

# ***The Rights, Freedoms and Responsibilities of Students*** **Lehigh Carbon Community College**

Approved by LCCC Board of Trustees, June 3, 2010

## **Introduction**

Inherent in the mission of the College is to sustain an academic community. As an academic community, the College encourages the safe participation of all its members in the pursuit of learning. Within that community each individual is responsible to act with self-discipline and with mutual respect such as is necessary for the community to flourish.

Certain expectations exist for individual members of our academic community. Members are expected to always act in a manner that fosters the process of teaching and learning. It is expected that members will act with respect for individual integrity and self respect, with respect for the rights and concerns of others, with respect for property, and with respect for the integrity of the academic process.

The following document is a framework of rights, freedoms, and responsibilities of students within the academic community, as well as the community's responsibility to students. It reflects the expectations set forth above and provides for the guidance of individual and community roles, along with the method of dealing with behaviors in conflict with the community.

## **Article 1 - Standards for Curricular & Extracurricular Student Life**

All members of the College community are entitled, with consideration for the rights of others, to the following basic rights: the right of peaceful assembly, free exchange of ideas and orderly protest, and the right to attend, make use of, or enjoy the facilities and functions of the College subject to prescribed rules. All members of the College community are also entitled to be in an environment free from harassment on the basis of such characteristics as race, religion, gender, sex, disability, economic status, sexual orientation, ethnicity, age, national origin, or on the basis of position or function.

### **1.1 Freedom of Association**

Students bring to the College community a variety of interests previously acquired and develop many new interests as members of the academic community. They should be free with consideration for the rights of others to organize and join associations to promote their common interests. Affiliation of a College group with an organization outside the campus does not of itself disqualify a student organization from College recognition. In order for an organization to be recognized and approved, it must meet the established criteria of the Student Government Association.

Each approved organization shall be free to choose its own staff or faculty advisor. In cases where an approved organization does not have a staff or faculty advisor, the Student Government Association will assist it in securing an advisor. The Dean of

Student Development and the Director of Student Life should be notified immediately when an organization is without an advisor, and College recognition should not be withdrawn during the time the student organization is making a good faith effort to seek an advisor. The time allotted for this will not exceed one academic semester, after which time the organization automatically loses College recognition. During the time an organization is without an advisor, the Dean of Student Development will appoint a staff member to serve, who will be relieved of the duty when the organization makes its choice.

Approved organizations are required to keep a current membership list to be made available upon the request of the Student Government Association or the Dean of Student Development. Student organizations, including those affiliated with an outside organization shall be open to all students without respect to race, religion, gender, sex, disability, economic status, sexual orientation, ethnicity, national origin, or on the basis of position or function.

### **1.2 Freedom of Expression and Inquiry**

Students and organizations should be free, with consideration for the rights of others, to examine and discuss all questions of interest to them and to express opinions publicly and privately. They should be free to support causes in an orderly manner that does not disrupt the regular and essential operation of the College or violate the rights of others. It should be made clear, each time, to the academic and the community at large that in their public expressions or demonstrations, students and/or student organizations speak only for themselves and are bound by standards of conduct set forth by the Student Code of Conduct.

The College should serve as a forum where new ideas are explored, investigated, and put to the scrutiny of critical analysis. Therefore, any segment of the academic community is free to invite and to hear any personality and idea presented within that College forum, providing the person or program is not in violation of local, state or federal laws. It must be made clear to the academic and community at large that such sponsorship of speakers does not imply approval or endorsement of the views expressed, either by the sponsoring group or by the College. Whenever possible, when a controversial topic is presented, every effort will be made to use a format that will also provide for the presentation of dissenting views.

It is incumbent upon the academic community to ensure that the College forum is neither disregarded nor taken lightly since the forum reflects on every member of the academic community. All procedures should ensure the orderly scheduling of facilities and adequate preparation for the event so that each occasion is conducted in a manner appropriate to the academic community. The Campus Life Committee shall be the board of appeal on action taken under this section.

