Louisiana Delta Community College

2020-2021

Code of Student Conduct

Department of Student Success Services

Office of Student Conduct

LOUISIANA DELTA COMMUNITY COLLEGE (LDCC)
CODE OF STUDENT CONDUCT (CODE)
This Code of Student Conduct applies to all LDCC Community College campuses.

Statement of Authority

The College has the legal right and moral obligation to establish rules for academic and personal conduct and to deny admission to applicants or continued enrollment to students who do not meet/maintain these standards identified as "responsibilities" as well as the rules of the College and its departments. Counseling and/or sanctions will be imposed on students or student organizations that are found in violation of these standards. The College reserves the right to review any action taken by civil or judicial authorities regarding any LDCC student or student organization.

All students admitted to the College accept the responsibility to conform to all LDCC rules and regulations. The College will make every reasonable effort to make the rules and regulations available. Each student is responsible for becoming familiar with and abiding by them. This academic misconduct policy serves as a procedural reference for the entire institution. However, these guidelines for disciplinary sanctions and the student appeal process do not supersede student misconduct policies associated with specific programs of study as governed by state or national oversight boards.

Students will not give or receive any unauthorized aid or assistance on any graded assignment or assessment. If a student witnesses anyone else doing so, the witnessing student is obligated to report the infraction to the faculty member and/or the appropriate College administrator.

ACADEMIC MISCONDUCT
SECTION ONE

1.01 Types of Academic Misconduct

Although all academic misconduct is wrong, premeditated acts of academic misconduct represent a greater threat to the integrity of the College than do unpremeditated acts of academic misconduct. Louisiana Delta Community College establishes the following definitions and distinctions between the two types of academic misconduct.

1.01:01 ***Unpremeditated*** academic misconduct is an act of academic misconduct taken without advance contemplation, prior determination, or planning, or full understanding that the act is considered academic misconduct: e.g., on the spur-of-the-moment; seizing the opportunity to cheat; collaboration to a greater degree than is permitted in a situation; careless or incomplete documentation of sources and references.

1.01:02 ***Premeditated*** academic misconduct is an act of academic misconduct which grows out of advance contemplation or meditation, prior deliberation, or planning which may include the preparation of a written plan or notes. Although prior thought and planning is requisite to premeditation, the prior thought and planning need not exist for any period of time before it is carried into effect.

1.02 Categories of Academic Misconduct

1.02:01 **Cheating** is the intentional use of inappropriate and unauthorized assistance, information, materials, or study aids in any academic exercise; and includes multiple submissions of the same or part of the same work to different instructors for different assignments in the same semester or in a different semester. Cheating includes, but is not limited to, the use of unauthorized assistance, information, or materials on tests, homework, quizzes, papers, projects, and all other academic assignments. Additionally, the act of conspiracy for the purpose of defrauding also constitutes cheating.

1.02:02 **Fabrication** is the misrepresentation of a signature or a document as original (authentic) and includes the fabrication of any part of an individual or group academic assignment; or of official documents of the college or

outside agencies, including drop/add slips, excused absence slips, and medical documentation. Fabrication also includes making up or changing data or results or relying on someone else's results in experiments or laboratory assignments. The citing of sources that have not actually been used or consulted is also an offense.

1.02:03 **Plagiarism** constitutes the use of another person's ideas, words, data, arguments, or sentence structure in any academic assignments as the student's own without proper documentation or citation.

1.02:04 **Misrepresentation** is intentionally presenting oneself as someone else, or intentionally representing the condition or the situation as more or less than what it actually is to gain credit or special concessions on individual or group academic work including make-up tests, projects, and class assignments.

1.02:05 **Violation of class rules** is the intentional failure to follow the rules of each individual class concerning academic assignments and class behavior as referenced in the course syllabus.

1.02:06 ***Complicity*** is the willing involvement with others in any academic misconduct.

1.02:07 ***Software Fraud*** is the unlawful downloading and copying of computer software used in the creation of academic work.

1.02:08 ***Multiple submissions of work*** involve handing in academic work that was done previously by the student for another class, or by someone else.

