



Policy 2.004

STUDENT CODE OF CONDUCT

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Student Code of Conduct

Student conduct in the environment of an institution of higher learning is expected to be exemplary at all times. The regulations listed within the Code of Student Conduct pertain to students and student life at Northwest Louisiana Technical Community College. The Code of Student Conduct is promulgated by the Office of the Vice Chancellor of Academics, Student Affairs, and Workforce under the power and authority delegated by the Board of Louisiana Community and Technical College Supervisors and through the Chancellor of the College. The Chancellor has delegated the Vice Chancellor of Academics, Student Affairs, and Workforce as the agents responsible for the administration of discipline at Northwest Louisiana Technical Community College.

In support of the mission of NLTC, the College expects its students, student organizations, and all members of the College community to respect the rights of others, as guaranteed by the U.S. Constitution and the Constitution of the State of Louisiana and to obey all federal, state, and local laws, the rules and regulations of the Louisiana Community and Technical College System Supervisors and of Northwest Louisiana Technical Community College.

NLTC affirms the rights of a student to fair and reasonable resolution of problems, which may accompany the condition of his/her enrollment. The handling of discipline on the College campus is not a criminal proceeding and will follow College procedures.

Each student is responsible for reading and obeying all rules outlined in the Code of Student Conduct. Regulations are designed to create and promote a wholesome educational environment, which includes honesty, integrity, citizenship, and interacting/communicating with others in a respectful and civil manner. To this means, the College condemns hate speech, as well as epithets and slurs based on race, gender, ethnicity, sexual orientation, disability, religion, etc.

The Articles of Section One list the offenses which may be punished, whether they are committed by a student acting singly or with other students or by members of a student organization, whether the violation occurs on or off College property, and whether or not any action is taken by civil authorities.

Student organizations are accountable for any actions or activities by a member acting singly or in concert with others that result in a violation of conduct standards.

The College may also impose discipline sanctions if an off-campus violation causes the student to be a clear and present danger or threat to the College community or deters the College from its purposes, function, or goals.

Students suspended and/or expelled from another college or university for disciplinary reasons may not be allowed to enroll in Northwest Louisiana Technical Community College

Student Rights and Responsibilities

- a. Presumption of Innocence: Students and organizations are presumed innocent until proven guilty by clear and convincing evidence.
- b. Right to Representation: Students may have representation by an attorney or advocate during significant disciplinary hearings
- c. Due Process Rights: Comprehensive processes are required for all elements of adjudication, including access to evidence, understanding of charges, and the right to appeal.

These rights are further outlined in this policy.

Section I: Acts of Misconduct

These include, but are not limited to, failure to comply with laws, verbal or physical abuse, harassment, theft, unauthorized facility use, academic cheating, discrimination, and others as thoroughly detailed in each subsection.

1.1 – Failure to comply with behavioral standards of the Louisiana Community and Technical College System and Northwest Louisiana Technical Community College, as well as failure to abide by local, state, and federal laws.

1.2 – Violation of the rights of individuals as established in the United States and Louisiana Constitutions.

1.3 – Verbal abuse in the form of “fighting words,” abusive messages either written, verbal, or by email, or words directed at an individual, which tend to incite an immediate breach of peace.

1.4 – Harassing conduct of any kind including acts based on race, gender, ethnicity, sexual orientation, disability, religion, etc.

1.5 – 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.

1.6 – Cyber stalking, that is, use in electronic mail or electronic communication 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.

1.7 – 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 a person’s rights, and/or may disrupt the campus environment.

1.8 – Physical abuse or threat thereof 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.

1.9 – 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.

1.10 – Disregard for the property rights of others including theft, larceny, embezzlement, fraud, the temporary taking or unauthorized use of the property of another (including the property of the College), and/or possession of stolen goods.

1.11 – 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.

1.12 – 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.

1.13 – Vandalism, malicious destruction, damage, defacing, misuse, or abuse of College, public, or private property, including learning commons materials, computer equipment and software, vending machines, and vehicles.

1.14 – Setting a fire on campus or campus-related premises without proper authority.

1.15 – The intentional making of a false report of a bomb, fire, or other emergency.

