

## ***Student and Campus Policies***

### **Non-Discrimination Policy**

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BRCC supports the *Civil Rights Act of 1964*; Executive Order #11246, Title IX of the *Educational Amendments of 1972*; Section 504 of the *Rehabilitation Act of 1973*; and the *Americans with Disabilities Act*. No person shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity of the College on the basis of age, race, religion, color, sex, national origin, or disability. Any student who has a grievance related to discrimination should contact the Vice Chancellor for Student Affairs or the Dean of Students.

### **Student Code of Conduct**

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BRCC is a community of individuals engaged in the task of learning and the advancement of knowledge. Acceptance of admission to the College carries with it an obligation to the welfare of the community. Freedom to learn can be preserved only through respect for the rights of others, for the free expression of ideas, and for the law.

All individuals and/or groups of the College community are expected to speak and act with scrupulous respect for the human dignity of others, both within the classroom and outside it, as well as at social and recreation activities.

BRCC will not tolerate any form of harassment or intimidations, including, but not limited to sexual, racial, religious, age, or other forms of discrimination. Nor will it tolerate acts of hazing against individuals or groups solely because they express different points of view. The College encourages the free exchange of ideas and opinions, but insists that the free expression of views must be made with respect for human dignity and freedom of others.

By accepting admission to BRCC, a student accepts the responsibility to conform to all regulations that the College has established. Any student who fails to meet this responsibility shall be subject to disciplinary sanction, including, but not limited to, the imposition of reasonable fines, warning, probation, suspension, or expulsion.

The Office of Student Affairs makes reasonable efforts to make student regulations available, however, students are responsible for becoming familiar with such regulations and are held accountable for misconduct, even in the absence of their awareness or familiarity with those regulations.

### ***Student Rights***

BRCC students have the following rights:

1. The right to be heard in matters that affect their rights and responsibilities.
2. The right to expect a quality education.
3. The right to develop their potential to the best of their ability.
4. The right to examine and discuss issues of importance, legally support popular/unpopular causes in an orderly manner, and recommend improvements in policies, regulations, and

procedures affecting the welfare of students. It is critical that students understand they do *not* have the right to disrupt college operations or interfere with the rights of others. Students are encouraged to exercise this right through the use of appropriate channels provided by the S.G.A. and campus officials. To obtain a permit for holding a peaceful demonstration, a student (or group of students) must first complete a *Student Activity Request Form* and submit it to SPAR at least 72 hours prior to the event. The location must be approved by the Vice Chancellor of Student Affairs or Dean of Student Services.

5. The right to a fair hearing and appeal when disciplinary action is applied to them as an individual or a member of a group.
6. The right to “freedom of the press” in student publications and communications. Individual students and student clubs/organizations have the right to publish, distribute, and broadcast items to the college community, provided that the materials are identified with the name of the student and/or club or organization. All publications/broadcasts should adhere to the canons of responsible journalism, including avoidance of defamation, indecency/obscenity, undocumented allegations, plagiarism, and harassment. All publications must be approved by the SPAR office prior to distribution.
7. The right to form and participate in student clubs/organizations that provide educational and social enrichment. Student clubs/organizations duly registered with SPAR are allowed to meet in rooms and spaces located on the college campus, provided that reservations are made prior to each meeting and the meeting proceeds in accordance with established rules and regulations. Students, clubs/organizations, or student groups may not make room/space reservations at BRCC in their names for use by outside groups/organizations.
8. Student clubs/organizations registered with SPAR have the right to invite a speaker to their meeting at the college. If there is clear evidence that the event could disrupt the orderly operation of the college, the Vice Chancellor for Student Affairs has the right to cancel a speaker’s invitation. The sponsoring organization will be notified of any such cancellation at the earliest possible time.
9. The right to confidentiality with regard to their student academic records, as subject to existing law. Official records kept at BRCC do not indicate political affiliations, activities, or beliefs and are not available to unauthorized persons within or outside the institution without the express written, legal consent of the student involved.
10. The right to due process when accused of any violation(s) of the regulations of the BRCC Student Code of Conduct. Due process is based on Student Life Policies and administrative procedures. For violations resulting in suspension/expulsion, students have the right to:
  - a) a notice, in writing, of any charges.
  - b) admit to the alleged violation, waive an appeal, and accept the college’s action(s).
  - c) admit to the alleged violation and request an appeal.
  - d) deny that the alleged violation occurred and request an appeal.
  - e) a fair appeal heard before an impartial committee.
  - f) appear in person, or not appear at an appeal with the assurance that failure to do so is not an admission of guilt.
  - g) select an advisor who will attend the appeal along with the student.
  - h) call witnesses and present evidence.
  - i) receive a list of witnesses who are to testify against the accused student.
  - j) confront and cross-examine witnesses and/or accusers.
  - k) request a copy of any records or tape recordings used during the course of an appeal if the offense involves possible suspension/expulsion.

- l) appeal to the Vice Chancellor for Student Affairs; and if no resolution occurs, directly to the Chancellor of the College.

### **Prohibited Conduct**

It is the basic and fundamental responsibility of the college to maintain order using defined policies and procedures. The filing of a BRCC Application for Admission is regarded as an applicant's intention to abide by the standards and regulations set forth by BRCC. A student forfeits the right to remain enrolled if he/she fails to abide by these rules.

The following activities listed below are some examples of behavior that is unacceptable and not in keeping with the educational aims, mission, and philosophy of BRCC; thus, such behavior will subject a student to disciplinary action. *This list is not meant to be comprehensive*: additional rules or regulations can be enacted during the year as set forth by the established procedures of the college.

### **Prohibited Behaviors**

1. Plagiarism, cheating, academic dishonesty, or other forms of dishonesty in the College-related affairs.
2. Forgery, alteration, destruction, or misuse of College documents, forms, records, or other College property.
3. Firearms, explosives, fireworks, or weapons of any kind are strictly prohibited on or near the college campus or at college-sponsored events except when previously authorized.
4. The manufacture, distribution, sale, possession, or use of alcoholic beverages, marijuana, controlled substances, or dangerous drugs, as well as being under the influence of narcotics or drugs (except as required for verifiable medical reasons permitted by law and use poses no danger to the college community) while on College property or near campus or at College-sponsored, approved, or supervised activities.
5. Any form of verbal or physical abuse of any member or visitor of the College community, or conduct which threatens or endangers the health or safety of any such person.
6. Disorderly, lewd, indecent, or obscene conduct, expressions, or acts which interfere with or adversely affect the normal functioning of the College, or which injures or endangers the welfare of any member of the College community or visitor on College-owned/controlled property or at College-approved/supervised functions.
7. Any extreme, unusual, distracting, or disturbing appearance which disrupts the learning environment.
8. Unauthorized possession or use of keys to College facilities, including buildings, offices, desks, files, or equipment.
9. Violation of properly constituted rules and regulations governing the use of motor vehicles on College owned or controlled property, including theft, sale, possession, and/or display of a lost, stolen or unauthorized parking decal.
10. Behavior that constitutes vandalism, misuse, or destruction to property that the College owns, controls, or uses.
11. Theft of services/property from the College, a member of the College community, or of a campus visitor, to include the possession, sale, or attempted sales of said services/property.
12. Assembling on campus for the purpose of rioting or instigating disorderly, disruptive conduct that interferes with the educational processes of the college (BRCC recognizes the right to peacefully assemble).
13. Gambling while on campus.