### **1.3 Freedom to Participate in College Governance**

As constituents of the academic community, students are free, individually and collectively, to express their views on issues of College policy and on matters of general interest to the student body. The student body shall have the opportunity to participate in the formulation and application of College policy affecting academic and student affairs through the Student Government Association. The actions of the Student Government

Association should be reviewed only through an orderly procedure. The final authority for the establishment of College policy and for the governance of the College rests with the Board of Trustees and the President.

#### **1.4 Protection against Sexual Harassment**

It is the policy of the College, in keeping with efforts to establish an environment in which dignity and worth of all members of the College community are respected, that sexual harassment of members of the College is unacceptable conduct and will not be tolerated. The College encourages any member of the academic community to raise questions he or she may have regarding sexual harassment with the Director of Human Resources or the Ombudsman. (Refer to College policy on sexual harassment).

## **Article 2 - The Academic Rights and Responsibilities of Students**

### **2.1 Protection of Freedom of Access to Higher Education**

In keeping with its mission and goals, the College offers admission to anyone who wishes to further his/her education and who can benefit from such an experience. Admission to the College shall not be based on race, religion, gender, sex, disability, economic status, sexual orientation, ethnicity, national origin, or on the basis of position or function. Applicants may be asked to demonstrate their ability to benefit from the educational experience upon request. Admission to specific programs of study may be competitive and based on standards and policies administered by the Office of Admissions.

### **2.2 Protection of Freedom to Participate in a Safe, Supportive Learning Environment.**

The community college experience is one that is open to all learners while providing safe, productive learning experiences. Violations of the safety or the productivity of this environment disrupts the community and therefore cannot be tolerated. Examples of such unacceptable disruptions can be found in 4.3.

### **2.3 Protection of Freedom in the Classroom**

Faculty in the classroom and in conference should encourage free discussion, inquiry and expression in the subject of the course. Student performance should be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards or specific program standards.

### **2.4 Protection against Improper Academic Evaluation**

Students should have protection, through orderly procedures, against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled, as outlined in the Academic Catalog and the course syllabus. The student has a right to a course grade based on the faculty's judgment of demonstrated performance in the course. A student, based on the belief that the grade was not fairly determined, may appeal the grade using procedures set forth in 2.8 of this document.

## **2.5 Protection of Freedom of Expression in the Classroom**

Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

## **2.6 Protection against Improper Disclosure**

Information about student beliefs, political association, health, or character which faculty acquire in the course of their work as instructors, advisors, and counselors is considered confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, generally with the knowledge and consent of the student.

## **2.7 Protection of Student Rights to Information**

Course and program selection is the responsibility of the student. The college shall provide accurate information for students, including:

- a. calendar dates for academic, enrollment and withdrawal processes.
- b. college policies that guide students and staff.
- c. specific information regarding the student's academic standing in the College.
- d. graduation requirements for the student's particular major or program.

The College will also provide advising services to guide students in the utilization of this information. These services are not prescriptive in nature, but rather designed to facilitate the student's learning in how he/she can assume this responsibility with confidence.

## **2.8 Procedure for Resolution of Conflict**

### **2.8.1 The relationship between the student and the faculty and the staff should be established on mutual respect and understanding.**

**Whenever possible, differences between students and faculty and staff should be resolved through direct discussion between them.**

Any student who, after consultation with the faculty and/or staff member(s), feels that his/her academic rights (as outlined in this article) have been violated may file a complaint with the Ombudsman (see 2.8.2).

For classroom related concerns, a student must file the complaint as set forth above, no later than one (1) semester (not counting summer sessions) beyond the completion of the course for which a dispute or conflict has arisen, or the right to file the complaint is lost. Although a procedure for appeal is set forth, the faculty has final authority and responsibility for course content, classroom procedure, and grade determination. No power to change any grade given to a student is vested in any other person or any judicial body established under this document.