1.03 Academic Offenses and Sanctions

The instructor reserves the right to levy the following sanctions which are dependent on the frequency and gravity of the alleged offense:

1.03:01 Reduced grade for the assignment

1.03:02 Failing grade for the assignment

1.03:03 Reduced final grade for the course

1.03:04 Failing grade for the course

The following sanctions may be levied against the student by the Academic Division Chair or the Vice Chancellor for Academic Affairs. If the offense warrants the following disciplinary actions, instructor consultation with the appropriate academic supervisor is required:

1.03:05 Referral for counseling

1.03:06 Dismissal from program of study

1.03:07 Suspension from the College

1:03.08 Expulsion from the College

1.04 DUE PROCESS FOR ACADEMIC MISCONDUCT AND STUDENT APPEALS

1.04:01 The faculty member will notify the student in writing of the academic misconduct charges, a description of the evidence, and the disciplinary sanction. Email will suffice as written correspondence. If the penalty resides with an authority higher than the instructor, then the faculty member will confer with the Division Chair/Program Director and then communicate the intended sanction with the student.

1.04:02 The faculty member will notify the student in writing of the academic misconduct charges, a description of the evidence, and the disciplinary sanction. Email will suffice as written correspondence. If the penalty resides with an authority higher than the instructor, then the faculty member will confer with the Division Chair/Program Director and then communicate the intended sanction with the student.

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1.04:03 Division Chairs/Program Directors may meet with the student and/or faculty member to discuss the evidence and disciplinary sanctions. Division Chairs/Program Directors must respond, in writing, to the student and instructor within seven (7) calendar days of receipt. The response will communicate the conditions for either granting or denying the student's appeal.

1.04.04 Students who do not agree with the charges and/or sanctions as decided by the Division Chair/Program Director may appeal to the Vice Chancellor for Academic Affairs. Appeals to the VCAA must be submitted in writing within five (5) calendar days of notification from the Division Chair/Program Director that the appeal had been denied. The Vice Chancellor for Academic Affairs must respond, in writing, with a decision regarding the student's appeal within ten (10) calendar days of receipt. The student, faculty member, and Division Chair/Program Director will be included on the correspondence. The Vice Chancellor's decision will be final and binding.

ACTS OF MISCONDUCT OTHER THAN ACADEMIC
SECTION TWO

2.01:01 Failure to comply with behavioral standards of the Louisiana Community and Technical College System and Louisiana Delta Community College, as well as abide by local, state and federal laws.

2.01:02 Violation of the rights of individuals as established in the United States and Louisiana Constitutions.

2.01:03 Harassing conduct of any kind, including acts based on race, gender, ethnicity, sexual orientation, disability, religion, etc.

2.01:04 Stalking, that is, the repeated following or harassing of another person accompanied by the making of a credible threat with the intent to place that person in reasonable fear of death or serious injury.

2.01:05 Cyber stalking, that is, use of electronic mail or electronic communication of any words or language threatening to inflict bodily harm, physical injury to the property of, or extortion of money or other things of value to any person or the person's family or dependents; use of electronic mail or electronic communication for the purpose of threatening, terrifying, or harassing any person; use of electronic mail or electronic communication to make false statements to any person or the person's family or dependents with the intent to threaten, terrify, or harass.

2.01:06 Bullying, that is, severe or repeated use by one or more individuals of written, verbal, or electronic communication, or a physical act or gesture or exclusion directed at another individual. Bullying may cause physical or emotional harm, may create a hostile environment, and may infringe on an individual's rights, and/or may disrupt the campus environment

2.01:07 Physical abuse or threat there of including acts of intimidation against any person or persons, or other conduct which threatens or endangers the health or safety of any such person or persons including hazing, domestic violence or offensive touching.

2.01:08 Sexual offenses, including offensive touching (sexual battery), nonconsensual intercourse (rape), and intercourse with a person who is not capable of giving consent due to some form of intoxication or

who is otherwise incapable of giving consent, and performing sexual acts to self on college property, college activities and events on or off-campus.

2.01:09 Unauthorized entry or use of College facilities or any violation of College rules regarding the use of College property. Unauthorized use, access to, manipulation of, tampering with or duplication of any College computer hardware, software programs, and/or associated documentation including, but not limited to, telecommunications equipment, computer equipment, etc.

