BATON ROUGE COMMUNITY COLLEGE
STUDENT CONDUCT AND APPEAL PROCEDURES

Compliant with LCTC Policy No. 2.004 – Student Conduct and Appeal Procedures and
BRCC Policy No. 1-5541 – Due Process and the Code of Student Conduct

Table of Contents

1. PURPOSE 2
2. POLICY 2
3. RESPONSIBILITIES 2
4. DEFINITIONS 2
5. PROHIBITED CONDUCT 5
6. INCIDENT REPORT IS SUBMITTED 12
   6.6 INTERIM MEASURES 13
7. REVIEW OF THE REPORT 13
8. INFORMAL RESOLUTION 14
9. DISCIPLINARY PROCEDURES FOR NONACADEMIC MISCONDUCT CARRYING A POTENTIAL PENALTY OF SUSPENSION FOR 10 OR MORE DAYS OR REMOVAL OF AN ORGANIZATION (FORMAL HEARING PROCESS). 14
   9.1 DUE PROCESS RIGHTS. 14
   9.2 NOTICE OF CHARGES/INVESTIGATION/ALLEGATIONS 15
   9.3 INVESTIGATION AND FORMAL CONDUCT HEARING 15
10. DISCIPLINARY PROCEDURES FOR NONACADEMIC MISCONDUCT CARRYING A POTENTIAL PENALTY OF SUSPENSION FOR 9 OR FEWER DAYS (INFORMAL HEARING) 19
   10.1 REVIEW OF THE REPORT 19
   10.2 INFORMAL HEARING 19
11. APPEALS FROM NONACADEMIC MISCONDUCT HEARING DECISIONS 20
   11.1 APPEAL TO THE CHANCELLOR 20
   11.2 APPEAL TO THE LCTC SYSTEM OFFICE 21
   11.3 SANCTIONS PENDING RESOLUTION OF APPEAL 22
12. DISCIPLINARY PROCEDURES FOR ACADEMIC MISCONDUCT 23
13. SANCTIONS 23
14. STUDENT LEADERS 25
15. ACCOMMODATIONS 26
16. STUDENT CONDUCT RECORDS RETENTION 26
17. REVIEW PERIODICITY AND RESPONSIBILITY 26

1. Purpose

This Student Code of Conduct outlines the expectations of students enrolled at Baton Rouge Community College (BRCC) and the processes that will be followed to determine whether a student or student organization has violated this Conduct Code.

2. Policy

Students are subject to college jurisdiction, meaning it is expected that students follow the Conduct Code while they are enrolled at BRCC. By enrolling, students agree to adhere to BRCC policies and contribute to a respectful academic environment. BRCC and the Louisiana Community and Technical College System (LCTC) reserve the right to take disciplinary action against any student whose conduct, in the opinion of college representatives, adversely affects BRCC's pursuit of its educational objectives. Students who are involved in the conduct process should expect any sanctions imposed to be enforced at all LCTC System colleges, campuses and centers. The Conduct Code applies both to the conduct of individual students as well as student organizations.

The Conduct Code applies to all student activities within BRCC, the LCTC System, or their foundations' programs or activities, wherever located. The Conduct Code also applies to all student conduct occurring on the college campus and on any property owned, leased or operated by BRCC, the LCTC System, or their foundations. The Conduct Code additionally applies to any property used as a student residence and in regard to which students have expressly agreed to abide by or provided written consent to be governed by college policies. The Conduct Code also applies to off-campus conduct when the acts arise from college activities, undermines the security of the college community or the integrity of the educational process, or poses a serious threat to self or others.

Students in specialized programs, such as nursing and other allied health programs, are also subject to the additional requirements of those specialized programs as laid out in the programs' handbooks and policies, state law, and the requirements of the students' clinical placement sites. Please review those programs' policies and procedures carefully, as the process for handling possible violations of those requirements may differ from the process laid out in this Conduct Code.

3. Responsibilities

The Provost/Vice Chancellor for Workforce and Student Development, or designee, at each college shall be responsible for implementing and maintaining procedures that are consistent with this policy and comply with applicable policies of the LCTC System.

4. Definitions

4.1 Academic Misconduct – This is when a student intentionally engages in deceptive conduct to gain an unfair advantage in his/her academic work.

4.2 Accused Student or Respondent – a student or student organization who has been accused of violating the Conduct Code.

4.3 Appeal – If a student is found responsible for violating the Conduct Code the student may request an appeal, meaning the case will be reviewed with the opportunity of a different outcome possible.

4.4 Charge – Listed in the "Notice of Charge", which provides notice of any and all alleged violations of the college's nonacademic rules or policies by identifying the section of the Conduct Code or other policy that the Respondent is alleged to have violated, any evidence the college has collected when making the charging decision, and the disciplinary procedures that will be followed.

4.5 Clear and Convincing Evidence – The evidentiary standard used to determine if there is sufficient evidence to conclude that a respondent violated a provision of the Conduct Code that carries a potential penalty of ten (10) or more days, with the exception of conduct resulting in serious bodily injury. To prove a fact by clear and convincing evidence means to demonstrate that the existence of that fact is much more probable than its non-existence. This standard of proof is more demanding than the preponderance of the evidence standard (more likely than not), but less demanding than the beyond a reasonable doubt standard (applicable in criminal cases).

4.6 College-Sponsored Activity – Any activity on or off campus which is initiated, authorized, aided, or supervised by the college.

4.7 Complainant – Any individual that submits a report alleging that a student violated the Student Code of Conduct. The complainant does not need to be the person who was the target or victim of the alleged violation.

4.8 Conduct Advisor – Any one person designated by the accused student to support the student through the conduct process. This person can include, but is not limited to a parent, friend, college faculty or staff member, or attorney (at the student's own expense).

4.9 Conduct Hearing Committee – The group of people, trained in the conduct process, which adjudicates a conduct charge. The committee makes a determination of responsibility and imposes sanctions if a student is found responsible.

4.10 Dating Violence – Dating violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury committed by a person who is or has been in a close relationship of a romantic or intimate nature with the other person. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the people involved in the relationship.

4.11 Decision Letter – A letter sent to the respondent and any complainant stating whether the respondent has been found responsible or not responsible for the alleged Conduct Code violations.

4.12 Disposition of a Violation – Determination of responsibility, or lack thereof, for an alleged violation and any sanctions imposed.

4.13 Domestic Violence – Domestic violence is violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury and that is committed by a person against such person's family or household member, which includes a current or former spouse, a person with whom the victim shares a child in common, or who is cohabitating with or has cohabitated with the person as a spouse or intimate partner.