For non-classroom concerns, a student must file the complaint as set forth above *within the semester* for which a dispute or conflict has arisen, or the right to file the complaint is lost.

### **2.8.2 Ombudsman**

The Ombudsman is a trusted intermediary between the college and the student, who shall assist students in obtaining proper resolution of concerns as expeditiously and informally as possible.

- a. An Ombudsman shall be appointed by the College President.
- b. The Ombudsman shall be available to any student.
- c. The Ombudsman shall respect the privacy of all persons who seek his/her counsel and shall guide them in possible avenues of assistance.
- d. The Ombudsman shall establish an orderly procedure for receiving requests of individual student or group grievances.
- e. The intermediary nature of the Ombudsman's role requires that he/she maintain a neutral position when advising students of options or direction that may be taken to address the matter at hand.
- f. The Ombudsman may advise a student when a grievance lacks merit or may advise from which College official or faculty member to seek further information, or the Ombudsman may assist the student or group obtaining an informal settlement of the problem.
- g. The Ombudsman shall have broad investigative authority and ready access to all College officials.
- h. The Ombudsman has no authority to change grades, classroom or college policy.
- i. The Ombudsman reports directly to the College President on problems for which no remedy has been found, as well as to make periodic reports to the President on the status of a student's concerns, rights, freedoms and responsibilities.
- j. If the matter is not resolved to the satisfaction of the student, the student may submit an appeal in writing to the appropriate administrator, as directed by the Ombudsman. If the intervention by the administrator(s) does not meet the satisfaction of the student, he/she may submit an appeal in writing to the appropriate Vice President. If still not resolved, written appeal may be made to the College President, whose decision is final.

**2.8.3 A procedure has been established with the intent of providing prompt and equitable resolution of student complaints alleging unlawful discrimination** in violation of the College's policy of nondiscrimination as adopted by the Board of Trustees in accordance with Title IX of the Education Amendments of 1972 and Section 504. (Refer to the College grievance procedure - Title IX - Section 504).

## **Article 3 - Protection of Student Records**

The student's permanent educational record remains a personal document, and its contents are revealed only under rigid regulations as specified in Public Law 93-380, as amended. (Refer to College policy on student records.) Academic transcripts contain

only information concerning the academic status of the individual; disciplinary records are maintained separately from academic records to prevent simultaneous disclosure. Civil authorities must present an order of the court to have access to these records. Administrative staff and faculty should respect confidential information about students that they acquire in the course of their work. Students should likewise exercise extreme caution in the circulation of information about other students. A student has the right to obtain a copy of his or her academic transcript from the Enrollment Services Office, provided the student does not have an unpaid, overdue financial obligation to the College.

## **Article 4 - Student Code of Conduct**

The Student Code of Conduct exists to ensure the safety of all students, faculty, staff, and community members, as well as to foster the supportive learning environment which helps students be successful. LCCC's commitment to being a community of learners dictates that behavior contrary to this core value be identified, articulated, and dealt with productively and proactively.

**4.1 *Students should know and abide by the regulations of the College and the Student Government Association.*** Each student is considered to be a responsible adult. Emphasis will be placed on standards of mature conduct rather than upon restriction. However, any student who continues to demonstrate his/her inability or unwillingness to conform to acceptable social conduct by engaging in disruptive activities may lose his/her right to enjoy the educational, social, and recreational functions of the College.

### **4.2 *Legal Obligations***

**4.2.1 The College has a legal duty to act in good faith to protect the academic community from being the victims of criminal offenses.** Should any criminal violations occur on campus or at College-sponsored activities off-campus, the College upon receiving such information has a legal obligation to report these violations to the appropriate law enforcement agency. In addition to being subject to possible criminal prosecution, a student may be subject to actions as set forth in 4.5.3.

**4.2.2 When involved in misconduct that conflicts with this Code,** a student may be suspended from campus and College-sponsored activities, pending conduct proceedings.