1.16 – Failure to comply with fire or safety procedures (including failure to evacuate for fires drills and weather alarms) whenever the alarm sounds.

1.17 – Falsification of academic records, identification cards, medical documentation, financial aid records, academic forgery, altering official academic documents, misusing College documents, or withholding information relating to admission, transfer credits, financial aid, academic status, disciplinary status, records, etc.

1.18 – Failure to answer a College summons or to appear for a discipline hearing as notified by College officials.

1.19 – Failure to meet any College-related financial obligation. Passing worthless checks in order to fulfill financial obligations.

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

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

1.22 – Carrying a firearm, or dangerous weapon, by a student or non-student on school property, at school-sponsored functions or firearm-free zone. This includes ammunition, explosives, fireworks, or other dangerous substances or materials of any kind.

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

1.24 – Obstructing or restraining the passage of any person at an exit or entrance to the College campus or property.

1.25 – Academic misconduct, such as cheating or plagiarism (see Section II: Academic Misconduct).

1.26 – Personal conduct which does not comply with socially accepted behavior in the academic community (e.g. drunkenness, use of profanity, disorderly conduct, lewd, indecent, or obscene conduct).

1.27 -Obstruction or disruption of teaching, research, administration, disciplinary procedures, or College-authorized activities or events. Severe or repeated disruption of class/lab activities.

1.28 – 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.

1.29 – Failure to provide a valid Student ID when requested by campus personnel acting in an official capacity.

1.30 – Disturbing the peace by unreasonable loud noise or behavior.

1.31 – Failure to display valid vehicle registration permit when on campus.

1.32 – Gambling of any type.

1.33 – Conviction of any criminal ordinances or laws.

1.34 – Excessive noise.

1.35 – Retaliation against any complainant, witness, or College employee.

1.36 – Violation of the Smoke-Free Campus policy.

1.37 – Violation of a student's right to free expression.

1.38 – Repeated or accumulated violations of any part of the code.

1.39 – Any violation of the subsections listed in the Code of Student Conduct may result in a student being required to appear before the Disciplinary Hearing Committee.

Student Leaders

NLTCC is committed to promoting and instilling the highest standards of academic, personal, professional, and social integrity among all students. As student leaders within the college community, individuals in these roles are expected to consistently model behavior that aligns with the college's mission and the student code of conduct, both on and off campus. For this policy, student leaders include student government officials, leaders of student organizations, honor society leaders, and other official leadership roles recognized by NLTCC.

If a student leader is charged with a felony offense or a serious misdemeanor, they may be temporarily removed from their leadership position until the legal matters are resolved. While charges do not imply guilt, such situations can impact NLTCC's reputation and the overall 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 the college administration. 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 their position will be made by the Chancellor, in consultation with the Vice Chancellor of Academics, Student Affairs, and Workforce. The following factors will be considered when deciding whether to remove a student leader after a felony offense or serious misdemeanor charge:

1. The potential impact on the NLTCC community if the student leader remains in their position;
2. Whether the felony or serious misdemeanor involved other members of the NLTCC community or college property;
3. The individual student leader's capacity to fulfill their leadership responsibilities during the investigation.

Once legal proceedings conclude, the Chancellor, alongside the Vice Chancellor of Academics, Student Affairs, and Workforce, may choose to lift, modify, maintain, extend, or make permanent the student's removal from their leadership position. Student leaders must be made aware of and acknowledge this policy upon taking on their leadership roles at NLTCC.

Section II: Academic Misconduct

General

Academic misconduct represents a most serious type of student misconduct; therefore, the College must make a determined effort to prevent its occurrence. The College must also develop policies and procedures that assure students of due process protection when academic misconduct is alleged and that provide meaningful and consistent sanctions for students found guilty of academic misconduct.

Equal treatment guaranteed to students by the 14th Amendment to the United States Constitution requires that the same College policies, procedures, and practices be used to consider all allegations of academic misconduct and also requires the imposing of "like sanctions for like violations" on all students found guilty of academic misconduct. This obligation of the College can be fulfilled only if each instructor reports all suspected academic misconduct to the Office of the Vice Chancellor of Academics, Student Affairs, and Workforce in accordance with the provisions of this Code.