4.14 Evidence – Available information about a conduct case that is used to arrive at a disposition and, if applicable, sanction.

4.15 Formal Conduct Hearing – A formal meeting by the Conduct Hearing Committee in which the Committee considers the evidence and determines whether an accused student violated the Conduct Code, and if so, what sanctions should be imposed.

4.16 Incident Report – A report alleging the student violated the college's Conduct Code and submitted by any academic or administrative official, faculty member, student, or member of the public.

4.17 Informal Hearing – A conference or administrative meeting with a student conduct officer to discuss the alleged violation.

4.18 Mitigating Circumstances – Evidence relating to an offense that may offer context to the alleged violation and may reasonably be considered by the Conduct Hearing Committee to lessen the severity of the sanctions.

4.19 Preponderance of Evidence –The evidentiary standard used to determine if there is sufficient evidence to conclude that a respondent violated a provision of the Conduct Code when the matter involves: (a) serious bodily injury, or (b) a violation that is adjudicated via Informal Hearing, or (c) academic misconduct. To prove a fact by a preponderance of the evidence means to demonstrate that it is more likely than not that the fact is true.

4.20 Respondent – The person alleged to have violated this Conduct Code.

4.21 Sanction – Disciplinary measures implemented when a student is found responsible for violating the Conduct Code and which are then outlined in the decision letter to the student. A sanction applies college-wide and is not campus specific.

4.22 Student – Individuals enrolled in at least one course during the current semester for credit or non-credit (workforce), including adult education and dual-enrolled high school students, or enrolled for at least one course in the upcoming semester at the college.

4.23 Student Organization – association, corporation, order, society, corps, cooperative, club, service group, social group, band, spirit group, athletic team, or similar group whose members are primarily students at, or former students of, a

postsecondary education institution, including the national or parent organization of which any of the underlying entities provided for in this definition is a sanctioned or recognized member.

5. Prohibited Conduct

Violating the Conduct Code by engaging in prohibited behavior is subject to disciplinary action. Violations include, but are not limited to, the following:

5.1. Abuse: Any physical or verbal behavior, action, or words that restrict a person's rightful actions and cause a reasonable person to feel threatened or intimidated.

5.1.1 Physical Abuse is defined as the use of physical force or violence that attempts to or causes harm, restricts the freedom, action, or movement of another person, or endangers the health or safety of another person and restricts his/her rights. Physical abuse also includes physical behavior that involves an expressed or implied threat to interfere with an individual's personal safety, academic efforts, employment, or participation in college-sponsored extracurricular activities or causes the person to have a reasonable apprehension that such harm is about to occur.

5.1.2 Verbal Abuse is defined as any verbal, written, visual, or gesture directed to someone that would cause a reasonable person to feel fear or intimidation and could interfere with an individual's personal safety, academic efforts, employment, or participation in college-sponsored activities. This can include excessive yelling, name-calling, insulting, and other forms of verbal abuse.

5.2 Cheating: This is a form of academic misconduct. Using or attempting to use unauthorized materials, information, or study aids in any academic exercise. This includes using another person's work and then submitting as one's own work; allowing another to take an examination in one's name; submitting identical or similar papers in more than one course without obtaining permission from the instructors of all the courses involved; and using generative Artificial Intelligence in a way that violates the instructors' policies on AI.

5.3 College Misrepresentation: Unauthorized use of the college's name, logo, and/or other official college graphics.

5.4 Copyright Infringement: Conduct or activities that violate federal copyright laws including, but not limited to, written or electronic media.

5.5 Data Misrepresentation: This is a form of academic misconduct. Examples include fabricating data, deliberately presenting assignment data that were not gathered in accordance with assigned guidelines or are deliberately fabricated and providing an inaccurate account of the method by which the data were gathered and generated.

5.6 Destruction of Property: Attempted or actual damage to property of the college or personal property of another, on or off campus, without permission.

5.7 Dishonesty: Furnishing false information to any college official, faculty member, or college office, including forgery, lying, or deception.

5.8 Disruptive Acts: This may, depending on the circumstances, be charged as academic misconduct.

5.8.1 Disrupting or obstructing the normal learning, living, or work environments of other members of the college community or the functions or activities of the college (as well as activities conducted on the college's property with its permission) is prohibited. Examples include: blocking entrances, corridors or exits; interfering with ongoing educational activities, cultural events, or recreational, extracurricular or athletic programs; unauthorized presence in a building after normal closing hours or after notice that the building is being closed; interfering with vehicular or pedestrian traffic; creating unsanitary conditions; and interfering with any other effort to protect the health and safety of members of the college community or larger public.

5.8.2 No person may obstruct, disrupt, or attempt by physical force to cancel or discontinue speech by any speaker or the observation of speech by any person intending to see or hear a speaker. Conduct that is protected under the First Amendment to the United States Constitution or Article I, Section 7 of the Constitution of Louisiana will not be deemed to be disruptive acts. Protected conduct includes: lawful protests and counter-protests in the outdoor areas of campus generally accessible to members of the public, except during times when these areas have been reserved in advance for other events, or minor, brief, or fleeting nonviolent disruptions of events that are isolated and short in duration. See LCTC Policy # 2.018 – Free Speech and First Amendment Protected Expressive Activities on Campus.

5.8.3 Disruptive behavior inside or outside of the classroom or an administrative office that interferes with teaching, research, administration, or other college or college-authorized activities, or infringes on the rights of others. This includes disruptive behavior at student activities or during college-sponsored trips.

5.9 Emergency Safety: Violations of campus or college emergency regulations, such as failing to comply with emergency evacuation procedures.

5.10 Encampment:

5.10.1 The construction or occupation of a Camping Tent is prohibited.

5.10.1.1 "Camping Tent" means any collapsible tent or structure, typically having as its basic components a flexible material supported by a framework, designed, intended, or used as temporary shelter while camping or on recreational outdoor outings. Camping Tents may include tents known as "pup tents," "dome tents," "cabin tents," "hiker tents," and "backpacking tents."

5.10.1.2 "Camping Tent" does not include a tent with all sides entirely open and where there is an unobstructed view into such tent from the outside at all angles. All other conduct provisions apply to the use of open tents.

5.10.1.3 Only tents approved in advance pursuant to the college Facility Use Rules shall be permitted. No Camping Tents shall be permitted at any time. Any approved tents must be removed by the time provided for by approving authority.

5.10.2 Camping is prohibited on property owned, leased, or operated by BRCC, the LCTC System, or their foundations.

5.10.2.1 "Camping" means the act of using any part of the property or facilities for living accommodation purposes, such as establishment of temporary or permanent living quarters, sleeping outdoors overnight or making preparations for overnight sleeping (including the laying down of bedding), storing personal belongings, using any tent, shelter, or similar structure regardless of size for sleeping; sleeping in, on, or under parked vehicles, or setting up temporary or permanent sleeping areas outdoors or in structures not designated for human occupancy.