14. Failure to respond to a request to report to a College administrative office or to comply with directions of College officials acting in the performance of their duties.
15. Violation of College policies and regulations as stipulated in this and other official College publications, or as promulgated and announced by authorized personnel.
16. Unauthorized entry into or damage to any college facility.
17. Unauthorized use of computer account(s), computer data files and/or computer facilities.
18. Submitting false, forged, or fraudulent documents, forms, reports, transcripts, records, certificates, tests, identification, legal, and/or written statements; making false statements to a College official; and/or misrepresenting eligibility, qualification, status, achievement, and/or standing to or within the College.
19. Falsification, alteration, fabrication, or misuse of college forms, documents, records, identification cards, or documents that are submitted to the college for official/unofficial purposes.
20. Clubs/organizations that are not properly registered with SPAR are prohibited from meeting or conducting business anywhere on campus.
21. Distribution of unauthorized literature, handbills, posters, or other printed matter. Publications that do not bear the name of the originator or do not adhere to BRCC publication standards cannot be distributed on the BRCC campus. Prior approval must be granted from the SPAR office for any material distributed.
22. Defrauding, deceiving, coercing, or misleading an instructor into assigning other than an honest grade.
23. Participation in hazing, bullying, acts which are degrading or injurious, or acts in which another is held against his or her will. **Hazing** is considered to be any abusive rites used to initiate pledges (or new members) that are to be inducted into a club/organization.
24. The unauthorized use of college property/services.
25. Obstruction, disruption, or unauthorized interruption of teaching, research, administration, disciplinary procedures, or other College activities (including its public service function) or of other authorized activities on College premises.
26. The viewing or public display of pornography on College property; at College-sponsored, approved, or supervised activities; or while using BRCC equipment off-campus.
27. **Sexual harassment**, defined as unwelcomed sexual encouragement, requests for sexual favors, and/or other verbal/physical conduct of sexual temperament when
  - a. submission to such conduct is made, whether explicitly or implicitly, a term or condition of employment or academic evaluation;
  - b. submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic evaluations affecting an individual; and/or
  - c. such conduct has the purpose or effect of substantially interfering with one's work or academic performance, or of creating an intimidating, hostile, or offensive working/learning environment.
28. **Stalking**, which is defined as repeatedly contacting another person without a legitimate purpose when
  - a. the contacting person knows or should know that the contact is unwanted by the other person
  - b. it is reasonable for the other person in that situation to have been alarmed or coerced by the contact (As used in this subsection, "contacting" includes, but is not limited to, coming into the visual or physical presence of the other person, following another person, and sending written communication of any form to the other person, either by themselves or through a third party).

29. Any verbal or physical conduct by an individual based on another individual's age, ability, national origin, race, marital status, religion, sex, or sexual orientation that interferes with or prevents the person from conducting his or her customary or usual affairs, puts the person in reasonable fear of his or her safety, or causes the person to suffer actual physical injury.
30. Conduct less than a physical attack or interference with a person, such as hazing or threatening action, which is intended to subject another person to offensive physical contact, physical injury, or property damage, such as making threatening phone calls, sending or posting (electronically or otherwise) threatening letters, or the vandalism or misappropriation of a person's property.
31. Tampering with the election of any student organization or group.
32. Sexual assault, which includes, but is not limited to:
  - a. Rape
  - b. Sexual misconduct
  - c. Unwanted sexual contact of any kind or threat of such contact. Sexual contact shall be considered **unwelcomed** or without consent if no clear consent is freely given; if such contact is inflicted through force, threat of force, or coercion; or if inflicted upon a person who is unconscious or otherwise lacks the physical or mental capacity to consent. If sexual contact is inflicted on someone who is intoxicated or impaired in the exercise of their judgment by alcohol or drugs, it will be considered without consent.
33. Smoking in unauthorized areas.
34. **Public indecency**, defined as exposing one's genitals while in a public place or a place visible from a public place on College-owned or College-controlled property.
35. Violation, or alleged violation, of any federal or state law, city or local ordinance, or College security when such violation interferes with or is detrimental to the mission of the College, or interferes with other students' legitimate educational activities and interests.
36. Conviction of a felony or misdemeanor under circumstances where it is reasonable to conclude that the presence of the person at the College would constitute a danger to health, personal safety, or property; or where the offense occurred on College-owned or College controlled property or at College-sponsored or College-supervised activities.
37. Abuse of the College judicial program as outlined in this code including, but not limited to:
  - a. Falsification, distortion, or misrepresentation of information before any judicial body
  - b. Knowingly initiating any judicial proceedings without cause
  - c. Attempting to discourage an individual's participation in, or use of, any judicial system
  - d. Influencing or attempting to influence another person to commit an abuse of any judicial system.
38. Any unlawful distribution of copyrighted material, including peer-to-peer file sharing.

### ***Group Regulations of Conduct***

In addition to the requirement that each student member abide by the *Student Regulations of Conduct*, student clubs, groups, and organization are responsible for conducting their affairs in a manner that reflects favorably upon themselves and the College. Such responsibilities include:

1. Compliance with campus regulations
2. Taking reasonable steps, as a group, to prevent violations of law or campus regulations by its members.
3. A willingness to individually address those members of the group whose behavior reflects unfavorably upon the group or upon the College.

Failure to accept the responsibilities of group membership may subject the organization to temporary or permanent withdrawal of College recognition and/or support, social probation, denial of use of College facilities, or other appropriate action.

The Dean of Student Services has responsibility of initiating and expediting disciplinary action in group offense cases. In order to ensure the safety of persons and property and to prevent any disruption of the educational and service functions of the campus, all assemblies, demonstrations, marches, rallies, or other events on the campus must be registered with and approved by the Dean of Students.

Sponsoring groups or organizations and their officers/moderator(s) will be responsible for the conduct of such events, including arrangements for adequate safeguards. In the case of individual students not acting in the name of an organization, the student(s) registering and/or organizing the event will be held primarily responsible for the activities of the event and for the behavior of participants. Additionally, individual students will bear responsibility for their own behavior.