2.01:10 Using the College's computing resources for personal or financial gain; allowing non-college personnel access to computing resources on campus; displaying obscene, lewd, or sexually harassing images or text in use of the College's computers; or modifying or copying records or data belonging to the College.

2.01:11 Vandalism, malicious destruction, damage, defacing, misuse, or abuse of College, public, or private property, including library materials, computer equipment and software, vending/games machines, and vehicles.

2.01:12 Setting a fire on campus or campus-related premises or setting the fire alarm without proper authority.

2.01:13 The intentional making of a false report of a bomb, fire, or other emergency.

2.01:14 Failure to comply with fire or safety procedures (including failure to evacuate for fire drills and weather alarms) whenever the alarm sounds.

2.01:15 Falsification of academic records, identification cards, financial aid records, academic forgery, altering official academic documents, misusing College documents, or withholding information relating to admission, transfer credits, financial aid, academic status, records, etc (refers to academic transcripts).

2.01:16 Failure to answer a College summons or to appear for a discipline hearing as notified by College officials.

2.01:17 Failure to meet any College-related financial obligation. Passing worthless checks or counterfeit money or transactions in order to fulfill financial obligations.

2.01:18 Participation in any group demonstration, sit-in, or disorderly conduct which disturbs the orderly activities and processes of the College.

2.01:19 Possession or consumption of alcoholic beverage in any form on campus or while participating in a College activity or on a College-sponsored trip.

2.01:20 The possession of a firearm, explosives, knives or weapons or any item that may be construed as such by a student or non-student on school property, at school-sponsored functions. This includes ammunition, fireworks, or other dangerous substances or materials of any kind.

2.01:21 Unauthorized or illegal possession, use, sale, or transportation of narcotics, stimulants, depressants, hallucinogenic drugs, marijuana, or other illegal drugs on campus or while on a College-sponsored event or trip.

2.01:22 Personal conduct which does not comply with socially accepted behavior in the academic community (includes but is not limited to: engaging in drunkenness, use of profanity, disorderly conduct, lewd, indecent, or obscene gestures or conduct, etc.) on or off-campus.

2.01:23 Disturbing the peace by unreasonable loud noise or behavior and or disruptive and disorderly behavior.

2.01:24 Convicted of a felony.

2.01:25 Formally charged by civil authorities with the commission of a felony of such nature that the student's presence at the College is potentially dangerous to the health, safety, and educational environment of the College community.

2.01:26 When there is strong convincing evidence that the student against whom civil authorities have brought charges or imposed penalties has committed a felony of such nature that the student's continued presence at the College is potentially dangerous to the health, safety, and educational environment of the College community.

2.01:27 Smoking in College facilities. All buildings of LDCC are smoke-free and tobacco-free. Smoking, chewing, snorting and/or any use of tobacco products or tobacco "like products (such as e-cigarettes) are prohibited in buildings and on the college grounds.

2.01:28 Gambling of any type.

2.01:29 Obstruction or disruption of teaching, research, administration, disciplinary procedures, or college-authorized activities or events. Severe or repeated disruption of class/lab activities.

2.01:30 Disobedience to lawful order or directive from campus police, an instructor in the classroom, and/or insubordination or disrespect to an instructor and/or administrator when they are functioning in their official capacity.

2.01:31 Disrespect or inappropriate behavior at any time when dealing with students, College employees, and/or the general public. This includes various degrees of obscenities and profanities, e-mails, text messaging and voice mail.

2.01.32 Theft, larceny, shoplifting, embezzlement or the temporary taking of the property of another.

2.01:33 Repeated or accumulated violations of any part of the code.

2.01:34 Disruptive behavior that interferes with learning on campus.

2.01:35 Retaliation against any complainant, witness, or College employee

2.01.36 The possession and use of unmanned aircraft system (drones) on all College campus grounds.

2.02 Disciplinary Standards and Procedures:

Initiation of Discipline Proceedings:

2.02:01 When the Dean of Student Success Services/ Campus Director or Designee/AdultED Director receives notification that a student has violated any rule or regulation of the Code of Student Conduct, the Dean of Student Success Services/Campus Director/AdultED Director shall investigate the alleged violation within 5 calendar days of receiving the notification.