5.10.2.2 "Camping" does not include the use of BRCC, the LCTC System, or their foundations' property that has been wholly or partially designated as sleeping or relaxation areas; a tailgating activity in conjunction with BRCC, the LCTC System, or foundation event; or the use of temporary hammocks or lounge furniture for recreation or studying activities outdoors at BRCC, the LCTC System, or foundation owned property from sunrise to sunset.

5.10.3 These prohibitions do not apply to BRCC, the LCTC System, or their foundations, nor to federal, state, or local governments or their agencies.

5.11 Facilitating Academic Misconduct: This is a form of academic misconduct. Helping or attempting to help another commit an act of academic misconduct or seeking unauthorized answers for assignments, quizzes, or tests.

5.12 Failure to Comply: Failure to obey the directions of authorized college officials given in the performance of his/her duties, including, but not limited to, failure to identify oneself when requested to do so; failure to comply with the terms of a disciplinary sanction; refusal to vacate a college facility when directed to do so.

5.13 Falsifying Documentation: This may, depending on the circumstances, be charged as academic misconduct. Falsifying documentation is the alteration or misuse of any college document or record. This includes any instrument of identification.

5.14 Fire Setting: Unauthorized setting of fires, or attempt to do so, on college property.

5.15 Gambling: An organized opportunity for others to bet or risk something of value (like money) based on a chance outcome that is out of his/her control or influence with the understanding that they will either gain increased value or lose his/her original value determined by the specific outcome is prohibited on campus without prior approval from the College. Examples include, but are not limited to, holding a raffle or lottery on campus or at college functions without permission or approval.

5.16 Harassment: Severe or pervasive and objectively offensive speech or actions that undermine equal access to educational benefits or opportunities.

5.17 Hazing: Conduct that violates LCTC Policy # 2.003 Campus Safety and Hazing, including failure to report hazing and failure to render assistance to another who has been the victim of hazing. Criminal Hazing will be reported to the appropriate law enforcement agency as required by Louisiana Revised Statute 14:40.8(B)(2).

5.18 Indecent Conduct: Lewd or obscene conduct, including but not limited to public urination, performing sexual acts in public, or surreptitiously taking pictures or videos of individuals in private areas like locker rooms or restrooms. This also includes unauthorized recording or sharing video, audio, or photograph of any person(s) without his/her consent in any place where there is a reasonable expectation of privacy.

5.19 Interference with Safety Equipment/Personnel: Tampering with or unauthorized use of or interference with fire or emergency equipment (including but not limited to fire extinguishers, fire alarms, and other apparatus) and interference with the actions of emergency personnel.

5.20 Masking to Conceal Identity: Wearing a mask or hood or facial disguise to conceal the identity of the wearer. This prohibition does not apply to those participating in a parade or exhibition of an educational, religious, or historical character, to Mardi Gras festivities, to those wearing head coverings or veils pursuant to religious beliefs or customs, or those wearing masks for medical purposes. Upon request, the wearer must present a valid college or government issued identification document containing both the person's legal name and photograph when requested by a Campus Police or Security Officer or otherwise establish the individual's identity to the satisfaction of the Campus Police Officer.

5.21 Unattended Minors on Campus: Leaving children unattended or unsupervised in campus buildings or on campus grounds. While the college community generally welcomes students and their families to our campuses, safety and other operational goals require that minors who are not enrolled in courses or participating in college-sponsored events or activities always remain under the direct supervision of a responsible adult or family member (not a college employee).

5.22 Plagiarism: This is a form of academic misconduct. Presenting as new and original an idea or product derived from an existing source without proper citation. This may include unauthorized use of AI tools.

5.23 Possession/Distribution/Consumption of Alcohol in Violation of the Alcohol Use Policy: Consumption of alcoholic beverages on campus is prohibited, with the exception of students who are at least 21 years old at officially sponsored events when the service of alcoholic beverages has been authorized by the college. Students must consume alcohol responsibly and in accordance with law. See LCTC Policy # 4.009 - Alcohol Use.

5.24 Power-Based Violence (PBV): Any form of interpersonal conduct intended to control, coerce, harm, exploit or intimidate another person on the basis of sex through the assertion of power or authority over the person and which shall include the following:

5.24.1 Dating violence.

5.24.2 Knowingly creating or possessing a deepfake of a minor engaging in sexual conduct, advertising or distributing a deepfake of any person engaging in sexual conduct, or advertising or distributing a deepfake of any person who is depicted as fully or partially nude.

5.24.3 Domestic abuse and family violence, including any act or threat that is intended to coerce, control, punish, intimidate, or exact revenge on the other person for the purpose of preventing the victim from reporting to law enforcement, requesting medical or emergency services, or for the purpose of depriving the victim of the means or ability to resist the abuse or escape the relationship.

5.24.4 Nonconsensual observation of another person's sexuality without their consent, including voyeurism, video voyeurism, nonconsensual disclosure of a private image, and "peeping tom" activities.

5.24.5 Sexual assault.

5.24.6 Sexual exploitation, meaning an act attempted or committed by a person for sexual gratification, financial gain, or other advancement through the abuse of another person's sexuality, including prostituting another person.

5.24.7 Sexual harassment, meaning unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature when the conduct explicitly or implicitly affects an individual's employment or education, unreasonably interferes with an individual's work or educational performance, or creates an intimidating, hostile, or offensive work or educational environment and has no legitimate relationship to the subject matter of a course or academic research.

5.24.8 Stalking and cyberstalking. Stalking includes the intentional and repeated following or harassing of another person that would cause a reasonable

person to feel alarmed or to suffer emotional distress. Stalking includes but is not limited to the intentional and repeated uninvited presence of the perpetrator at another person's home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal, written, or behaviorally implied threats of death, bodily injury, sexual assault, kidnapping, or any other statutory criminal act to himself or any member of his family or any person with whom he is acquainted.

5.24.9 Unlawful communications. Unlawful communications include making harassing phone calls or sending harassing messages that include obscene, profane, vulgar, or lewd language or threats; sending obscene messages to minors; and making repeated calls or sending repeated messages in a manner reasonably expected to harass the recipient.

5.24.10 Any unwelcome sexual or sex- or gender-based conduct that is objectively offensive and has a discriminatory intent.

Reports of Power-Based Violence will proceed under LCTC Policy # 9.001 – Power-Based Violence/Sexual Misconduct, or under LCTC Policy # 9.002 – Title IX Grievance Procedures depending upon the specific conduct charged.