Students may be asked to sign a Student Honor Code in each class at the beginning of each semester. The Student Honor Code is as follows:

I, (student name), agree to abide by the NLTCC policies and procedures regarding types of academic misconduct, the disciplinary sanctions for academic misconduct, and the due process procedures. I agree that all assignments that I do for this course, including tests, will be my own and that I will neither give nor receive any unauthorized assistance.

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. The following definitions of and distinctions between unpremeditated and premeditated academic misconduct are established.

Unpremeditated. 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 particular situation; and careless or incomplete documentation of sources.

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

For purposes of filing formal charges, each of the following offenses will normally be considered an act of academic misconduct:

- Copying from another student's test;
- Allowing another student to copy from a test paper;
- Using unauthorized materials or documents. Having such forbidden material open in sight of the student will be considered prima facie evidence of use;

- Failing to thoroughly follow instructions related to the preparation and presentation of work submitted for credit in a manner that results in submitting as one's own the work of another, or misleading faculty members as to the condition under which the work was prepared, e.g., working with another on a project that was to be done individually;
- Collaboration during a test with any person by giving or receiving information without authority;
- Using specially prepared materials, e.g., notes, formula lists or notes written on the student's clothing or body, during a test. Bringing such forbidden material to a test will be considered prima facie evidence of use or attempted use;
- Using unapproved technology during a test, e.g., a smart watch, cell phone, or calculator;
- Stealing, buying, or otherwise obtaining all or part of an un-administered test, including answers to an un-administered test;
- Selling or giving away all or part of an un-administered test, including answers to an un-administered test;
- Bribing any other person to obtain an un-administered test or information about an un-administered test; Substituting for another student, or permitting any other person to substitute for oneself, to take a test;
- Submitting as one's own, in fulfillment of academic requirements, any work such as, but not limited to, a theme, report, term paper, essay, computer software, other written work, painting, drawing, sculpture, or other scholastic art work prepared totally or in part by another;
- Any selling, giving, or otherwise supplying to another student for use in fulfilling academic requirements any theme, report, term paper, essay, computer software, other written or verbal work, painting, drawing, sculpture, or other scholastic art work;
- Breaking in and/or entering a building or office for the purpose of changing a grade in a grade book, on a test paper, or on other work for which a grade is given;
- Changing, altering, or being an accessory to changing and/or altering a grade in a grade book, on a test paper, on other work for which a grade is given, on a "drop slip," or on other official academic records including computer files of the College which relate to grades;
- Proposing and/or entering into an arrangement with an instructor to receive a grade of "F" or any other reduced grade in a course, on a test, or any other assigned work instead of being charged with academic misconduct under the Code of Student Conduct;
- Plagiarism is defined as using another's work as one's own including words, ideas, or data of others, and/or information from the Internet. The source of this information must be acknowledged through complete, accurate, and specific footnote or comparable references, and, if word-for-word statements are included, through quotation marks as well. Failure to identify any source, published or unpublished, copyrighted or un-copyrighted, from which information, terms, phrases, or concepts have been taken, is plagiarism. Only universally available facts such as the date of Abraham Lincoln's death are excluded from such documentation requirements. By placing his or her name on work submitted for credit, the student certifies the originality of all work not otherwise identified in references;
- Attempting to commit, or being an accessory to the commission of, an offense listed above.

Instructions for Documenting Alleged Acts of Academic Misconduct

If an alleged act of academic misconduct occurs in a class, the following due process steps will be followed:

1. The instructor will verbally or electronically (e-mail) notify the student of the alleged charges and evidence against the student, will promptly complete an *Academic Misconduct Student Notification Form* and will document all evidence. The instructor will give the form to the instructor's supervisor. In cases involving programs with outside accreditation, alternative discipline forms or records may be submitted in lieu of the *Academic Misconduct Student Notification Form* including *NLTCC Health Occupations Discipline Record* and *NLTCC IJET Discipline Referral Form*.
2. The instructor's supervisor will schedule a meeting with the student and the instructor and will present a copy of the *Academic Misconduct Student Notification Form* or alternate form listed above to the student. Failure of the student to attend this meeting will be interpreted as an admission of guilt. In cases concerning distance education students, the meeting may be held via phone conference or via an online venue such as Zoom. The student will

be given the opportunity to refute the charges. The instructor and the instructor's supervisor will then jointly determine if the charges are justified or are to be dismissed, and will complete the *Academic Misconduct Student Counseling Form*.

