traveling since conditions can vary greatly throughout the service region. No one is expected to place attendance above personal safety. However, if a student does miss a class, it will be the student's responsibility to contact the professor as soon as possible to make arrangements for completing class work.*

**Announcements:** Closing announcements will be posted on [www.germanna.edu](http://www.germanna.edu)

## Weapons Policy

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Possession or use of firearms, explosives, or any other dangerous or deadly weapons are not appropriate to the college experience. Therefore students, employees, and patrons are not permitted to possess these items on College property except when carried by bona fide law enforcement officials in their official capacities. This policy applies whether the weapon is functional or not. Any device designed to look like a weapon and/or is used by an individual to cause reasonable apprehension or harm is considered a weapon by this policy. Exceptions may be granted when approved in advance in writing by the Campus Security Manager and the President.

Employees agree to this policy and all other policies by accepting continuing employment. Students and patrons agree to this and all other policies by their continuing enrollment and participation in activities and events.

## Germanna Community College Access

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Germanna is committed to the full and total inclusion of all individuals and is dedicated to the principle of individual empowerment. To this end, services are provided to ensure equal access to all aspects of the college experience for students with disabilities through the most appropriate accommodations. Services are provided based on each student's individual needs.

Services are available to students who self-identify and provide appropriate documentation of their disability. Through accommodations and other support services on campus, Germanna strives to provide a quality experience for all qualified students with disabilities. All services are provided at no charge.

Students who feel they have been denied equal access to all programs and services offered by the College may refer to the Grievance Procedure for Students with Disabilities.

### **Grievance Procedure for Students with Disabilities:**

A student with a documented disability shall have an internal means of resolving any claim of discrimination on the basis of disability in the programs or activities of the College.

Any student with a documented disability who has requested reasonable accommodations through the Special Needs Counselor and feels that accommodations provided were inappropriate or that they have been denied access to programs and services offered by the College may submit a written statement to the ADA Compliance Coordinator within 20 business days of the alleged violation. The ADA Compliance Coordinator is located in the Counseling Center at the Locust Grove Campus.

At level one of the grievance, the ADA Compliance Coordinator may choose to resolve the complaint informally by consulting with the appropriate instructor, Dean of Student Services, Special Needs Counselor, and/or the Dean of Instruction. If the ADA Compliance Coordinator is unable to resolve the grievance at level one, he/she may submit the student's grievance to the Vice President of Academic

Services. The ADA Compliance Coordinator has ten business days to respond in writing to inform the student of the resolution of the grievance at the first level or to inform the student the grievance has been referred to the Vice President of Academic Services.

At the second level, Vice President of Academic Services shall investigate complaints submitted by the ADA Compliance Coordinator and shall respond in writing to the student within 10 business days. During the investigation, accommodations will be provided to the student based on the recommendation of the Special Needs Counselor. The student has five business days to appeal the committee's decision in writing to the President of the College, which is the third and final level of the internal grievance process.

The President will issue a written decision within ten business days of receipt of the appeal letter from the student. Decisions of the President are final and any further appeal must be pursued through external channels.

Appeals processed through this policy cannot be heard under any general grievance procedure.

At any level, both parties may request an extension of time in writing. Both parties must agree to the extension. The ADA Compliance Coordinator shall maintain records of all grievance proceedings and inform all persons involved of the results within ten days of the President's decision.

**Procedures for Employees:** Discrimination on the basis of disability is a violation of the Americans With Disability Act of 1991, as well as the State's Standards of Conduct as set forth the Department of Human Resources Policy Manual, and is specifically addressed in Policy 2.05. Employees may seek resolution of discrimination issues through the State's Employees' Discrimination Complaint Procedures (administered by the Department of Human Resource Management's Office of Equal Employment Services), utilize the Grievance Procedure for State Employees (if eligible to do so), or file a complaint with the U.S. Equal Employment Opportunity Commission.

Employees may also seek resolution of discrimination issues through the aforementioned internal process.