5.25 Possession/Distribution/Consumption of Illegal Drugs or Controlled Substances: Possessing, using, selling, manufacturing, distributing, or being under the influence of controlled substances while on campus or at college-sponsored events (except as required for verifiable medical reasons permitted by law).

5.26 Retaliation: Engaging in intimidation, threats, coercion, harassment, discrimination, or other adverse action against any other person for the purpose of interfering with any right or privilege provided under a policy, or because the person has made a report or filed a formal complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or process afforded under college policy. Action is generally deemed adverse if it would deter a reasonable person in the same circumstance from opposing practices prohibited by a policy.

5.27 Riot: Participating in or inciting a violent disturbance of the peace in a crowd or disorder in an assembly.

5.28 Sexual Assault: Sexual contact without the affirmative consent of the other party. Affirmative consent is consent that is freely given. Affirmative consent cannot be given by a person who is incapacitated by drugs or alcohol or otherwise lacks the mental capacity to consent. Affirmative consent cannot be obtained by force or coercion.

Reports of sexual assault will proceed under LCTC Policy # 9.001 – Power-Based Violence/Sexual Misconduct, or under LCTC Policy # 9.002 – Title IX Grievance Procedures depending upon the specific conduct charged.

5.29 Sexual Harassment: Engaging in conduct on the basis of sex that satisfies one or more of the following:

5.29.1 Quid Pro Quo: The submission to or rejection of such conduct is used as the basis for educational or employment decisions affecting the student or employee either explicitly or implicitly;

5.29.2 Hostile Environment: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity of the college, including a student's educational experience or an employee's work performance; and

5.29.3 Clery Act/VAWA Offenses: Sexual assault/sexual violence, dating violence, domestic violence, and stalking, as defined in this policy.

Reports of sexual harassment will proceed under LCTC Policy # 9.001 – Power-Based Violence/Sexual Misconduct, or under LCTC Policy # 9.002 – Title IX Grievance Procedures depending upon the specific conduct charged.

5.30 Threatening or Intimidating Behavior: Any words or actions that express, imply, or encourage an actual threat to the safety or well-being of others or college property. This includes fighting words that inherently are likely to provoke a violent reaction from a reasonable person.

5.31 Theft: Stealing or possessing unauthorized material, including taking property belonging to another person or to the college without authorization or through unlawful means.

5.32 Tobacco/Smoking Violation: Smoking, vaping, using a hookah, or consuming any type of tobacco product in any college facility or on college grounds.

5.33 Unapproved Animals: Unapproved animals, including pets, are not permitted in college buildings or at college-sponsored activities on or off campus without prior approval from the campus Accessibility Services Coordinator This prohibition does not apply to Service Animals that support people with disabilities.

5.34 Unauthorized Use of Electronic Devices: (This can be a form of academic misconduct.) Violating established classroom or college policy for unauthorized use of electronic devices.

5.35 Unauthorized Use of Facilities, Property, or Resources: Unauthorized entry, use, or occupation of college buildings or facilities.

5.36 Unprofessional or Inappropriate Behavior within a Program-Specific Setting, Clinical Environment, or Internship Experience: Conduct that is noncompliant with standards and expectations set forth in academic programming handbooks in a program in which the student is participating. This includes the professional or accreditation standards identified in the program handbook and/or a violation of clinical or other affiliated site expectations or guidelines as part of the program curriculum.

5.37 Unacceptable Use of College Equipment, Network, or System. Unauthorized use of computer account(s), data files, and/or computer facilities; the viewing or public display of pornography on-campus or while using college equipment, whether on or off-campus; any unlawful distribution of copyrighted material, including peer-to-peer file sharing.

5.38 Violations of Laws, Regulations, and Ordinances: Prohibited conduct includes violations of federal, state, or local laws, regulations, orders, or ordinances. Students have a continuing duty to promptly report to the Office of Student Rights and Responsibilities, any arrests for violations of federal, state, local, or international law, excluding minor traffic violations that do not result in injury to others. This duty applies regardless of where the arrest occurred (inside or outside of Louisiana) and regardless of whether the college is in session at the time of the arrest. An arrest includes the issuance of a written citation or summons regardless of whether the student is taken into custody by law enforcement. Charges related to driving under the influence of alcohol or other drugs are not "minor traffic violations" and must be reported. Failure to promptly report any such arrests constitutes a violation of this policy.

5.39 Weapons Violation: Possession or carrying of any weapon by any person except as allowed by La. R.S. 14:95.2 or by a police officer or licensed college security, is prohibited on college property in academic buildings, administrative office buildings, student centers, childcare centers, dining facilities and places of like kind where people congregate, or while attending any sporting, entertainment, or educational events. Entry upon the aforementioned college property in violation of this prohibition is expressly forbidden. A student in violation of this prohibition will be asked to remove the weapon immediately and may be subject to a referral for further discipline under this Policy.

5.40 Terroristic Threats: Any form of terroristic threats, including threats involving bombs, chemicals, or biological agents.

6. Incident Report is Submitted

6.1 Any academic or administrative official, faculty member, student, or member of the public may file a complaint against any student for misconduct. Use this link to report student misconduct.

6.2 Any report against a college employee alleging discrimination, retaliation, or harassment will follow the process laid out in LCTC Policy # 6.011 – Prohibition and Prevention of Discrimination, Harassment and Retaliation. Use this form to report a college employee for discrimination, retaliation, or harassment.

6.3 If the alleged violation involves allegations of Sexual Misconduct or Power-Based Violence (PBV), the report will be referred to the Title IX Coordinator for evaluation under LCTC Policy # 9.001 – Power-Based Violence/Sexual Misconduct, or under LCTC Policy # 9.002 – Title IX Grievance Procedures. Use this link to report student misconduct involving Power-Based Violence/Sexual Misconduct.

6.4 If the Title IX Coordinator determines that the alleged conduct falls outside the scope of the PBV Policy and Title IX Grievance Procedures, the Title IX Coordinator will refer the matter back to the conduct office to be addressed following the processes described in this Conduct Code.

6.5 If the Title IX Coordinator determines that the alleged conduct does fall within the scope of the PBV Policy or the Title IX Grievance Procedures, the matter will be adjudicated through the PBV Policy Grievance Procedures or Title IX Grievance Procedures, as appropriate.

6.6 Interim Measures - If the student conduct officer believes that the alleged conduct presents a physical threat to the community, the report will be immediately referred to appropriate staff to determine whether the implementation of interim measures is appropriate while the complaint proceeds to adjudication. If interim measures are to be implemented:

6.6.1 The student will be provided with written notice of the interim measures within 72 hours of the alleged violation being deemed an immediate threat. The written notice will explain the college's reasons for implementing the interim measures.