**4.2.3 The College will take prompt action to prosecute any claim for restitution or reimbursement** that it has against any person interfering with or damaging College equipment, facilities, or property.

**4.2.4 Lehigh Carbon Community College maintains a zero tolerance for physical violence.** Any student who has engaged in physical violence on campus will be immediately suspended, pending further action. The time of

suspension for students found to be responsible for violent conduct shall not be less than the remainder of the current semester.

### **4.3 Misconduct**

The following misconduct is regarded as conflicting with the Student Code of Conduct, is deemed unacceptable, and is subject to action as indicated in 4.4, 4.5, 5 and 6.

- a.** Disruption of the learning environment or any behavior that detracts from the goals of the College. This includes but is not limited to overt disrespect for the ideas and opinions of others, disruptive talk during class, disruptive use of electronic devices.
- b.** Academic dishonesty, including cheating, plagiarism, and related misconduct as outlined in the College *Academic Honesty Policy*.
- c.** Misuse of college computing systems and facilities as defined by the College's *Responsible Use of College Computing Resources* policies.
- d.** Physical harm, physical or verbal abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or unreasonably endangers the health or safety of any person.
- e.** Personal misconduct and immoral behavior, including all forms of sexual misconduct or sexual harassment. See college policy on *Sexual Harassment*.
- f.** Obstructing or restraining the lawful movement of another and thereby causing personal or campus disorder.
- g.** Engaging in speech that includes words, which by their very utterance tend to incite others.
- h.** Possession or storage of a weapon, firearm, explosive and/or facsimile weapons on College premises or at any off-campus College-sponsored supervised activities except as authorized by law.
- i.** Committing any act likely to create an imminent safety or health hazard.
- j.** Intentionally initiating or causing to be initiated, any false report, warning, or threat of fire, explosion, or other emergency on College premises or at College-sponsored activities.
- k.** Attempted or actual theft of and/or damage to property of the College or property of a member of the College community.
- l.** Manufacture, possession, control, sale, transmission of, distribution or use of any controlled substance, alcohol, or other illicit drugs on College premises, or at any off- campus College-sponsored or supervised activities except as authorized by law.
- m.** Gambling on campus or at any College-sponsored activity. Subject to local statutes, activities such as raffles or drawings that benefit recognized campus organizations may be permitted with the approval of the Director of Student Life.

- n. Intentionally or maliciously furnishing false information to the College. Fraudulent use or forgery of any College seal or document, including the Student ID card.
- o. Unauthorized entry to or use of College facilities, including buildings and grounds.
- p. Repeated violation of College traffic and parking regulations. Intentionally impeding normal pedestrian or vehicular traffic on campus.
- q. Failure to comply with a directive of College officials, faculty members, or Public Safety Officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- r. Repeated violation of any other published or posted College policies, rules or regulations.
- s. Violation of any other federal, state or local law, regulation or ordinance on College premises or at College-sponsored activities.

#### **4.4 Procedures for Resolution of Questionable Conduct**

**4.4.1 The general responsibility for resolution of questionable conduct of students enrolled at the College resides in the Office of the Dean of Student Development.** The Dean of Student Development is authorized to take action when a student is reported to have compromised any College regulation, policy or procedure which governs acceptable behavior while present on College properties or at College sponsored events.

**4.4.2 Any member of the College community who observes a student behaving in ways that conflict with College regulations, policies or procedures governing acceptable behavior is to inform the Dean of Student Development and file a written statement.** All questionable conduct reports shall contain the following:

- a. the identity of the student involved in the questionable conduct,
- b. a verbatim reference to the specific College regulation, policy or procedure which was compromised by the reported conduct,
- c. a reasonably detailed description of the specific behavior of concern (dates, times, places, others involved or observing, interventions taken or attempted, shall be specified),
- d. the identity of the person submitting the report and all observers who may be able to report additional information, and
- e. description of any other types of information related to the reported conduct that may be helpful to determining proper resolution.