2.02:02 The Dean of Student Success Services/ Campus Director or Designee/AdultED Director may summon a student (either orally or in writing) to appear in connection with an alleged violation. The summons shall direct the student to appear at a specified date, time, and place.

2.02:03 A student who fails to keep an administrative appointment or who fails to appear without just cause within 24 hours or one class/business day shall forfeit the right to present their case and will have said charges considered in absentia by Dean of Student Success Services/Campus Director or Designee/AdultED Director. Thereupon, the Dean of Student Success Services/Campus Director or Designee/AdultED Director will review the case, conduct investigation, and submit case to the College's Disciplinary Hearing Committee for ruling.

2.02:04 The Disciplinary Hearing Committee will give written report of outcome of case with imposed sanctions if determined to Dean of Student Success Services who will notify the student of the outcome from the Disciplinary Hearing Committee within 5 calendar days.

2.02:05 Within 5 calendar days of receiving the letter with disciplinary sanctions, the student may appeal in writing to the Executive Director of Enrollment Management whose has the final ruling on the case.

2.03 Definitions:

2.03:01 *Student:* any person enrolled in college classes (full-time, part-time, audit, or credit).

2.03:02 *College employee:* any person employed by the College including student employees.

2.03:03 *College facilities:* all lands, buildings, and facilities owned, leased, or controlled by the College

2.03:04 *College activity, event, or trip:* any activity, event, or trip that is sponsored by the College or any division/organization of the College.

2.03:05 *Student Disciplinary Hearing Committee*: Committee may have up to 5 members, not including the chairman or the Dean of Student Success Services (ex-officio member), faculty/staff members, Members are selected from a campus wide pool of committee members who are randomly selected for each case.

2.04 Sanctions

Discipline sanctions may be imposed in response to misconduct acts committed by students or a student organization. The purpose of imposing sanctions is to promote educational and social development of the student and the College community, to provide appropriate penalties, and to deter other acts of misconduct which thwarts the aims, purposes, and policies of the institution.

No refund or credit of tuition, fees, or other costs associated with attendance of the College will be made to students when discipline sanctions are imposed which result in the student being deprived privileges and/or access to services.

In the case of serious violations, a notation of the discipline matter will be placed on a student's academic transcript until it is cleared. In the case of dismissal from the College, the record is permanent.

Discipline records are confidential in accordance with federal and state laws. The contents of the student discipline record may not be released to anyone not associated with campus discipline except upon written approval of the student or a court-ordered subpoena or by the administration of FERPA.

2.04:01 *Written Reprimand:* from the appropriate administrator to the student on whom the penalty is imposed, placed in the student's permanent discipline record.

2.04:02 *Warning probation:* written notification that further violations of any sub-section of this code will result in more severe discipline action. Warning probation may be imposed for a period of not more than one calendar year.

2.04:03 *Disciplinary probation:* written notification that further violations of any sub-section of this code may result in suspension. The terms of disciplinary probation shall be determined Disciplinary Hearing Committee.

2.04:04. *Suspension of privileges:* prohibits participation in or attendance at certain events, activities, or class/lab; restricts specific campus student privileges.

2.04:05 *Community Service:* assigned a specific number of hours of service.

2.04:06 *Counseling:* student directed to Student Counseling and Disability Office for time period designated by the Counselor. In the case where the College is not qualified or equipped to handle severe personal, psychological or emotional problems, the Counselor will refer the student to an off-campus agency to meet the student's needs.

2.04:07 *Restitution:* repair or replacement of property damaged.

2.04:08 *Fines:* monetary fines to fit the case. If the fine is not paid, it remains on the student's record as indebtedness to the College, which then renders the student ineligible to register for subsequent semesters or to receive official transcripts.

2.04:09 *Cancellation of registration* or denial of credit may be imposed in cases where the student is found responsible of withholding information relating to the student's admission, transfer credits, academic status, records, etc.