6.6.2 Within seven business days of the written notice to the student respondent, unless waived by the student respondent, the college will hold an interim measure hearing to determine whether there is substantial evidence that the student poses a risk to the physical safety of a member of the campus community and that the interim measure is appropriate to mitigate that risk. Both the student respondent and any student complainant are entitled to be represented by an advisor at the interim measures hearing. Each student's advisor may fully participate in the interim measures hearing, which includes the opportunity to make opening and closing statements, to examine and cross-examine witnesses, and to provide the student respondent and any student complainant with support, guidance and advice. If the student respondent waives the interim measures hearing, that waiver shall not constitute an admission of or the waiver of any additional rights. At the conclusion of the interim measures hearing, the interim measures may be upheld, denied or modified.

6.6.3 A student who is barred from campus as an interim measure may be allowed to complete coursework during the interim measures. Credit for this coursework is conditional and may be affected, delayed, denied, and/or revoked if the student respondent is found responsible at the conclusion of the disciplinary process.

7. Review of the Report

7.1 When the student conduct officer receives a report that a student has allegedly violated the Conduct Code, the conduct officer shall review the report to determine whether the report alleges facts that, if true, would constitute a violation of this Conduct Code. After that review, the conduct officer will either:

7.1.1 Dismiss the allegation as not implicating the Conduct Code, or

7.1.2 Schedule a conference with the respondent to notify the respondent of the allegations, provide a reasonable opportunity to review the complaint, and an opportunity to present information concerning the allegations and identify witnesses.

8. Informal Resolution

8.1 If the conduct officer determines an informal resolution may be appropriate, informal resolution meeting requests will be sent to the parties' registered emails of record. The notice will inform the students that informal resolution is voluntary, not mandatory, and that the students may proceed to formal process should they wish to do so.

8.2 Either party (complainant or respondent) may request to participate in informal resolution. The conduct officer is the sole administrator who determines whether an informal resolution meeting may be appropriate considering the specific allegations.

8.3 Informal resolutions are mutually agreed upon determinations and, as such, are not appealable. During an informal resolution meeting, each student and conduct officer will discuss the alleged misconduct, the evidence the college used and collected when determining the charges, whether the respondent student wishes to accept responsibility for the conduct, and sanctions/remedial/measures/educational requirements of the proposed informal resolution agreement.

8.3.1 If the matter is successfully resolved by informal resolution, the conduct officer and the parties will enter into a written informal resolution agreement that documents the charges for which the student respondent has accepted responsibility and the sanctions/remedial measures/educational requirements to be completed by the student respondent. If the matter is not resolved by informal resolution, it will proceed to formal process.

9. Disciplinary Procedures for Nonacademic Misconduct Carrying a Potential Penalty of Suspension for 10 or More Days or Removal of an Organization (Formal Hearing Process).

Student and organizational respondents are afforded the right to due process.

9.1 Due Process Rights.

9.1.1 Complainants and respondents are entitled to be advised by an attorney or non-attorney advocate, at the student's expense, who may fully participate in any disciplinary proceeding under this section of the Conduct Code. "Fully participate" means that the attorney or non-attorney advocate may make opening and closing statements, examine and cross-examine witnesses, and provide support, guidance, and advice to the student.

9.1.2 Respondents are presumed to be not responsible for the conduct charges. Respondents may not be deemed responsible for a violation unless and until the respondent either (1) formally acknowledges responsibility, (2) is found responsible at the conclusion of a disciplinary hearing at which the college has proven every element of the violation by clear and convincing evidence, or (3) is found responsible at the conclusion of a disciplinary hearing for conduct that resulted in serious bodily injury at which the college has proven every element of the violation by a preponderance of the evidence.

9.1.3 Complainants and respondents are entitled to reasonable continuing access to the administrative disciplinary file. Complainants and respondents will be given the opportunity to make copies of all evidence or documents in the administrative disciplinary file at least seven days prior to any disciplinary hearing. The evidence and documents may be redacted before inspection or copying to comply with applicable law.

9.1.4 Complainants and respondents are entitled to disciplinary proceedings that are free from conflicts of interest. The following roles will be carried out by different individuals: victim/complainant counselor or advocate, investigator, institutional prosecutor, adjudicator, and appellate adjudicator.

9.1.5 These rights extend to any student organization respondent that is officially recognized by an LCTC System member college.

9.1.6 A student or student organization may have a private right of action for violation of these due process requirements.

9.2 Notice of Charges/Investigation/Allegations

The conduct officer will send a notice of charges/investigation/allegations within fourteen days of receipt of the report that includes: (1) that the respondent is presumed not to be responsible for the charges and will not be determined to be responsible unless or until the respondent either formally acknowledges responsibility or at the conclusion of a formal hearing where each and ever element of the charge has been proven by the applicable standard of proof (either clear and convincing evidence or a preponderance), (2) identification of each and every section of the college's Conduct Code or other rules or policies that the student is alleged to have violated, (3) any evidence the college used and collected when determining the charges, and (4) the disciplinary procedures that will be followed.

Notice of charges will be sent to student's registered email of record address within fourteen (14) days of when the college receives sufficient information to initiate disciplinary proceedings.

9.3 Investigation and Formal Conduct Hearing

9.3.1 For matters that will proceed via Formal Conduct Hearing, the conduct officer will appoint an unbiased Investigator to conduct any additional investigation needed to prepare the matter for Formal Conduct Hearing. The Investigator will collect relevant evidence and witness statements, and may draft a summary report, all of which will become a part of the administrative file.

9.3.2 The conduct officer will appoint an unbiased Hearing Chair to preside over the Formal Conduct Hearing, which will be heard by a three- member panel, one of which is the Hearing Chair. The Hearing Chair will set the date, time, and place for the hearing.

9.3.2.1 The conduct officer will notify the student respondent and complainant (if any) via their registered email of record of the date, time, and place of the hearing. The notice of the hearing will be sent at least seven (7) business days before the disciplinary hearing.

9.3.2.2 The respondent and complainant will be given reasonable continuing access to the administrative file and the ability to make copies of all evidence and documents in the file, subject to redactions required by law, at least seven (7) business days before the disciplinary hearing.

9.3.2.3 The hearing may be conducted in whole or in part by electronic means (i.e., via Zoom or Microsoft Teams), at the discretion of the Hearing Chair.