**4.4.3 The Dean of Student Development may elect to consider the case informally,** in which the facts will be heard and a decision rendered without a formal Conduct Hearing. If a student is found responsible for behavior that conflicts with this Code, appropriate actions shall be taken by the Dean of Student

Development. When the Dean of Student Development has decided upon the case, the student will be informed in writing of the reported misconduct, related information, the decision rendered, and the right to a formal hearing.

Following the informal procedures, either the Dean of Student Development or the student may elect to initiate a hearing before the College Conduct Board. The student always has the right to formal due-process proceedings and may decline the informal decision rendered by the Dean of Student Development.

#### **4.4.4 Interim Suspension**

The President of the College, or a duly appointed designee in collaboration with the College behavior intervention team, may suspend a student for an interim period, whenever there is evidence that the continued presence of the student on the College campus poses a substantial threat to himself/herself or to others or to the stability and continuance of normal College functions, in the opinion of the President or the duly appointed designee. Such action will be taken pending conduct proceedings or medical evaluation. The interim suspension shall become immediately effective without prior notice

Any student who is suspended from the College on an interim basis for exhibiting any of the aforementioned behaviors must:

- a. be seen as a patient by a licensed professional counselor, licensed psychologist or a psychiatrist
- b. spend a minimum of six (6) contact hours with the aforementioned professional
- c. provide documented evidence to the Dean of Student Development of meetings as established in 4.4.4a and 4.4.4b before consideration for reinstatement and
- d. petition for readmission and be formally readmitted by the Dean of Student Development through a hearing procedure, as established in 6.1.3.

A student suspended on an interim basis shall be given an opportunity to appear personally before the President, or a duly appointed designee, within five (5) business days from the effective date of the interim suspension. A hearing shall then be held on the following issues only:

- a. the reliability of the information concerning the student's conduct, including the matter of his/her identity,
- b. whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on the College campus poses a substantial threat to himself/herself or to others or to the stability and continuance of normal College functions.

The suspension shall be continued pending further due process, or lifted, as per the decision of the President or duly appointed designee.

## **4.5 Procedural Due Process**

The following procedures shall be established in order to ensure due process in conducting hearings, resolving disputes and determining actions to be taken.

**4.5.1 A student or the Dean of Student Development may request a hearing before the College Conduct Board.** The student's request must be made in writing to the Dean of Student Development within seven (7) school days from the date the Dean issued the informal decision in writing. The Dean of Student Development shall forward to the student, within five (5) business days of the request for a hearing, a written statement which will include the reported misconduct, related information, and the rights of the student to representation.

### **4.5.2 Conduct Hearing Process**

Any student accused of violating a College regulation, policy or procedure has the right to due process before the Conduct Board.

- a. The Conduct Board may not convene without a quorum present (quorum representation is further defined in 5.1.1.c.).
- b. A Conduct Board member must disqualify himself/herself if there is a conflict of interest with the student whose behavior is in question, in which case he/she shall not be counted as a member.
- c. All decisions of the Conduct Board shall be by a majority vote. The Conduct Board Chair shall vote only in the event of a tie vote among the members.
- d. All conduct hearings shall be closed unless an open hearing is requested by the student whose behavior is in question, in writing, to the Dean of Student Development prior to the hearing. The Conduct Board shall have the absolute right to order the hearing closed if deemed necessary by the Board, contrary to the student request.
- e. In the event that this student, without just cause as determined by the Conduct Board, does not attend the scheduled meeting of the Board, the case should be heard and a determination reached, without the student whose behavior is in question present.
- f. The student in question and those persons reporting the misconduct shall have the right to pose questions to witnesses and inspect written statements which relate to the reported conduct.
- g. The Conduct Board is empowered to issue Board Inquiries to request information, the appearance of witnesses, the imposition of action(s), and other matters necessary to its function. All members of the College community should comply with Board Inquiries.
- h. All those reporting information have the right to refuse to answer. However, deliberate falsification of information reported shall be considered cause for action against the reporting party.
- i. The Conduct Board shall determine the admissibility of information and such determination shall be final.
- j. The hearing decision will be made in writing within two working days by the chair of the Conduct Board to the Dean of Student Development, who shall notify the student in question as set forth in 5.1.2.e.