3. If the charges are to be dismissed, the instructor's supervisor will so note on the *Academic Misconduct Student Counseling Form*. The instructor's supervisor will keep a copy of the *Academic Misconduct Student Counseling Form* in the division office files.
4. If the charges are deemed to be justified, the student will be advised of the disciplinary sanctions that may be imposed for the academic misconduct. The student may accept the sanction(s) or may request a meeting with the Vice Chancellor of Academics, Student Affairs, and Workforce. The instructor's supervisor will then send a copy of the *Academic Misconduct Student Counseling Form* to the Vice Chancellor of Academics, Student Affairs, and Workforce for further review.
5. The Vice Chancellor of Academics, Student Affairs, and Workforce may either render a decision or refer the case to the Student Discipline Committee.

Disciplinary Sanction for Academic Misconduct

Sanctions for Academic Misconduct. Coursework completed during an interim suspension or involuntary removal may be denied or revoked pending the outcome of the hearing.

After an *Academic Misconduct Student Counseling Form* is filed by the instructor, the following sanctions for acts of academic misconduct may be imposed upon students participating in academic courses for credit or audit at NLTC by the instructor of record for the student:

- Probation and a "0" on the assignment/test will be given.
- Removal from the course in which academic misconduct has occurred. A letter grade of "F" in the course will be given.
- The following sanctions for acts of academic misconduct may be imposed upon students in academic or technical courses for credit or audit at NLTC only by decision of the Student Discipline Committee within the venue of a Student Discipline Committee hearing:
 - Separation from the College for one semester. A letter grade of "F" in the course will be given.
 - Separation from the College for not less than two semesters or more than two calendar years. A letter grade of "F" in the course will be given.
 - Expulsion from the College. A letter grade of "F" in the course will be given. This action must be approved by the Chancellor.
 - *Additional sanction options may be applied in specialized fields including Allied Health based on the programmatic handbook in Nursing, for example.

Assignment of Grade. If a student is charged with academic misconduct, and the case cannot be handled administratively or considered by the Student Discipline Committee prior to the final date for filing a semester grade, the instructor bringing the charge shall report an "I" grade in the course in which the alleged academic misconduct occurred. If the student is found not guilty, a permanent grade will be assigned to remove the "I" grade on the basis of the quality of work done in the course. If the student is found guilty of academic misconduct, the sanction determined by the Vice Chancellor of Academics, Student Affairs, and Workforce and/or the Student Discipline Committee will be applied.

Permanent Separation from the College. When separation from the College is the imposed sanction, students will receive an "F" in the course in which the academic misconduct has occurred. At the discretion of the Vice Chancellor of Academics, Student Affairs, and Workforce, all other courses will be dropped and a "W" grade will be assigned.

Section III: Due Process for Acts of Misconduct

The following rights apply to both the student who has been accused of the violation and to the student who is the alleged victim, if applicable.

Interim Measures and Safety

Provisional measures may be implemented for community safety with subsequent rights to hearings.

1. Within seventy-two hours of identifying an alleged violation as an immediate threat, NLTC will provide a written notification detailing the reasons for initiating interim actions.
2. An interim measure hearing will occur within seven business days after the notification, unless the accused student opts to waive it. This hearing aims to determine if there is sufficient evidence suggesting that the student presents a danger to the safety of campus individuals and if the interim actions are suitable for mitigating this danger. Both the accused student and the alleged victim are entitled to have representation at this hearing. Choosing to waive the hearing does not imply admitting guilt or forfeiting other rights.'