2.04:10 *Suspension:* may be used in the event of a threat of safety to the College community or if a student refuses to answer a summons.

2.04:11 *Expulsion:* may be used in the event of a threat of safety to the College community.

If the student is suspended or expelled before the published automatic "W" grade deadline date, the student will receive a "W" in currently enrolled course(s). If the student is suspended or expelled after the published automatic "W" grade deadline date, the student will receive an "F" in currently enrolled course(s).

A written report is made indicating the imposed sanctions. The student may appeal the sanctions of the administrator and request a hearing before the Disciplinary Hearing Committee. Requests for appeals must be submitted in writing to the administrator within 5 calendar days of the notification of the administrative sanction.

2.04:12 Bar Against Readmission: written notification issued to a student who has left the College that he/she will not be allowed to re-enroll until the pending discipline matter has been resolved. The penalty terminates on clearance of the discipline matter. This sanction may also be imposed in cases of severe disciplinary infractions and/or in the event of a threat of safety to the College community. Students may appeal to the Student Disciplinary Hearing Committee for readmission to the College after one year.

2.05 Appeal Procedures

The student has the right to submit a written appeal to the decision or any sanction imposed within 5 calendar days to the Executive Director of Enrollment Management if any of the following apply: insufficient evidence to support the charge(s); sanctions imposed were inappropriate; information discovered that indicates that the administrator or committee members were not impartial. The appeal is based on the records of the investigation/hearing. No new evidence may be presented.

STUDENT GRIEVANCE PROCEDURES
SECTION THREE

(other than for appeals of academic standing or reported grade)

Introduction

LDCC affirms the rights of students to fair and judicial resolution of problems which may accompany conditions of their enrollment. Toward this end, the College maintains informal and open access to instructors and administrators as an avenue by which grievances may be discussed.

3.01 Definitions

3.01:01 *Grievance* -Defined as an expression of alleged unfair or inequitable treatment with respect to the application of policy, procedure, or regulation.

3.01:02 *Discrimination Complaint* - Written complaint alleging any policy, procedure, or practice that discriminates on the basis of race, color, national origin, gender, sexual orientation, or disability.

3.01:03 *Student Grievant*- Individual enrolled in academic courses part-time, full-time, "credit," or “audit” who files the grievance.

3.01:04 *Applicant Grievant* (under ADA) - Applicant for admission to postsecondary education who submits a complaint alleging discrimination based on race, color, national origin, religion, gender, sexual orientation, age, disability, or veteran status.

3.01:05 *Respondent*- Person alleged to be responsible for the violation.

3.01:06 *Day*- Calendar days in which the College is open for business, excluding holidays and week-ends.

3.02 Formal Filing Procedures

3.02:01 Student files a written grievance. Forms are available from the Department of Student Success Services and/or the Office of Human Resources.

3.02:02 Student grievant submits written grievance to the Department of Student Success Services within 5 days after the attempt at informal resolution has failed. The grievance must include name, nature, and date of alleged violation; names of persons responsible (where known); and requested action.

3:02:03 Dean of Student Success Services/Campus Director or Academic Administrator notifies respondent within 5 days and asks respondent to:
a. Confirm or deny facts;
b. Indicate acceptance or rejection of student or applicant requested action;
c. Outline alternatives.

3.02:04 Within 5 days, respondent submits answer to the Dean of Student Success Services/Campus Director or Academic Administrator.

3.02:05 Within 5 days after receiving respondent's answer, the Dean of Student Success Services/Campus Director or Academic Administrator refers the written complaint and the respondent's reply to the Appeals Committee.

3.03 Disciplinary Hearing Procedures

3.03:01 The Grievant and Respondent individually meet with the Appeals Hearing Panel, who conducts the hearing. In cases of academic related grievances, the appropriate Academic Division Chair is notified.

3.03:02 Within 5 days after the hearing, the Appeals Hearing Panel issues a written decision to the student or applicant.

3.03:03 If the Grievant or Respondent is not satisfied with the decision, he/she must notify the Dean of Student Success Services/Campus Director or Academic Administrator within 5 days and must request a hearing with the LCTCS Office.