### 4.5.3 Actions Taken in Response to Misconduct

Any of the following measures can be imposed on a student found responsible for misconduct as identified in 4.3, depending on the severity of the behavior. Copies of conduct action will be retained in the student's conduct record in the Office of the Dean of Student Development.

- a. Notice and Warning**  
Verbal or written notice of the unacceptable conduct and compromised regulation(s) and warning that further misconduct may result in more severe action.
- b. Probation**  
Written notice of the unacceptable conduct and compromised regulation(s) with specified limitations on college activities for a specified period of time, and warning that more severe action may be taken if these terms are subsequently violated. The student will not be permitted to represent the College in any activity or run for or hold office in any student group or organization for the period of time noted. Additional restrictions or conditions may be imposed. Notification will be sent to appropriate College offices, including the Offices of Student Life and Intercollegiate Athletics.
- c. Suspension**  
Written notice of suspension from the College due to specified unacceptable conduct and compromised regulation(s). Suspension may be immediate and temporary or for a period not to exceed one (1) year, and could result in dismissal if the terms of the suspension are subsequently violated.
- d. Dismissal**  
Written notice of dismissal from the College due to specified unacceptable conduct and compromised regulation(s). Dismissal constitutes permanent separation of the student from the College.
- e. Restitution**  
Written notice of required restitution for damage to College property or in any other appropriate circumstances. Restitution may be required instead of or in addition to those actions listed above.
- f. Other Actions**  
Other actions may be imposed instead of or in addition to those listed above. Work, counseling, or research projects may be assigned.

**4.5.4 Written record of all actions taken** against a student found responsible for misconduct should be kept on file in the Office of the Dean of Student Development. These records may not be examined before a decision has been rendered on any subsequent cases. Conduct records shall be retained for a minimum of five (5) years following the date of the misconduct. Record of more serious misconduct may be retained indefinitely, as determined by the college.

## **4.5.5 Individual and Process Safeguards**

In the full spirit of due process and to provide safeguards that a decision regarding a student's conduct has been determined by adherence to the procedures contained herein, and by consideration of all information deemed relevant, students who by the College Conduct Board have been found responsible for misconduct, may appeal the decision as follows:

### **4.5.5.1 Filing of an Appeal**

All decisions of the Conduct Board are final unless within three (3) business days after the receipt of the decision, the student found to be responsible for misconduct submits a letter to the Office of the Dean of Student Development requesting an appeal of the Board's decision. Any appeal of the Board's decision will be directed to the President of the College whose decision will be final.

### **4.5.5.2 Grounds for Acceptance of an Appeal**

The Dean of Student Development shall decide to accept an appeal when one or more of the following conditions are met:

- a. When the Dean of Student Development determines the previous hearing was not conducted in such a manner as to provide the student in question with procedural due process as outlined in this document or
- b. When it appears to the Dean of Student Development that the information presented in the hearing was not sufficient to justify the decision or
- c. When new information is made available to the Dean of Student Development that would appear to have some bearing on the reversal of the decision and/or reduction of the severity of the imposed action.

### **4.5.5.3 Decisions on Appeals**

After deciding to accept an appeal, all information presented in the appeal by the student shall be reviewed. The President shall decide to do one of the following:

- a. Uphold the previous decision.
- b. Reduce actions which had been imposed or recommended.
- c. Overrule the previous decision and find the student free from responsibility.

## **Article 5 – Conduct Administration System**

### **5.1 Conduct Board**

#### **5.1.1 Composition**

- a. Ten (10) members to be comprised of four (4) students, appointed by the Dean of Student Development in consultation with the Student Government Association; four (4) faculty members, appointed by the Faculty Association; and two (2) administrators, appointed by the Vice President for Academic Services and Student Development.