Applicable Geographical Jurisdiction

College disciplinary action shall be taken only for academic misconduct which takes place in the following areas or situations:

- College-owned or controlled property, all other remote sites, and all electronic or distance learning venues.
- Divisions and programs may also establish conduct standards for the student-department relationship, as long as these standards are consistent with the provisions of the Code of Student Conduct.

The Vice Chancellor of Academics, Student Affairs, and Workforce may (i) dispose of the alleged academic misconduct as being unfounded, (ii) may impose administrative sanctions 3.10-3.11 without a hearing, or (iii) may refer the alleged violation to the Student Discipline Committee for a hearing.

The Vice Chancellor of Academics, Student Affairs, and Workforce will notify the student in writing of the date, time, and place of the hearing. The notice shall be sent by certified mail, return receipt requested, addressed to the student at the address appearing in official College records, or the notice may be sent via email. The notice will direct the student to appear before the Student Discipline Committee on the date, time, and place specified for the hearing. The notice will specify a hearing date no fewer than three, but not more than ten, working days after the receipt of the letter.

Prior to the hearing, the Vice Chancellor of Academics, Student Affairs, and Workforce or designee will inform the student in writing of the following rights of due process as outlined in sections 4.6-4.18 of this policy.

Initiation of Discipline Proceedings

The accused student or organization is presumed innocent and cannot be found guilty until either they formally accept responsibility or a hearing concludes with the institution proving each aspect of the alleged violation with clear and convincing evidence.

3.1 – When the Vice Chancellor of Academics, Student Affairs, and Workforce receives information alleging that a student(s) has violated any rule or regulation of this Code, the Board of Supervisors, the College, or its various divisions, the Vice Chancellor shall investigate the alleged violation.

3.2 – The Vice Chancellor of Academics, Student Affairs, and Workforce or designee will inform the student, in writing, of their rights.

3.3 – The Vice Chancellor of Academics, Student Affairs, and Workforce may summon a student, 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.

3.4 – A student who fails, without good cause, to comply with a summons or letter of notice issued by the Vice Chancellor of Academics, Student Affairs, and Workforce may be charged with a violation of Sub-section 1.18; and may be placed on disciplinary probation, temporarily suspended, or barred against readmission.

3.5 – The Vice Chancellor of Academics, Student Affairs, and Workforce may (i) dispose of a violation as being unfounded, may (ii) impose administrative sanctions without a hearing, or may (iii) refer the violation to a formal disciplinary hearing or formal academic misconduct hearing.

Definitions

3.5 – *Student*: any person enrolled in academic classes (full-time, part-time, audit, or credit).

3.6 – *College employee*: any person employed by the College including student employees.

3.7 – *College facilities*: all lands, buildings, and facilities owned, leased, or controlled by the College.

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

3.9 – *Student Discipline Committee*: committee composed of four faculty/staff/administration members, and at least one student member of PTK or SGA. The initiating administrator is an ex-officio member only. A quorum consists of the five members of the committee. Academic Misconduct is considered a behavioral issue, therefore, the Student Discipline Committee will hear Academic Misconduct cases.

Sanctions

Discipline sanctions may be imposed in response to sanctionable misconduct 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's being deprived privileges and/or access to services. In the reversal of a decision or a lessening of the sanction, NLTCC shall reimburse the student for any tuition and fees paid for the period of suspension, including deferred suspension, or expulsion which had not been previously refunded, if applicable.

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

Administrative Sanctions

The initiating administrator may dispose of a violation by imposing any of the following sanctions without a hearing:

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

3.11 – *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.

3.12 – *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 by the Vice Chancellor of Academics, Student Affairs, and Workforce.

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

3.14 – *Community Service*: assigned a specific number of hours of service.

3.15 – *Restitution*: repair or replacement of property damaged.

3.16 – *Fines*: monetary fines to fit the particular case. If the fine is not paid, it remains on the student's record as an indebtedness to the College, which then renders the student ineligible to register for subsequent semesters.

3.17 – *Cancellation of registration and/or denial of credit* may be imposed in cases where the student is found guilty of withholding and/or falsifying information relating to the student's admission, transfer credits, academic status, records, etc.

3.18 – *Suspension*: may be used by the Vice Chancellor of Academics, Student Affairs, and Workforce in the event of a threat of safety to the College community or if a student refuses to answer a summons.