### ***Additional Rules of Conduct***

1. In certain technical labs, student dress is required to meet all safety codes/ standards.
2. Telephone and mail service are not available to students. Students should never use the college address as a home or mailing address.
3. Students who have an emergency that involves critical illness or the death of a family member should call the BRCC main phone line, (225) 216-8000. The Office of Public Safety should be contacted for on-campus emergencies by dialing (225) 216-8888 (6-8888 from a campus line). Students can also use the red emergency phones located in strategic areas around campus.
4. Food, drinks, and children are not allowed in the academic class rooms. Students, faculty, and staff may bring food/beverages into the lobbies, halls, and designated areas in each building.
5. All electronic devices should be turned off and placed under the desk, along with any books before and during classes.

### ***Judicial Proceedings***

BRCC's Judicial System helps govern the College community by regulating student behavior and enforcing the Student Code of Conduct in a manner consistent with the Mission of the College and with the principles of due process of law applicable to colleges and universities.

The Office of Student Affairs has administrative responsibility for the Judicial System on campus. The system consists of a Disciplinary Committee and an Appeals Board. The Appeals Board hears appeals from the College Disciplinary Committee.

Students accused of violating the Student Code of Conduct are guaranteed due process through a prescribed set of administrative procedures. Violations of the code are adjudicated in an informal appeal, or an appeal hearing conducted by an academic dean or the Dean of Students.

An informal hearing is a meeting between the accuser, the accused, and the academic dean or the Dean of Students, who conducts a hearing whenever the involved parties voluntarily agree to attempt resolution of a complaint. The hearing may result in the accused student receiving sanctions or disciplinary action. If a resolution is not agreed upon, the case is referred to the Vice Chancellor for Student Affairs, who makes a final determination.

### **The Disciplinary Committee and Administrative Hearings**

Every student accused of violating the Standards of Conduct has the right to a hearing before the Disciplinary Committee. In reviewing student grievances relating to academic matters and all other issues, the Dean of Students will first attempt to resolve disputes through a process of conciliation of parties involved rather than through a process of assertion of legal rights. However, if the grievance cannot be solved through conciliation, the Disciplinary Committee will be called to hear conduct proceeding on hearing the case.

The Disciplinary Committee consists of two professional staff members, one faculty member, and one student. One of the professional staff member acts as chair of the committee. All proceedings are tape recorded, except for executive sessions. Once the committee reaches a decision, it is forwarded to the Dean of Students with a recommendation for sanctions.

Whenever the Disciplinary Committee cannot be convened (e.g., during vacation periods, in emergency situations which may arise during the school year, or whenever a student's behavior or activity endangers the safety of the College community or others), the Dean of Students may choose to hear a disciplinary problem in an **administrative hearing**. The administrative hearing will usually consist of the Dean of Students, the student (who may be accompanied by an on campus adviser), and may include the person bringing the charge(s), and Chairperson/Dean of the Academic Department.

A student charged with a violation of the Standards of Behavior may waive his or her right to a hearing before the Disciplinary Committee and request an administrative hearing before the Dean of Students. In this circumstance, administrative hearings are only conducted when the following conditions are met:

- The Dean of Students agrees to hear the case.
- The student, the person bringing the charge(s), and the Chair/Dean of the department agree to adhere to whatever sanction may be imposed.

When administrative hearings are called, the Dean of Students shall meet with the person bringing the charges and the student defendant, separately and/or jointly, to discuss the charges/allegations and receive evidence to be considered in the hearing. After the meeting with the parties involved and reviewing the evidence, the Dean of Students will decide that the charges are either invalid or valid. If the charges are valid, the Dean of Students may impose appropriate disciplinary sanctions.

Any decision reached as a result of an administrative hearing can be appealed to the Disciplinary Committee. However, sanctions against the student will remain intact until an appeal is requested, heard, and settled.

Prior to, during, and following any hearing committee or administrative hearing, all communications and evidence is kept strictly confidential by all parties involved.

### **Judicial Procedures**

Violations may be reported to the Dean of Students by faculty and students for consideration and referral of such matters to appropriate disciplinary channels. The College distinguishes its responsibility for student conduct which is in violation of law as cases of separate jurisdiction. However, when a student or a group of students stands in violation of law, they may also be subject to College disciplinary action.

The Dean of Students shall ensure that the best interests of the alleged offender are secured by making use of appropriate counseling, professional services, and administrative offices. In those cases of student conduct involving psychological or mental disturbance or other unusual circumstances, the Dean of Students may take other actions before holding judicial proceedings. If initial information indicates that an offense has occurred, the following procedures shall be initiated:

1. The Dean of Students will conduct an investigation of the alleged offense and ascertain all pertinent facts. In the course of the investigation, the student will be advised of the investigation's purpose and invited to assist in its resolution. The student will be afforded an opportunity to state his or her case informally, or present information in support of his or her position, including any mitigating circumstances.
2. If it is determined that original jurisdiction should rest with other administrative units, the case may then be referred directly for investigation.
3. If it is determined that disciplinary action should be taken, the student shall be advised in writing of the charges against him or her and afforded an opportunity to offer information that might be relevant to the necessity and extent of disciplinary action.

### **Procedural Due Process Principles**

Baton Rouge Community College, in exercising its disciplinary power, is committed to the principle of procedural due process. Procedural due process requires that a disciplinary procedure be established for determining the guilt or innocence of all students charged with specific conduct violations and that the procedure meet the test of fairness and reasonableness.

In all disciplinary matters referred to the Disciplinary Committee, the accused shall have the following rights:

- To be given notice in writing of the specific charge or charge(s).
- To be allowed adequate time in which to prepare a defense against such charge(s). This is normally interpreted to be at least 72 hours from the time of notification of the charge(s). Circumstances can justify a shorter period.
- To have the charge(s) considered by the Disciplinary Committee, and to be allowed to waive this right and instead accept the judgment of the Dean of Students.
- To be given information on the nature of the evidence on which the charge(s) is based. If written or video documents are to be introduced as evidence, the student has the right to receive copies of the documents at least 72 hours before the hearing. The student is also entitled to receive a list of all the witnesses who will testify against him or her. If, however, the student wishes to cross-examine any College witnesses, he or she must submit a written request containing the names of the witnesses to the Dean of Students.
- To have a separate hearing before the Disciplinary Committee, when two or more students are charged with the same circumstances. In such circumstances, one or more of the students may make written request for a separate hearing. The decision on a separate hearing will be made by the committee chair based on the merits of each situation. Thus, the written request should show why a separate hearing will help ensure a fair and reasonable due process hearing.
- To be presumed innocent until proven guilty, and to have the Disciplinary Committee decide guilt solely on the basis of clear and convincing evidence presented during the hearing, with the College (or other accuser, if applicable) bearing the burden of proof.