- b. One alternate member for each group shall be appointed in accordance with the above guidelines for appointments. Faculty and administrative members to the Board will be for staggered terms of two (2) calendar years.
- c. A quorum shall minimally consist of three (3) students, three (3) faculty members, and one (1) administrator. This is the minimal representation that must be present in order for a hearing to take place.
- d. The Conduct Board will determine its procedures which will include electing a Board Chair and Secretary. The Conduct Board will determine procedures in accordance with students' due process rights.

### **5.1.2 Procedure**

- a. Upon receipt of a request for a hearing, the Conduct Board must meet for the hearing no sooner than 14 days or later than 30 days after the request. The Dean of Student Development will notify all parties of the time and place of the hearing. The Dean of Student Development will also indicate what supporting information should be brought by participants to the hearing. The Dean of Student Development will provide all parties with copy of the written infractions.
- b. The student whose behavior is in question and those persons reporting the misconduct may invite witnesses and/or personal counsel to be present. It is important to acknowledge that conduct hearings are informal in nature and aimed at providing due process. Hearings are not to be construed as court proceedings. Legal advisors may not directly participate in the hearing and have no role or standing in the proceedings, except to advise their clients in a quiet manner that is not disruptive to the proceedings.
- c. Having completed facilitation of the hearing, the Board will meet in closed session to reach a decision. The decision will be based only upon the information presented in the hearing. A majority vote by the Conduct Board is required to reach a decision.
- d. Hearings may be recorded. The recording shall be forwarded by the Conduct Board to the Office of the President.
- e. Conduct Board decisions must be in writing and delivered to the Office of the Dean of Student Development. The Dean of Student Development shall notify the student and other parties in writing of the Conduct Board's decision within ten (10) days of the hearing date.

### **5.2 Scope of Conduct Board Authority**

- a. Violations of regulations, policies or procedures of the College.
- b. Violations of the regulations of a student organization which is approved by the Student Government Association.
- c. Violations which arise related to student communication media.
- d. Violations of the Student Government Association Constitution.

- e. Violations of regulations or procedures that are established by the Student Government Association.

### **5.3 *Removal of a Member of the Conduct Board***

A member of the Conduct Board may be removed by the following procedures:

- a. Upon petition of a majority of the members of the assembled Conduct Board, if he/she does not voluntarily resign, the petition shall be directed to the Dean of Student Development.
- b. The appointing body shall receive the petition against the member and may remove him/her if it feels that the charges warrant that action.
- c. Appeals, by the student whose behavior was reviewed, of the decision of the appointing body shall be directed to the College President, who shall affirm or reverse the decision.

## **Article 6 - Unilateral Involuntary Withdrawal from College**

**6.1 *The College President, or a duly appointed designee in collaboration with the College behavior intervention team, may involuntarily withdraw a student from the College*** when it is determined that the student is engaging in behavior that is:

- a. causing a disruption to the routine functioning of the College and/or
- b. poses a danger of causing physical harm to self or others.

**6.1.2 Any student who is withdrawn from the College for exhibiting any of the aforementioned behaviors must:**

- a. be seen as a patient by a licensed professional counselor, licensed psychologist or a psychiatrist
- b. spend a minimum of six (6) contact hours with the aforementioned professional
- c. provide documented evidence to the Dean of Student Development of meetings as established in 6.1.2a and 6.1.2b before consideration for reinstatement and
- d. petition for readmission and be formally readmitted by the Dean of Student Development, through a hearing procedure, as established in 6.1.3.

**6.1.3 Upon receipt of a petition for readmission,** the Dean of Student Development will inform the student via certified mail with a return receipt of the time, date, and location of a hearing. The notice to the student must be delivered at least three (3) business days in advance of the scheduled hearing. The student will also be informed of the right to be accompanied by a relative, lawyer, or mental health professional.