9.3.2.4 The hearing will be audio or video-recorded.

9.3.2.5 The conduct officer will have the discretion to alter the arrangements of the hearing for good cause.

9.3.2.6 No person in the adjudicative process will assume more than one of the following roles: a. victim counselor and victim advocate, b. investigator, c. institutional prosecutor or conduct officer, d. adjudicator, or e. appellate adjudicator.

9.3.3 The hearing committee will hold the hearing as scheduled and make a finding of responsible or not responsible, regardless of whether the respondent student is present, provided the committee has confirmation that the student was sent actual notice of the date, time, and place of the hearing to the student's registered email of record.

9.3.4 Complainants and respondents are entitled to be advised by an attorney or non-attorney advocate, at the student's expense, who may fully participate (make opening and closing statements, examine and cross-examine witnesses, and provide support, guidance, and advice to the student) during the disciplinary hearing.

9.3.5 The committee will presume the respondent is not responsible for the alleged violation. A respondent will not be found responsible unless and until the facts and information presented support a finding by clear and convincing evidence of every element of the charged conduct violation, or by a preponderance of the evidence standard if the violation resulted in serious bodily injury as established by objective evidence such as law enforcement reports, medical records, or other comparable documentation. If the committee applies the preponderance of the evidence standard, it must issue written findings describing what objective evidence it relied upon to determine that the conduct caused serious bodily injury.

9.3.6 The committee will proceed as follows during the hearing:

9.3.6.1 The conduct officer reads the complaint.

9.3.6.2 The student complainant or advisor is permitted, but not required, to make a brief opening statement.

9.3.6.3 The student respondent or advisor is permitted, but not required, to make a brief opening statement.

9.3.6.4 The Investigator is questioned by the hearing committee. The hearing committee will not ask the Investigator for his or her opinion about whether a violation of this Conduct Code has occurred. The Investigator is then subject to examination, first by the complainant's advisor, and then by the respondent's advisor.

9.3.6.5 The complainant provides a direct examination, conducted by the complainant's advisor. The respondent's advisor may then cross-examine the complainant. The hearing committee may ask questions of the complainant at any time.

9.3.6.6 The respondent provides a direct examination, conducted by the respondent's advisor. The complainant's advisor may then cross-examine the respondent. The hearing committee may ask questions of the respondent at any time.

9.3.6.7 The hearing committee may invite witnesses to provide statements. The direct examination of such witnesses will be conducted by the hearing committee, followed by examination or cross-examination by the complainant's advisor, and examination or cross-examination by the respondent's advisor.

9.3.6.8 The hearing committee will not use formal rules of evidence but will make good faith efforts to include relevant evidence and exclude evidence that is irrelevant to the conduct charged. The hearing committee may consider

hearsay, including prior statements of witnesses, or parties, who fail to appear at the disciplinary hearing.

9.3.6.9 After the hearing, the hearing committee will determine whether or not there has been sufficient evidence presented to conclude that the respondent is responsible for any of the conduct violations with which he or she has been charged. The hearing committee will draft a hearing rationale, which will include a summary of the evidence considered, the committee's determination of facts, and an explanation of why the respondent was or was not found responsible. The hearing committee will append to its rationale a copy of the appeal procedures and deadlines contained in this Conduct Code.

9.3.6.10 If the respondent is found responsible, the hearing committee will select and recommend an appropriate sanction from the list in Section 8 of this policy. The hearing committee may consult with appropriate college staff to determine the appropriate sanction. The sanctions will be described in the hearing rationale.

9.3.6.11 The student conduct officer will send the hearing committee's rationale and the appeal procedures contained in Section 11 of this Conduct Code to the respondent and any complainant.

9.3.6.12 The hearing committee's rationale will become part of the student respondent's conduct record.

9.3.6.13 This notification will be sent via the student's registered email of record.

9.3.6.14 New information that becomes available after the conclusion of the hearing but prior to the final decision of the conduct officer may, at the discretion of the conduct officer, be referred to the hearing committee for reconsideration of the case. Should this occur, the respondent and complainant will be given at least seven (7) business days' notice of the reconvening of the disciplinary hearing.

9.3.7 Hearing Records

9.3.7.1 All relevant evidence will be given to the hearing committee during the hearing and be made part of the hearing record. The hearing record will include the notices of charges, all documents and evidence in the college's possession relevant to the charged violation and the college's investigation, including any exculpatory evidence,

documents submitted by the participants, and an audio or video recording or transcript of the disciplinary hearing.

9.3.7.2 The hearing record will also include a copy of the notices of charges and hearing that were provided to the students. The hearing record will be forwarded to the conduct officer and securely maintained for seven (7) years, consistent with the LCTC System records retention schedule.

10. Disciplinary Procedures for Nonacademic Misconduct Carrying a Potential Penalty of Suspension for 9 or Fewer Days (Informal Hearing)

Students responding to allegations of less serious misconduct that does not carry a potential penalty of suspension for 10 or more days, deferred suspension, or expulsion are entitled to reasonable notice of the allegations and an opportunity to be heard. Informal hearings will be adjudicated by a single conduct officer.

10.1 Review of the Report

10.1.1 When the conduct officer receives a report that a student has allegedly violated the Conduct Code, the conduct officer shall review the report to determine whether the report alleges facts that, if true, would constitute a violation of this Conduct Code, and whether the potential sanctions upon a finding of responsibility are such that the matter may proceed via Informal Hearing process. The Informal Hearing process is available to adjudicate only those conduct violations that, if substantiated, would not carry a potential penalty of suspension for 10 or more days, deferred suspension, or expulsion.

10.1.2 Notice of Charges - If the matter will proceed by Informal Hearing, the conduct officer will notify the respondent of the allegations, via student's registered email of record, the Conduct Code provisions that the student is alleged to have violated, the evidence used to determine the charges, and will schedule an Informal Hearing with the respondent.

10.2 Informal Hearing

An informal hearing time will be set after consultation with the respondent and any complainant but must occur within fourteen (14) business days of the date the notice of incident was sent to the student.

10.2.1 If the student fails to respond or appear, the conduct officer may not make an inference of responsibility due to the student failing to respond or appear. The conduct officer may still find the student responsible, if supported by the preponderance of the evidence obtained, and impose sanctions.

10.2.2 During the Informal Hearing, the conduct officer will advise the student respondent of the allegation(s) and explain the student conduct process and clarify student's rights and responsibilities. The student may present

his/her case and any mitigating circumstances. Every effort will be made to resolve the matter by mutual agreement.

10.2.3 When the facts of the alleged violation are not in dispute, the conduct officer may adjudicate the charged violations during the Informal Hearing. If the facts are in dispute, the conduct officer may elect to gather additional information concerning the allegation before making a determination.