- To retain all rights as a College student while the charges are being considered and, if found guilty, until all rights of appeal have been exhausted as established in this code.
- To request assistance from the Dean of Students in bringing a student or College employee before the Disciplinary Committee to serve as witnesses on his or her behalf. The student will be actively encouraged to bring witnesses to appear; however, it should be understood that the College officials do not have subpoena power.
- To give written authorization to the Dean of Students to release information relating to the charge to the person(s) chosen by the student to serve as an adviser. Such information is to be used only in assisting the student in preparing a defense.
- To appeal the decisions/recommendations of the Disciplinary Committee or administrative officer who hears the case.

During a hearing, the accused student shall have the following rights:

- To appear, alone or with a person of the student's choice to advise and assist the student during the hearing. Acceptable persons chosen to advise or assist the student include a friend or an instructor. The chair of the Disciplinary Committee will recognize the person chosen to advise or assist the student as an adviser but will not permit the adviser to participate as a agent of the student. The student may request additional advisers by writing to the chair of the Disciplinary Committee through the Dean of Students. The request should include an outline of the reasons additional advisers are needed. Such requests should reach the committee chair at least 48 hours prior to the hearing. A prompt decision shall be made on all such requests.
- To request, with just cause, that a member to the Disciplinary Committee be excluded from the panel. Such a request must be made immediately after the introduction of the committee members and should take the form of a request to the chair. The chair will excuse the member of the Committee while the student presents reason justifying the request.
- To present evidence in his or her defense.
- To refuse to testify or answer questions if the testimony or answer would tend to establish that the student committed a violation of the Standards of Behavior or a violation of state or federal law.
- To confront the individual(s) bringing the charge(s), with the opportunity to conduct reasonable cross-examination of said individual(s).
- To have the opportunity to conduct a reasonable cross-examination of witnesses who appear at the hearing and give testimony against the student. Depositions, statements, previously submitted memoranda, letters, and any other written materials may be introduced by the accused at a hearing even though the writer is not present. The committee members may attach whatever significance to these written documents they deem appropriate.
- To have evidence of prior Standards of Behavior violations and/or convictions excluded during the hearing. If a student is found guilty, however, such evidence shall be admitted when the Disciplinary Committee deliberates the imposition of sanctions.

A student who is found guilty shall have the following rights:

- To have sanctions imposed that is commensurate with the violation charge.
- To retain all rights as a College student until appeal procedures, as established in the Student Code of Conduct, have been exhausted.
- To have a summary of the hearing decision as prepared for the Dean of Students, and any recorded copy of the hearing (with the exception of executive sessions to deliberate procedural

matters of the student's innocence or guilt and the sanctions to be imposed). The hearing decision summary and any related documentation will be provided free of cost to the student; copies of any recordings of the hearing will be provided at the student's expense.

### **Appeal Procedures for Administrative Sanctions**

When sanctions or other administrative actions are instituted, the student shall be informed in writing. The student shall be notified in writing of the fault or grievance for which he or she is subject to judicial processes and informed of the right to have the allegations and imposed sanctions/actions come before the Disciplinary Committee. Such notice shall be given in ample time to prepare a defense.

The student has five calendar days from notification to request a hearing. Such a hearing must commence no less than 10 calendar days from the date of request.

The Disciplinary Committee may:

- Affirm the action.
- Reduce or modify the action.
- Dismiss the charges if determination is made that action was taken on grounds not supported by substantial evidence.
- Return case to its original/previous jurisdiction for further consideration.

One is assumed innocent until proven guilty. The burden of proof must rest upon member of the academic community bringing the charge. Sufficient evidence must be presented to sustain the burden of proof so that a reasonable mind might draw an adequate conclusion. Any decision must be based solely on the evidence introduced during the proceedings.

The principals in a hearing must be present and may be represented by advisor(s) of their choice. One who is found culpable of the allegations, either through his or her own admission or by a decision of the Disciplinary Committee, has the right to establish mitigating circumstances through his or her testimony or that of a competent witness.

In the absence of a transcript, there should be a tape recording of the hearing. The record is to be preserved by the Dean of Students until final disposition of the case. In the interests of confidentiality, all administrative or appellate hearings are closed to the general public.

The Disciplinary Committee shall establish its own internal operating procedures consistent with due process.

The appellate decision of the Disciplinary Committee shall be final. The student may, however, appeal the decision of the Disciplinary Committee to the Chancellor within five calendar days of notification of Disciplinary Committee action when there is:

- A question concerning procedural due process, and/or
- A desire on the part of the student to introduce new information.

After the review, the student will be informed of the final decision no later than ten (10) school days after the decision. The grievant shall have ten (10) days after receipt of the written disposition from the Chancellor to appeal the disposition to the Louisiana Community and Technical College System (LTCTS) Board of Supervisors through the Chancellor via certified mail.

If a student chooses to appeal to LTCTS Board, the appeal must be within 10 calendar days of the institution's decision. The system staff shall then review the due-process proceedings followed by the institution's and submit recommendations to LCTCS Board.

### **Substantive Due Process Principles**

The College, in exercising its disciplinary power, is committed to the principle of substantive due process protection for its students. Substantive due process requires that all College regulations, rules and policies governing student conduct and discipline must be set forth in properly promulgated documents. Substantive due process also requires that regulations affecting the conduct of students and sanctions for misconduct by students shall be based on the general principle of equal treatment, including like sanctions for like violations, without regard to sex, race, color, religion, age, national origin, handicap, marital status or veteran status.

The Student Code of Conduct is the basic policy statements of the College governing student conduct and student discipline. Operating units of the College, e.g., academic divisions, academic departments, and library may also establish and promulgate behavioral standards for students as long as they are not inconsistent with the provisions of the Code. Under circumstances in which there is an allegation of misconduct which is a violation of conduct standards of operating units and also a violation of the Student Code of Conduct, the determination of innocence or guilt must be made using the process established by the Student Code of Conduct. A determination of guilt on the basis of the Code does not preclude the application of sanctions under departmental regulations. Under no circumstances, however, may departmental sanctions be imposed in lieu of sanctions applied in proceedings under the Code.

Consistent with the principle of substantive due process, no College disciplinary sanction shall be imposed upon a student except in accordance with the provisions of these standards. A student accused of violating a College regulation, including regulations of operating departments, shall always have the right to require that the accusation be considered in accordance with the provisions of these standards and that any sanction imposed is consistent with the provisions of these standards. This does not mean that a student may voluntarily accept departmental discipline.