3.03:04 Within 5 days after receiving the request, the Dean of Student Success Services/Campus Director contacts the Governing Board to establish a hearing date. The hearing is to be conducted within 30 days from the date of notification to the LCTCS Office. Once all documents are received, System Office 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 System Office 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, System Office 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.

Louisiana Community and Technical College System Office
265 S. Foster Road,
Baton Rouge, LA. 70806
ATTN: Academic & Student Affairs Division

3.04 Rights of the Grievant and/or Victim

3.04:01 The grievant and/or victim shall be informed of the due process rights as outlined below.

3.04:02 The grievant and/or the victim have the right to a closed hearing.

3.04:03 The grievant and/or the victim have the right to appear at the hearing alone or with an attorney, advisor, or friend. The attorney, advisor, or friend may advise the defendant or victim but may not address the committee, witnesses, or other parties.

3.04:04 The grievant has the right to know what documentary evidence will be offered against him/her.

3.04:05 The grievant has the right to know the identity of each witness who will testify against him/her.

3.04:06 The grievant and the Dean of Student Success Services/Campus Director have the right to offer evidence.

3.04:07 The grievant has the right to argue on behalf of himself or herself.

3.04:08 Victims of cases involving violence and/or sexual offenses will be informed of the outcome of the hearing and subsequent appeals.

3.05 General Provisions

3.05:01 Grievance records will remain confidential unless permission is given by the parties involved to release such information. Grievance records are destroyed at the end of the semester in which the case is resolved.

3.05:02 LDCC will not tolerate any type of discipline or retaliation, direct or indirect, against any person who, in good faith, files a complaint or responds to questions in regard to having witnessed a prohibited incident.

3.05:03 False charges are treated as serious offenses and may result in disciplinary action.

STUDENTS' RIGHTS & RESPONSIBILITIES
SECTION FOUR

4.01 Specific Rights for Students

In addition to the basic rights and freedoms guaranteed all citizens, the College recognizes the following specific rights of students in the student/College relationship:

4.01:01 The right to participate in academic, co-curricular and extracurricular activities and benefit functions of the College, free from all legal discrimination on the grounds of race, color, religion, sexual orientation, national origin, age, political belief, disability, marital status or veteran status.

4.01:02 The right to the opportunity for a quality education.

4.01:03 The right to know the College's regulations, rules and policies by which students are governed.

4.01:04 The right to a formal appeals procedure by which reconsideration of an action by the College through one of its employees, which adversely affects a student may be requested.

4.01:05 The right to utilize the appeal procedure without fear of coercion, harassment, intimidation or reprisal for the act of making the appeal.

4.01:06 The right of substantive and procedural due process in all student disciplinary procedures.

4.01:07 The right to advocate, through reasonable and lawful means, changes in College regulations, rules and policies.

4.01:08 The right to reasonable participation in the formation of College policies.

4.01:09 The right to organize, join, and participate in recognized campus organizations.

4.01:10 The right to use College facilities, subject to reasonable rules and regulations governing the time, place and manner of such use.

4.01:11 The right to invite and hear any speaker chosen by students, subject to reasonable rules and procedures established for the orderly scheduling of facilities and for making adequate preparation for the event.

4.01:12 The right of confidentiality of all official student educational, medical and psychiatric records.

4.01:13 The right to be notified in writing of decisions made by the College which would impact the student's academic performance or achievement.

4.02 Responsibilities of Students

Students at Louisiana Delta Community College have the following general responsibilities and obligations to the College:

4.02:01 To conduct themselves in a manner consistent with generally accepted standards of conduct embodied in federal, state and local laws.

4.02:02 To conduct themselves in a manner that contributes to the creation and maintenance of an environment conducive to the broad educational mission of the College.

4.02:03 To support the academic integrity of the College.

4.02:04 To know and comply with regulations, rules, policies and requirements established by the College.

4.02:05 To respect the rights and freedoms of others and to conduct themselves in such a way as not to violate the rights and freedoms of other members of the College community and its guests.

4.02:06 To use College property and facilities in accordance with College regulations and policies and to make every effort to use these facilities in a way that will not damage or impair their usefulness to other, current and future students.

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