10.2.4 If the conduct officer elects to gather more information, the conduct officer will follow up with the accused student within ten (10) business days to provide the student notice of the additional information and an opportunity to respond.

10.2.5 The conduct officer will make a finding of responsible or not responsible.

10.2.6 The conduct officer will prepare a decision letter and forward a copy to the student and to other appropriate administrative personnel setting forth the finding, the rationale for the finding, and any sanctions imposed. The conduct officer may impose any appropriate disciplinary sanction that is less severe than 9 days suspension or deferred suspension. Mitigating circumstances presented by the student shall be considered. Whether the mitigation offered by the student is sufficient to affect the final disposition is within the discretion of the conduct officer.

10.2.7 The decision letter will become part of the student's conduct record.

10.2.8 The decision letter will include information on the appeal process.

10.2.9 If a student wishes to appeal the outcome of an Informal Hearing, the student must follow the same process outlined in Section 11.

11. Appeals From Nonacademic Misconduct Hearing Decisions

11.1 Appeal to the Chancellor

Student complainants and respondents each have the right to appeal the case decision to the Chancellor, who in turn may refer the appeal to the appropriate Vice-Chancellor, or designee, for adjudication, within fourteen (14) business days from the date the decision letter was sent to the student's registered email of record.

Appeals must be submitted in writing via email and must include a detailed explanation of the grounds for the appeal. Students and organizational complainants and respondents are entitled to be represented, at their expense, by an advisor in the appeal process.

The permissible grounds for an appeal are as follows:

1. Due process errors - The student must state how the alleged procedural error may have affected the outcome of the case.

2. New evidence not reasonably available prior to the disciplinary hearing that may have affected the outcome of the case (either findings of responsibility/non-

responsibility or sanctions). The hearing body may consider police reports, transcripts, and the outcome of any civil or criminal proceeding directly related to the appeal.

3. Contradictory evidence, meaning the hearing panel made a significant error in its determination of the facts based on the available evidence.

4. Disproportionate sanctions, meaning the sanctions imposed are disproportionate to the Code violation(s).

The Chancellor, or designee, will review the appeal request and determine if grounds for an appeal have been met.

The Chancellor, or designee, may:

1. Find that the appeal is not timely or does not state adequate grounds for appeal according to the listing above and dismiss it.

2. Affirm the finding and sanction imposed.

3. Affirm the finding and reduce, but not eliminate, the sanction.

4. Remand the case back to the conduct officer or conduct hearing committee for consideration of new evidence or to remedy a procedural error.

The final decision on the appeal will be provided to the student through the student's registered email of record within ten (10) business days.

11.2 Appeal to the LCTC System Office

Within fourteen (14) business days of the final appeal decision from the College, a student may file an appeal with the LCTC System Office. Students and organizational complainants and respondents are entitled to be represented, at their expense, by an advisor in the process of appealing to the LCTC System Office.

The permissible grounds for appeal to the LCTC System Office are:

1. The college's published procedures do not provide due process.

2. The college's published procedures were carried out in an unfair or partial manner.

An appeal to the LCTC System Office must be emailed to students@lctcs.edu, or mailed to 265 S. Foster Road, Baton Rouge, LA, 70806, Attn: Student Affairs. An appeal must contain:

1. The name of the person submitting the appeal as it appears in the college's records;

2. Student ID number of the person submitting the appeal;

3. Mailing address of the person submitting the appeal;

4. Phone number of the person submitting the appeal;

5. Email address of the person submitting the appeal;

6. Dates of attendance;

7. The individual's current college status (current student, former student, parent or legal guardian if the student is an unemancipated minor);

8. A description of the nature and reason for the appeal; and

9. Any supporting documentation.

Once a formal request for appeal is received, LCTC System staff will:

1. Review the submitted materials and contact the individual who submitted the appeal for any additional information or clarifications needed.

2. Send a copy of the request for appeal to the college and request that a formal response and any relevant supporting documentation from the college be submitted to System Office staff within 10 business days.

Once all documents are received, LCTC System staff will:

1. Review the documents submitted to ensure that the college's published procedures provide due process and were carried out in a fair and impartial manner.

2. In the event that LCTC System staff cannot determine whether the college's published procedures provide due process or whether or not they were carried out in a fair and impartial manner based on the documents submitted, LCTC System staff may engage in any fact-finding reasonably required by the circumstances. This may include a request for either party to participate in a telephone conference meeting so that the facts can be clearly set forth.

Once the review process and any reasonably required fact-finding has concluded, LCTC System staff will notify, in writing, both the college and the individual who filed the appeal of the LCTC System staff's determination. This determination will represent the final disposition. Every effort will be made to resolve all appeals within 30 business days of the formal request for appeal.

11.3 Sanctions Pending Resolution of Appeal

Sanctions imposed for nonacademic misconduct will not take effect or be considered final until the conclusion of the appeals process. The appeal process concludes when any of the following occurs:

1. The deadline to appeal to the Chancellor passes without an initial appeal being filed;

2. If a student appeals to the Chancellor, the deadline to appeal to the LCTC System passes without an appeal being filed;

3. The LCTC System issues its appeal decision.

While appeals are pending, the college is permitted to take reasonable interim safety measures, including housing adjustments, academic changes, or mutual no-contact directives

12. Disciplinary Procedures for Academic Misconduct

Students responding to allegations of academic misconduct are entitled to reasonable notice of the allegations and an opportunity to be heard.

12.1 Instructor Discusses Alleged Violation With the Student - An instructor who believes that a student may be guilty of a form of academic misconduct should confront the student with the alleged violation. If the student is unable to provide a satisfactory explanation, the instructor may either fail the student for the assignment or test in question or forward the allegations to the Department Head or Dean of the academic department. If the instructor elects to fail the student for the assignment or test, the student may seek review by the appropriate Department Head or Dean within three days of instructor's decision to fail.

12.2 Instructor Submits an Incident Report - The instructor reports the incident to the College's chief academic officer, or designee. The instructor must document a detailed account of the violation, including the name of the course, type of assignment or test, date of the alleged violation, names of witnesses, and all information relevant to the allegation.

12.3 Department Head or Dean Review - If referred by the instructor or if requested by the student, the Department Head or Dean will review the charges and information provided by the Instructor and any information provided by the student. The Department Head or Dean may determine the allegations are founded or unfounded, or may summon the student for a conference before disposition of the academic misconduct charges. Notice of decision shall be provided to student's registered email of record.

12.4 Appeal to the Chief Academic Officer - Student has the right to appeal the case decision within three (3) days from the date the decision letter was sent to the student's registered email of record.

Appeals must be submitted in writing via email to the Chief Academic Officer, or a designee, and must include a detailed explanation of the grounds for the appeal.