Students who have reason to believe that they are being unjustly accused and/or disciplined, or threatened with discipline, by a College employee without the full protection offered by the Student Code of Conduct should immediately seek advice and counsel on their rights under the standards published in the College Catalog.

### **Role of the Dean of Students**

In order to maintain an academic community where the rights of all are assured, it is necessary that violations and grievances be cleared up or resolved on the level at which they occur.

The functions of the Dean of Students in cases involving violations and grievances are:

- To counsel the person to talk to the one against whom the grievance is made if he or she has not already done so.
- To serve as an arbitrator who facilitates hearings of the parties involved, enabling said parties to come to a resolution of the dispute voluntarily.

- To initiate the proper procedures in cases where no agreement is forthcoming in process of arbitration.
- To advise the person in writing of alleged violation or grievance of which he or she is accused and to advise the parties involved of their rights under due process. When necessary, to initiate the procedures in cases of appeal and to serve in a moderating capacity for those proceedings.
- To assist the student in any appropriate way both during and following the investigation and the hearing.
- To assist the student in the preparation of an appeal.
- To assist the student in carrying out the terms of the penalty and in applying for a return to good standing.
- To maintain all records and transcripts of hearings until such time as they are no longer pertinent.

### ***Possible Disciplinary Sanctions***

Disciplinary sanctions are intended as corrective measures for growth and development of the individual involved, as well as a deterrent to future violations of academic or other misconduct. It is the position of the academic community at BRCC that corrective measures can contribute to the educational process by giving students an opportunity to realize and consider the harm certain actions and behaviors may cause to themselves and their community.

Disciplinary sanctions are imposed according to the gravity of the offense. Violations of the terms of any sanction may subject the offender to more severe action.

- **Admonition:** an oral caution or reprimand to the student offender that he or she has violated College regulations.
- **Formal Warning:** an official written reprimand, warning, or notice to the student indicating that certain behavior is unacceptable, and that improvement is expected or additional disciplinary action (specified or in general) will be taken.
- **Educational Sanctions:** required participation in community/public service, selected educational programs, and/or the completion of a research project. The student is responsible for the payment of any fees related to the extra programs or research project.
- **General Sanctions:** Any appropriate action whereby the sanction imposed is related to the offense but does not include probation, suspension, or expulsion. The action may include loss of privileges, inability to participate or hold office in student organizations, loss of scholarship money, or any other sanction that the Dean of Students approves.
- **Probation:** a period of restriction whereby the student remains enrolled in the College, but under the stated conditions as outlined in the notification of probation, for the duration of the period. Disciplinary probation can involve exclusion from privileges and specific/all extracurricular activities.
- **Fine:** a payment as penalty for violating College regulations or standards of academic/student conduct.
- **Restitution:** an order to provide compensation or reimbursement for damage to property, and/or appropriate corrective action for a grievance caused to a member of the academic community.
- **Ejection:** the removal of a student from a particular course or other educational program for the term. A student may also be **barred** from any further participation in certain

educational/academic activities. Students who are ejected from a course may either have that course purged from their records or be assigned a grade, as individual circumstances warrant and as approved by the Dean of Students.

- **Forfeiture of Academic Credit:** certain actions of academic or other misconduct may warrant the forfeiture of any academic credit awarded, particularly if the credit was earned in a manner inconsistent with standards of academic integrity. *Forfeiture of Academic Credit due to violations of academic integrity may become part of a student's permanent academic record, as circumstances warrant.*
- **Suspension:** a fixed period of time during which the student is physically separated from the College and must leave campus. Students with disciplinary suspensions cannot return to campus and cannot use College facilities for the duration of the suspension. *Disciplinary suspensions become part of a student's permanent academic and personal records.* All students who have been suspended from the College for disciplinary reasons must be cleared for readmission by the Dean of Students.
- **Expulsion** - termination of student status and permanent dismissal from the college. Students who are expelled from BRCC cannot be readmitted, cannot return to campus, and cannot use College facilities/resources. *Expulsion becomes part of a student's permanent academic and personal records.*

A student (or student club/organization) facing disciplinary action may receive temporary sanctions from the Dean of Students, such as provisional non-disciplinary suspension pending the final disposition of the case, which may be imposed to maintain the orderly operation of the college.

### ***Lines of Authority Regarding Student Conduct***

The authority over student behavior, academic and non-academic, whether involving individuals or groups, rests with the Louisiana Community and Technical System Board of Supervisors and is delegated by them to the Chancellor of the College. The Chancellor delegates his or her authority as follows:

For all academic activities, the authority for control rests with the Vice Chancellor of Academic Affairs. The Vice Chancellor of Academic Affairs delegates his or her authority to the appropriate academic Deans, department chairs, and other academic personnel.

In all other areas, the Chancellor of the College delegates authority in matters of conduct to the Vice Chancellor of Student Affairs and to the Dean of Students. The Dean of Students is responsible for formulating appropriate procedures and regulations concerning student conduct and discipline.

A Board of Disciplinary Review receives its authority from the academic community through the Dean of Students. The board is impaneled to review administrative decision and/or sanctions related to discipline, grievance, and/or judicial process. The Disciplinary Board of Review shall be called to hear any appeal and/or sanctions arrived at through proper administrative channels.

All individuals involved with disciplinary matters have a primary responsibility at each level for ensuring that all members of the College community are treated fairly and justly.

## **Student Grievance Policy**

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A sincere attempt shall be made to resolve any grievance by scheduling a meeting between the grievant and the appropriate College personnel (or student, if applicable). If the grievance involves discrimination on the basis of sex, race, or handicap, then the grievant shall go to the coordinator for Title IX, Title VI, and Section 504 for an oral discussion of the grievance. If the grievance involves a student and instructor, an oral discussion shall be arranged between the student and instructor. If this informal procedure offers no solution, then the student shall request and receive an appointment with the appropriate departmental Dean. If the matter is still not resolved, then the student shall request and receive an appointment with the Dean of Students. If the grievance is not resolved at this level, then and only then can formal proceedings be initiated.

### ***Formal Procedure for Grievances***

All formal procedures shall be initiated by a written grievance presented to the Dean of Students within five school days following the end of the informal grievance proceeding. Each formal statement must contain the following:

- a statement of the facts
- the specific policy or policies violated or a general statement that is in contention (where applicable)
- the names of all parties to be present as witnesses or representatives of the aggrieved party

All grievances thus formally initiated must bear the signature of the aggrieved party; no evidence shall be introduced other than evidence relevant to the facts and issues formally presented and contained in the written application for formal hearing.

All formal grievances will follow the outline for judicial proceedings as identified in the section on Student Code of Conduct.