3.19 – *Expulsion*: may be used by the Chancellor and/or the Disciplinary Hearing Committee in the event of a threat of safety to the college community. Most violations and infractions of behavioral standards are dealt with by administrative 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 to the administrator within ten (10) working days of the notification of the administrative sanction.

Section 4: Disciplinary Hearing Procedures

In disciplinary cases involving a formal hearing before the Student Discipline Committee, the hearing will be closed. All deliberations of the committee are private. The standard of guilt is whether it is more likely than not that the violation occurred. The vote is by a simple majority vote of the members present.

No person in the adjudicative process will assume more than one of the following roles:

- a. Victim counselor or victim advocate,
- b. Investigator,
- c. Institutional prosecutor,
- d. Adjudicator, or
- e. Appellate adjudicator.

A designee will be assigned in the event any step in the disciplinary proceedings would by order of process lead to a duplicative role.

Notice of Hearing

4.1 – The Vice Chancellor of Academics, Student Affairs, and Workforce shall notify the student either orally or in writing, of the date, time, and place for the hearing and of the precise charges which have been lodged against him or her, stating where, when, and how the alleged violation occurred and citing the section(s) of the Code which were allegedly violated.

4.2 – The notice shall direct the student(s) to appear before the committee on the date, time, and place specified for the hearing.

4.3 – The notice shall be sent by certified mail, return receipt requested, addressed to the student at the address appearing in official College records, or the notice may be sent via email

4.4 – The notice shall specify a hearing date no fewer than three, not more than ten, work days after the receipt of the notice.

4.5 – In the event a student defendant does not accept his/her certified return receipt letter concerning the hearing, does not respond to an email or voicemail message, and/or does not appear at the hearing at the specified time and place, the student defendant will relinquish his/her rights to serve as the student defendant and to present his/her information to the committee, and the hearing will continue as scheduled. The student defendant will be notified of the decision of the Committee by the Chair or the Vice Chancellor of Academics, Student Affairs, and Workforce's designee.

Rights of the Student Defendants and Victims

The student defendant and victim shall be informed of the due process rights as outlined below.

4.6 – The student defendant has the right of freedom of conflicts of interest.

4.7 – The student defendant and the victim have the right to a closed hearing.

4.8 – The student defendant and the victim have the right to appear at the hearing alone or be represented, at the student's expense, by an attorney or non-attorney advocate who may "fully participate."

4.9 – The student defendant has the right to know what documentary evidence will be offered against him/her.

4.9.1 – The student defendant will be allowed access to the administrative case file relevant to the alleged violation and NLTC's investigation, and reasonable continuing access to the redacted files, beginning at least seven business days prior to any disciplinary hearing.

4.10 – The student defendant and the Vice Chancellor of Academics, Student Affairs, and Workforce have the right to offer evidence.

4.11 – The student defendant has the right to argue on behalf of himself or herself.

4.12 – The Committee members have the right to cross-examine each witness who will testify.

4.13 – The Committee members have the right to call/interview anyone not involved in the hearing who may have information that helps in the deliberation process.

4.14 -The student will be notified by the Chair of the Committee or the Vice Chancellor of Academics, Student Affairs, and Workforce's designee regarding finding of guilt or innocence and sanction imposed, if any.

4.15 – Victims of cases involving violence will be informed of the outcome of the hearing and subsequent appeals.

4.16 – Victims and respondents in cases of sexual misconduct will be informed of the outcome of the hearing and subsequent appeals.

4.17 – The student defendant has the right to appeal the decision of guilt or any resulting sanctions.

4.18 – The Chair of the Committee and/or the Vice Chancellor of Academics, Student Affairs, and Workforce may postpone the hearing for cause.

Disciplinary Hearings Committee Sanctions

4.19 – Any administrative sanction listed above.

4.20 – Suspension: forced withdrawal from the College for a specified period of time.

4.21 – Expulsion: permanent, forced withdrawal from the College.

4.22 – 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 Discipline Committee for readmission to the College by following the Readmission Procedure outlined in Section IV.