12.5 Assignment of Grade of "Incomplete" - If disciplinary action for academic misconduct is pending when final grades are due, the instructor will assign the student an "Incomplete" or "I" grade. That notation will remain until the alleged violation is adjudicated by the Department Head or Dean, or Chief Academic Officer, at which time the instructor will assign the appropriate final grade.

13. Sanctions

Violations of the Conduct Code can result in one or more of the following sanctions. All sanctions become part of the student's conduct record. The list of sanctions is not a progression. Sanctions of ten (10) or more days of separation from the College may be imposed only after a finding of responsibility through the formal hearing process described in Section 9.

13.1 Disciplinary Warning: A written warning to a student that his/her conduct violated the Conduct Code, and that further misconduct will result in more severe disciplinary action. Disciplinary warning may include but not limited to a behavior agreement or contract.

13.2 Restitution: Compensation for damages or losses caused.

13.3 Loss of Privileges: Exclusion from college extracurricular activities, specified college facilities, or other restriction of movements while at the institution for a specified period of time. The student may still attend academic classes.

13.4 Program Dismissal: Administrative withdrawal from an academic program due to violation of the program's specific conduct standards, which may include violations of this Conduct Code or other program-specific policies. Tuition refunds for dismissed students are governed by each college's Refund Policy and are not guaranteed. The student may remain enrolled at the college even if dismissed from a specific academic program.

13.5 Disciplinary Probation: A specified period of time which is intended to foster reflection, responsibility, and improved decision making. During this period, the student is not in good standing with the college and may be barred from participating in certain college activities. Future violations of the code of conduct while a student is on disciplinary probation may result in additional and more severe sanctions, including suspension or dismissal.

13.6 Suspension: A specified period of time, during which a student is not permitted to participate or enroll in college classes. A student assigned this sanction will be administratively withdrawn from all enrolled classes upon the expiration of the appeal period. Tuition refunds for dismissed students are governed by each college's refund policy and are not guaranteed.

13.7 Dismissal/Expulsion: A permanent separation of a student from the college, which is assigned to the most serious conduct cases. A student assigned this sanction will be administratively withdrawn from all classes upon the expiration of the appeal period. Tuition refunds for dismissed students are governed by each college's refund policy and are not guaranteed.

13.8 Community Service: Service-learning hours or volunteer work.

13.9 Character Development: Required attendance at an educational workshop, research and writing assignments, or participation in a mentorship program.

13.10 Other Sanctions: Including, but not limited to, no contact orders or removal from a class, or academic related sanctions.

13.11 Lifetime Ban: A lifetime ban from a college's campus and college events, and/or from any or all other LCTC System colleges.

Student Conduct That May Lead to Lifetime Ban from all LCTC System Member College Campuses:

13.11.1 Possession of Firearms (except as allowed by La. R.S. 14:95.2 and any applicable law): This includes any gunpowder-based devices, projectile-firing devices, and all types of air rifles.

13.11.2 Terroristic Threats: Any form of terroristic threats, including threats involving bombs, chemicals, or biological agents.

13.11.3 Factors Considered for Issuing a Lifetime Ban:

1. Whether the conduct is legally permissible,
2. The student's intent,
3. Opinions and assessments from law enforcement and medical professionals,
4. Mitigating or aggravating circumstances.

13.11.4 Applying for Reinstatement: When considering reinstatement of a previously banned student, the college may evaluate:

1. The time elapsed since the conduct occurred,
2. Steps taken by the individual to rehabilitate their character,
3. The nature and severity of the conduct,
4. Character references

14. Student Leaders

All LCTC System institutions are committed to upholding and instilling in all students the highest standards of academic, personal, professional, and social integrity. However, student leaders, by virtue of their post, are considered to be role models within the college community and must therefore at all times exhibit behavior, on and off campus, that aligns with the college's mission and its student code of conduct. For purposes of this policy, student leaders include: student athletes, student government officials, student organization leaders, honor society leaders, and other official student leadership roles recognized by the college.

If a student leader is charged with a felony offense or serious misdemeanor, the student leader may be removed from his/her leadership position until final legal disposition of the matter. While charges do not constitute guilt, a student leader being charged could affect the college's reputation and/or the learning environment. Student leaders have a responsibility to self-report any felony or serious misdemeanor charges, within 48 hours, to their staff advisor, who will then inform college leadership. This policy will be enacted when a student self-reports or when college leadership becomes aware of the charges.

The decision to remove a student leader from his/her leadership position will be made by the college Chancellor, in consultation with the college's Chief Student and/or Academic Affairs Officer. The following factors will be considered when deciding whether or not to remove a student leader from his/her position following a felony offense or serious misdemeanor charge:

1. The impact having the student leader remain in his/her position may have on the college community as a whole;

2. Whether or not the felony or serious misdemeanor offense involved any other members of the LCTC System college community or property of an LCTC System college; and

3. The individual student leader's personal ability to fulfill in his/her leadership responsibilities while under investigation.

Once final legal disposition of the matter occurs, the college Chancellor, in consultation with the college's Chief Student and/or Academic Affairs Officer, may lift, modify, leave in place, extend, or make permanent the student's removal from the leadership position. Student leaders must be made aware of and acknowledge this policy upon their ascension to a leadership position.

15. Accommodations

a. Students needing assistance or disability accommodations with respect to these procedures must request such in a timely manner so that appropriate actions can be taken without unnecessary delays to the process. Students should contact the College's ADA coordinator with requests or questions or for assistance.

b. A student is presumed to be mentally and physically fit to participate in educational programming when he or she enrolls. If a student's conduct indicates they may not be fit, the college can require an evaluation of fitness to continue educational programming. The student will be required to follow any recommendations made by the evaluator.

16. Student Conduct Records Retention

Records will be maintained for at least seven (7) years.

Permanent sanctions on the student transcript, such as suspension or dismissal, are retained indefinitely.

17. Review Periodicity and Responsibility

The LCTC General Counsel, or designee, shall review LCTC Policy No. 2.004 – Student Conduct and Appeal Procedures annually beginning on July 1st of each year. BRCC will update this policy based on revisions by LCTC or as required by state or federal law.

This Policy on student due process and protection, relative to disciplinary proceedings, right to counsel for students and student organizations, and appeals, is promulgated pursuant to Act 464, R.S. 17:3394, of the 2022 Regular Legislative Session of the Louisiana Legislature, Act 416 of the 2024 Regular Session of the Louisiana Legislature, Act 441 of the 2026 Regular Session of the Louisiana Legislature, and Act 497 of the Regular Session of the Louisiana Legislature. Correction edits 10/15/2026.