## **BRCC Computer Use Policy**

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Users of BRCC's Open Computer Labs and the College's computer system must adhere to state and federal laws which refer to computer fraud, software piracy, etc., and must not:

- Use BRCC Computers for any dishonest or unethical purpose (including violations of academic integrity standards).
- Disrupt/destroy computer facilities or equipment.
- Violate licenses and copyright agreements, BRCC policies, and state/federal laws.
- Visit pornographic sites or display pornographic material.
- Damage/steal College-owned equipment or software.
- Create or display false system messages.
- Purposefully cause system slow-downs or render a system inoperable.
- Gain or attempt to gain access to an account without proper authorization.
- Introduce virus, worms, or other malicious software into any system.

The Computer Systems Protection Act outlaws certain accesses, alterations, damages, or destruction of a computer systems, computer networks, or computer software/data.

BRCC adheres to EDUCOM copyright policies. Most software used on BRCC computers is covered by copyright, license, or non-disclosure agreements. For committing the violations listed below, offending students may be assessed civil penalties in addition to being subjected to disciplinary action. These violations include, but are not limited to:

- Making copies of copyrighted/licensed software without first obtaining proper authorization
- Using software in violation of copyright, license, or non-disclosure agreements
- Using college computers for unauthorized private or commercial purposes.

### ***On-campus Internet Usage***

It is acceptable to use the Internet for research and educational objectives. Access to the Internet does not provide automatic access to any system connected to the Internet. Unauthorized access will result in termination of Internet Access privileges.

### ***Social Media/Blogging Policy***

Student of BRCC are expected to demonstrate courtesy, civility, and respect when interacting with fellow students and College faculty/staff through online and electronic communication. Students should adhere to the Student Code of Conduct when utilizing social media and online environments such as weblogs (blogs), Facebook, MySpace, Twitter, Second Life, YouTube, or any new/emerging online environments, particularly when accessed or created using a BRCC EMail account.

## **Display of Non-College Publications**

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BRCC is a “free marketplace of ideas” that guarantees the display of non-college publications on campus. The following procedure on the display of non-College publications assists BRCC in managing their display and distribution. BRCC does not approve, disapprove, support, or fail to support the content of such publications.

1. An Agreement for Display of Non-college Publications must be completed and filed in the SPAR office. Agreements are renewed annually; however BRCC can cancel an agreement at any time by issuing a two-week notice to the vendor.
2. SPAR assigns display locations, made solely at the discretion of BRCC.
3. Display racks must be provided and used by the vendor to display publications. Each publisher must keep its rack(s) clean and in good order. Only current issues should be displayed. Outdated materials are to be removed and discarded.
4. BRCC display racks are for *BRCC Today*, registration information, college forms, etc. and are not to be used for any other purpose.
5. Publications that are primarily used for advertisement are subject to BRCC’s *Sales and Solicitation* policy. The policy must be followed, or the publication will be classified as an advertisement. It will then be removed and discarded, and the agreement with the vendor will be cancelled.

6. BRCC retains the right to modify these regulations, particularly with regard to:
  - a. Removing outdated issues of a publication.
  - b. Changing display locations.
  - c. Canceling agreements.
7. Postings that violate the *Display of Non-college Publications* policy are discarded.

## **Sales and Solicitation**

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BRCC does not permit the operation of private business enterprises on campus unless the business is under contract to the college. As specified by related procedures, all private business interests on BRCC property are only operated as auxiliaries to the business, and are under the direct management, control, and supervision of the college's chief business officer.

### **Procedures for Students and/or Student Organizations**

Students can place notices of items for sale on the "Campus Advertising Board." Posting of sales notices must first be approved by SPAR. Students can solicit business by advertising in:

- *BRCC Today*
- Auxiliary services (bookstore, food service, vending, etc.)

### **Procedures for non-Students/Businesses**

Business/non-student entities can solicit for the sale of items/services on campus by advertising in:

- *BRCC Today*,
- Auxiliary services (bookstore, food service, vending, etc.)
- Athletic team programs.

Flyers, handbills, and leaflets advertising the sale or solicitation of items, services, or other information cannot be distributed to BRCC faculty, staff, or students without prior approval from SPAR. Placement of literature and solicitations are regulated by the SPAR Office. Signs or posters cannot be displayed on buildings, trees, sidewalks, handrails or grounds unless approved by the SPAR Office.

## **Free Expression Policy**

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BRCC supports free expression as denoted in the *First Amendment of the United States Constitution*. The college makes provisions for the expression of diverse viewpoints in an academic setting, but in no way supports, fails to support, agrees, or disagrees with ideas that are voiced.

The College has designated the location in front of the Bienvenue Student Center as an area set aside for use as a Free Expression Area. The following procedures govern its use.

1. The Free Expression Area is available for use during the following times:
  - a. Monday through Thursday, 11:00 AM - 1:00 PM and 5:30 PM - 7:30 PM
  - b. Friday, 11:00 AM – 1:00 PM
2. Student, academic, and administrative activities are given priority when scheduling events.

3. Individuals and/or groups wishing to use the Free Expression Area must complete and submit a *Free Expression Area Application* to SPAR at least three working days prior to using the area.
4. All applications/publicity must be approved by SPAR. Once approved, SPAR will provide copies of the application form and proposed activity to the Dean of Students, the Director of Public Safety, and the applicant.
5. Individuals using the Free Expression Area should carry a copy of the approved Free Expression Area Application during the time the area is being used.
6. Persons utilizing the Free Expression Area are not allowed to impede the free flow of pedestrian traffic or interfere with the ingress/ egress of individuals moving to and from buildings on campus.
7. Interruption of classes or other college activities is strictly prohibited.
8. Commercial solicitations, campus sales, or fundraising activities are not allowed in the Free Expression Area.
9. The person filing the Free Expression Area Application is responsible for cleaning the area after the event has concluded.
10. The individuals or club/organization using the area must supply the required tables, chairs, etc.
11. Sound amplification devices are not allowed in the area.

## **Student Assemblies**

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Students who need to utilize campus facilities for an event must first reserve the facilities through SPAR. Whenever an activity held in the name of the college includes a speaker, the Dean of Students or the Director of SPAR must officially approve the speaker and coordinate the event with the BRCC Offices of Facility Services and Public Safety.

## **Alcohol and Drug Policy**

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*The Drug Free Schools and Communities Act Amendment of 1989* (Public Law 101-226) requires the college to remit certification to the Department of Education that it has adopted and implemented a program to prevent illicit use of drugs and abuse of alcohol by its students and employees. The program includes:

- Standards of conduct concerning the unlawful possession, use, or distribution of drugs; and the illegal use of alcohol by students and employees on college property or at any college activity.
- A description of the legal sanctions for violating the law.
- A clear statement of the college's sanctions issued for the commission of these types of violations.
- A description of any drug and alcohol counseling, treatment, or rehabilitation services offered at BRCC .
- A description of the health risks associated with the use of illicit drugs and abuse of alcohol.