Section IV: Appeals

Readmission Procedure for Involuntary Removals

A student may be involuntarily removed (suspension/expulsion) from the College in the event the student becomes a threat to the health and safety of the campus community. This does not apply to instructor initiated withdrawals due to non-attendance. If the student chooses to seek possible readmission, the student must petition for readmission in writing to the Vice Chancellor of Academics, Student Affairs, and Workforce no later than the semester *prior* to the semester in which the student wishes to reenroll. The student is *not allowed* to reenroll the semester immediately following the involuntary removal.

The student must submit or agree to one or more of the following:

- A meeting with the Vice Chancellor of Academics, Student Affairs, and Workforce or her/his designee.
- A full mental health evaluation, if applicable, signed and validated by a licensed mental health professional.
- Court records, if applicable, showing adjudication of criminal charges.
- Submission to a background check.
- A signed Conduct Contract submitted to the office of the Vice Chancellor of Academics, Student Affairs, and Workforce.

Once the document(s) are submitted, the student may be allowed to readmit by the Chancellor or the Vice Chancellor of Academics, Student Affairs, and Workforce.

If, after being readmitted, the student once again becomes a threat to the health and safety of the campus community, the student will be removed from the College and will not be allowed to reenroll for any future semesters.

At the discretion of the Chancellor, students dismissed for misconduct may be denied readmission. Students who were dismissed from Allied Health programs may be denied readmission to all Allied Health programs.

Appeal Procedures

The student has the right to request to appeal the decision of guilt or any sanction. Appeals are limited to the basis of new evidence, contradictory evidence, and evidence that the student or student organization was not afforded due process. The student's right to an attorney or non-attorney advocate during the hearing extends to the appeal process, at the student's expense.

The student may issue an appeal by submitting the written appeal to the appropriate administrator within ten (10) working days after written notice of the sanction has been given to the student.

A student may issue a written appeal as follows:

- Decision of the instructor to the academic dean of the appropriate academic area.
- Decision of the academic dean to the Vice Chancellor for Academics, Student Affairs, and Workforce.
- Decision of administrative sanction to the Student Discipline Committee.
- Decision of Student Discipline Committee to College Chancellor.

Procedures for an Appeal to the LCTCS Office

A student, or the parent/legal guardian of a minor student, may appeal to the LCTCS Office on the grounds that the college's published procedures do not provide due process or that such procedures were carried out in an unfair or impartial manner. The appeal must be made, in writing, within 30 business days of the college's final disposition on the matter

Formal requests for appeals should be emailed to the Louisiana Community and Technical College System Office at students@lctcs.edu or mailed to 265 S. Foster Road, Baton Rouge, LA. 70806, ATTN: Student Governance, and should contain the following information:

1. Name of individual submitting the appeal as it appears in the college's records;
2. Student ID number of the individual submitting the appeal;
3. Mailing address of the individual submitting the appeal;
4. Phone number of the individual submitting the appeal;
5. Email address of the individual submitting the appeal;
6. Dates of attendance at the college;
7. The individual's affiliation with the college (current student, former student, parent or legal guardian of current or former student, if complainant is an un-emancipated minor)
8. A description of the nature of and reason for the appeal; and
9. Any supporting documentation

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

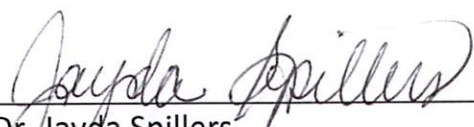
1. Review the submitted materials and contact the individual who submitted the appeal for any additional information or clarifications needed.
2. Send a copy of the request for appeal to the college and request that a formal response and any relevant supporting documentation from the college be submitted to System Office staff within 10 business days.

Once all documents are received, System Office staff will:

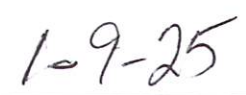
1. Review the documents submitted to ensure that the college's published procedures provide due process and were carried out in a fair and impartial manner.
2. In the event that System Office staff cannot determine whether the college's published procedures provide due process or whether or not they 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.

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

Chancellor's Signature/Approval



Dr. Jayda Spillers
Chancellor



Date