The hearing will be informally conducted, with the Dean of Student Development acting as the presiding official. Other College officials may be present. Failure to appear at the hearing is equivalent to withdrawal of the petition for readmission.

The Dean of Student Development must inform the student of the decision reached within five (5) business days of the conclusion of the informal hearing. The student must be informed via certified mail. If the decision is to not reinstate, the student must be given the reasons leading to the decision and advised of when a new petition for reinstatement will be considered. The decision of the Dean of Student Development will be final and not subject to appeal.

## **Article 7 - Communications Media**

**7.1** *Student Communications Media is a valuable aid in the dissemination of information* as well as in establishing and maintaining an atmosphere of free responsible discussion and of intellectual exploration on the campus. It is a means of bringing student concerns to the attention of the academic community and of formulating student opinion on various issues on the campus and in the community at large.

**7.2** *As safeguards for the editorial freedom and responsibility of student communication*, the following provisions are necessary:

- a. The student communications media shall be free of censorship and advance approval of copy, and its editors and managers shall be free to develop their own editorial policies and news coverage. At the same time, the editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, such as the avoidance of libel, indecency, discrimination, undocumented allegations, and attacks on personal integrity, the techniques of harassment and innuendo, and the obligation to present all facets of a given issue in an objective manner. In the delegation of editorial responsibility to the students, the College should provide sufficient editorial freedom and financial autonomy for the student communications media to maintain their integrity and free expression in the academic community.
- b. Editors and managers of student communications media shall be protected from arbitrary suspension and removal because of student, faculty, administrative, or the public disapproval of editorial policy of content. Only for proper and stated causes, violations of the canons of responsible journalism as cited in 7.2a. shall editors and managers be subject to removal.
- c. Violations shall involve the presentation of charges to the College Conduct Board.
- d. All student communications media shall explicitly state that opinions expressed are not those of the College or student body.

## Article 8 - Definition of Terms

- 8.1** *Behavior intervention team* - small team of college employees who assess reports of student behavior concerns, provide interventions and recommend college action to the Dean of Student Development, as per college policy and protocol. The College's behavior intervention team is named StART: Student Assessment and Response Team.
- 8.2** *Board Inquiries* – process by which the Conduct Board may request of any member of the College community, information, the appearance of witnesses, the imposition of action(s), and other matters necessary to its function.
- 8.3** *Civil and criminal law* - shall include all laws, regulations and ordinances made by the United States Government, the Commonwealth of Pennsylvania and its political subdivision.
- 8.4** *Administrative Officer* - employee of the College under the authority of the President. Such personnel may include administrators, as well as faculty, when performing administrative functions.
- 8.5** *College regulation, policy or procedure* - an official rule established by an appropriate College authority governing the conduct or behavior of a member of the College community.
- 8.6** *Members of the College community* - as defined for this document shall include College officials, faculty, non-instructional staff, and all full- and part-time students enrolled in credit courses.
- 8.7** *Quorum* - the established minimum number of members required to conduct business.
- 8.8** *Student in Question* – a student who has reportedly engaged in conduct that conflicts with college regulations, policies, or procedures.
- 8.9** *Simple majority* - a majority of those voting members present, provided there is a quorum.
- 8.10** *Student Communications Media* - any approved organization which is engaged in College communications.

## Article 9 - Amendment Procedure

- 9.1** Amendment procedures may be initiated upon the presentation of a petition of not less than 100 student signatures to the Executive Committee of the Student

Government Association (SGA), or by  $\frac{3}{4}$  vote of the majority of the Executive Committee of SGA.

**9.2** Upon recommendation of the Executive Committee of the SGA, the amendment shall be submitted to the Academic Council. Upon recommendation of Academic Council, the amendment shall be submitted to the President. Upon approval by the President and the Board of Trustees, the amendment shall be incorporated into the original document.

**Document Approval Tracking:**

SGA, March 25, 2010

Academic Council, April 6, 2010

President's Cabinet, April 21, 2010

LCCC Board of Trustees, June 3, 2010