The information provided in this chapter complies with the requirements of the act.

### ***Statement of Purpose***

Alcohol abuse is a major issue in the community and on college campuses. Use of alcohol or drugs can lead to physical abuse, date rape, auto accidents, violence, health issues and other self-destructive behaviors.

BRCC complies with state, federal, and local laws pertaining to alcohol and enforces underage drinking laws. College policy prohibits the consumption, possession, or distribution of alcoholic beverages, and disciplines individuals under the influence of any controlled substance while on college property or participating in college-sponsored trips or activities.

The use, possession, or distribution of illegal drugs, or being under the influence of a controlled substance is strictly prohibited on college property or while participating in college-sponsored events.

### ***College Sanctions***

Disciplinary actions are taken for the commission of violations pertaining to BRCC's drug policy by any student, faculty, or staff. Depending on the nature of the offense, disciplinary action may take the form of a written reprimand, a suspension, a demotion, a reduction in pay, or termination of affiliation with BRCC. Disciplinary actions for students are issued in accordance to school policies; examples of sanctions are listed within the *Student Code of Conduct*.

### ***Legal Sanctions***

It is unlawful in Louisiana to produce, manufacture, distribute, dispense, or possess illegal drugs. The most common illegal drugs on college campuses are marijuana, opium derivatives, hallucinogens, depressants, cocaine, cocaine derivatives, and amphetamines. The Criminal Code of Louisiana carries specific penalties for the possession and use of illegal drugs. It is also unlawful in Louisiana for anyone under 21 years of age to purchase/possess alcoholic beverages for any reason or anywhere open to the public.

### ***Controlled Dangerous Substances, Schedule I – IV (R.S. 40:981.3)***

It is unlawful to possess, sell, distribute, or manufacture those drugs listed in the relevant Louisiana statute(s). These drugs include, but are not limited to, marijuana, cocaine, "crack" cocaine, methamphetamines, heroine, "rush" LSD, "roofies," and prescription drugs without a valid prescription from a licensed physician. Individuals found guilty of a drug violation are subject to a fine of not less than \$500, imprisonment at hard labor for up to 30 years, or, if found selling illegal drugs on campus, imprisonment at hard labor for up to 45 years.

### ***CADS***

BRCC's Office of Counseling, Advising, and Disability Services (CADS) can provide immediate, short-term personal counseling for students. For long-term or in-depth care, CADS can assist students in locating a local area counseling specialist.

## **Sexual Harassment Policy**

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Harassment, including sexually harassing behavior, is prohibited by the Equal Employment Opportunity Commission, the Office for Civil Rights, and state regulations (R.S. 23:301, 312, 332). Therefore, it is the policy of the Louisiana Community and Technical College System (LCTCS) that unlawful harassment of students is prohibited and strictly forbidden at BRCC. The College's policy complies with the policies set forth by LCTCS.

### ***Definitions***

**Sexual harassment is:**

- sexual conduct of any nature which is unwelcome and not freely or mutually agreed upon by the involved parties;
- sexual communication of a verbal, written, or pictorial nature, which is unwelcome and made with the intent to intimidate; or
- solicitous sexual conduct of any nature that, when submitted to or rejected, is intended to implicitly impose favorable or adverse terms and conditions of employment or academic standing.

Unwelcome sexual advances, requests for sexual favors, and other verbal/physical conduct of a sexual nature may also constitute sexual harassment when:

- Submission to such conduct is made explicitly or implicitly the terms/conditions of an individual's academic good standing, etc.
- Submission to/rejection of such conduct is used as a basis for determining a student's academic good standing, etc.
- The conduct interferes with an individual's academic performance or creates an intimidating, hostile, or offensive environment.

### ***Informal Procedures***

Students who have problems, questions, and/or grievances can discuss these with a BRCC counselor in CADS. Some college officials or faculty members can assist in counseling for sexual harassment problems. Throughout the counseling process, information divulged is held in the strictest confidence and no information is released unless the complainant agrees to inform a third party who can facilitate a solution.

Any students inquiring about a complaint or concern can seek the advice of a BRCC faculty/staff member, and the faculty/staff member can direct or accompany the student to discussions with the appropriate officer, advisor, or counselor. A formal charge is not made by merely discussing the complaint, and no repercussions/reprimands are issued for initiating a complaint. The college is also obliged to protect the rights of a person against whom a complaint is lodged. Efforts are made to resolve issues in a reasonable amount of time.

### ***Formal Procedures***

Anyone who believes that he/she is the object of sexual harassment can initially seek formal resolution by consulting an officer, an advisor, or a counselor. The following is the procedure through which formal

complaints can be lodged against an the accused. The college protects the privacy of the individuals who are involved or named in the complaint as much as possible.

- Formal charges should be brought within a reasonable amount of time, usually 30 working days after the alleged occurrence. Written charges are made by sworn affidavit and signed by the complainant. The accused has the right to review the complaint.
- Preliminary investigation of the allegations is completed by the Dean of Students and/or the Vice Chancellor for Student Affairs.
- The Vice Chancellor for Student Affairs meets with the complainant, the person named in the complaint, and others who may be involved or who can offer information regarding the incident.
- The Dean of Students or the Vice Chancellor for Student Affairs can request affidavits from the person named in the complaint and other parties/ witnesses.
- The Dean of Students or the Vice Chancellor for Student Affairs compiles a report of the findings, with any and all recommendations for resolution of the grievance.
- Internal procedures do not forego subsequent legal actions. The proceedings conducted by BRCC differ from those used in a court of law, and the presence of legal counsel is not permitted during course of the BRCC hearings. The strict rules which govern the presentation of legal evidence do not apply in BRCC hearings.
- A permanent, written record of the formal complaint and the outcome is retained by the Vice Chancellor for Student Affairs.
- During the process, every effort is made to protect the complainant from reprisals and the accused from unwarranted retaliation.

### **Appeal**

To obtain a hearing with the Chancellor, a student must submit a written request within 10 days after the report from the Vice Chancellor for Student Affairs is rendered.

- Once the Chancellor receives a request for a hearing, he/she appoints a chairperson to head the Committee of Review. Two members are also selected for the committee in the following manner:
  - The complainant selects one committee member; and
  - The person named in the complaint selects a member.
- Only full-time, permanent employees can serve on the Committee of Review. The composition of the Committee of Review may include faculty, staff, or a combination of both.
- The Committee of Review thoroughly investigates the complaint of sexual harassment and conducts a hearing. Involved parties are informed of the date and time of the hearing by certified mail, return receipt requested, at least three days prior to the scheduled hearing. An accused faculty member is given notice pursuant to relevant sections of BRCC policies and regulations.
- The hearing is conducted pursuant to procedures established by the Committee of Review and in compliance with the policy.
- The Committee presents its findings, along with any pertinent information, to the Chancellor for further dispensation, which usually takes place within 10 working days after the conclusion of the hearing.
- The Chancellor renders a final decision and notifies the involved parties within a reasonable period of time.

### ***Penalties***

Any person found in violation of the policies and procedures of BRCC is subject to dismissal and/or other sanctions deemed appropriate.

## **Sexual Assault Policy**

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**Sexual assault** is defined as an act of violence in which a person subjects a victim to contact of a sexual nature against the victim's will. The various forms of sexual assault are defined under Louisiana law and include (but may not be limited to) rape, assault to commit rape, sexual battery, aggravated sexual battery, object rape, statutory rape, sodomy, aggravated sodomy, public indecency, and stalking. Sexual assault is illegal and is strictly prohibited on BRCC owned/controlled property.

When a report of sexual assault is made, campus disciplinary proceedings are held in addition to any legal proceedings that may result.

### ***Reporting Procedures***

Students should immediately report incidents of sexual assault to the BRCC Office of Public Safety. The following procedures govern the handling of reported sexual assaults.

1. Upon receipt of a report of sexual assault, the Office of Public Safety will write an incident report and notify the Vice Chancellor for Student Affairs.
2. Students will be assisted in seeking counseling and follow-up medical care, addressing academic concerns, and reporting incident(s) to the appropriate authorities. It is critical that a victim receive prompt medical attention. For medical and counseling services, contact the Baton Rouge Crisis Intervention Center's 24-hour crisis line at (225) 924-3900.
3. A victim of sexual assault should preserve any evidence that can be used to prove an occurrence of sexual assault. Victims are advised to consult law enforcement officials before showering, bathing, changing, or laundering clothing worn during an assault. Even if a victim bathes, showers, or somehow compromises evidence, the victim should report the assault. Valuable information can still be obtained and an investigation conducted from remaining evidence taken from a victim's person.
4. After a sexual assault is reported, campus personnel will take reasonable and necessary steps to secure the crime scene and protect the victim.

### ***Rights of the Victim***

1. A report of sexual assault is treated seriously and the victim treated with dignity. Campus organizations/personnel who deal with sexual assaults should be contacted to assist the victim.
2. A victim has the right to have the alleged sexual assault(s) investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental jurisdiction where the alleged incident(s) occurred, and to full and prompt cooperation/assistance of campus personnel in notifying the proper authorities and providing any relevant information.

3. Campus personnel are prohibited from pressuring a victim to 1) not report the crime(s) to civil/criminal investigating authorities, campus law enforcement personnel, or disciplinary authorities, or 2) report the crime as less than what actually occurred.
4. BRCC offers a victim advice, assistance, or representation at campus disciplinary proceedings in the same manner as offered to the accused.
5. A victim is notified of the outcome of the disciplinary proceedings.
6. Campus personnel will cooperate in obtaining, securing, and maintaining evidence (including medical examination documentation) required to prove the occurrence of criminal sexual assault for subsequent legal and campus disciplinary proceedings.
7. BRCC personnel are to exercise the option(s) provided by state and federal laws and regulations regarding mandatory testing of a sexual assault suspect(s) for communicable diseases and in notifying a victim of the results of the testing.
8. A victim is to be provided information regarding counseling.

### ***Rights of the Accused***

1. The accused has the right to have the alleged sexual assault(s) investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental jurisdiction where the alleged incident(s) occurred, and to full and prompt cooperation and assistance of campus personnel in notifying the proper authorities and providing any potentially exculpatory information.
2. BRCC offers the accused advice, assistance, or representation at campus disciplinary proceedings in the same manner as offered to the victim.
3. The accused is notified of the outcome of the disciplinary proceedings.
4. The accused will receive full and prompt cooperation from campus personnel in obtaining, securing, and maintaining evidence that may disprove the occurrence of criminal sexual assault in subsequent legal and campus disciplinary proceedings.
5. The accused is to be provided information regarding counseling.

### **Federal Educational Rights and Privacy Act (FERPA)**

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The Family Educational Rights and Privacy Act (FERPA) guarantees students the following rights in respect to personal educational records:

1. The right to request access to personal educational records for inspection and review within 45 days after the date that the college receives the request. A student should submit a written request to the Executive Director of Enrollment Services which identifies the records that the student wishes to review. The Executive Director arranges for the student to inspect the records and notifies him/her of a time and place to review them. If student records are maintained by a person other than the Executive Director of Enrollment Services, the student is advised which college official the student should contact.
2. The right to request that one's educational record be amended, if a student believes that his/her records are inaccurate. The student should submit a written request to the college official responsible for maintaining student records, clearly identifying the part of his/her record that needs to be modified and stating the reasons why. If the college does not amend the record as requested, the college is obligated to notify the student of the decision and advise the

student of his/her right to a hearing. Information regarding hearing procedures is provided at the time the student is notified that a hearing has been scheduled.

3. The right to consent to disclosures of personal information contained in educational records, unless FERPA authorizes a disclosure without consent. FERPA permits disclosure of information to school officials who have legitimate educational interests. A school official, according to FERPA, is defined as
  - a. a person employed by the college in an administrative, supervisory, academic, or research position, or a support staff member (including personnel in the Office of Environmental and Public Safety);
  - b. a person or company with whom the college is contracted (an attorney, an auditor, or a collection agent);
  - c. a person serving on the Louisiana Board of Regents;
  - d. a student serving on a committee in an official capacity such as a disciplinary or grievance committee, or assisting a school official in performing his/her official duties.

A school official has a legitimate educational interest if he/she needs to review an educational record in order to perform his/ her professional responsibilities.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA.

### ***Directory Information***

BRCC only distributes student information as defined in the FERPA guidelines. The following information can be legitimately used in the BRCC Directory:

- Student's current enrollment status (full- or part-time)
- Dates of attendance at BRCC
- Types of degrees/certificates received
- Field of study
- Height and weight of athletes
- Most recent high school attended
- Photograph(s)
- Participation in officially recognized BRCC activities/sports

The college can legally disclose this information without prior written consent from a student or parent, unless the student or parent has previously notified the college, in writing, that he/she does not want directory information disseminated or published.

Students who do not want personal information included in the directory should complete a Deletion Request in the Office of Enrollment Services located in the Bienvenue Student Center.

### **Visitors on Campus**

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Visitors on campus are expected to comply with the rules and policies of the college, including traffic and parking regulations. No visitors, including children, are permitted in classrooms during regular class hours.