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# Student Rights and Responsibilities

## Student Code of Conduct

The Student Code of Conduct outlines acceptable and unacceptable behavior for BCC students, as well as appropriate disciplinary procedures and sanctions.

Upon admission to Broward Community College, students agree to act responsibly in all areas of personal and social conduct and to take full responsibility for their individual and collective action. Because learning can only be achieved in an atmosphere free of intimidation and coercion, students shall observe local, state, and federal laws as well as the academic and behavioral regulations found in the *Broward Community College Student Handbook*, the *College Catalog*, other official publications, and the BCC web site at <http://www.broward.edu>.

Any student or student organization found to have committed the following misconduct, on or off campus, is subject to the disciplinary sanctions outlined in Student Code of Conduct Procedures.

1. Dishonesty, including but not limited to the following:
  - a. Cheating, plagiarism, or other forms of academic dishonesty.

The term "cheating," includes but is not limited to, copying homework assignments from another student; working together with another individual on a take-home test or homework when specifically prohibited from doing so by the instructor; looking at text, notes or another person's paper during an examination when not permitted to do so. Cheating also includes the giving of work or information to another student to be copied and/or used as his or her own. This includes but is not limited to, giving someone answers to exam questions either when the exam is being given or after having taken an exam; informing another student of specific questions that appear or have appeared on an exam in the same academic term; giving or selling a term paper, report, project or other restricted written materials to another student.

The term "plagiarism" includes, but is not limited to, an attempt of an individual to claim the work of another as the product of his or her own thoughts, regardless of whether that work has been published. Plagiarism includes, but is not limited to, quoting improperly or paraphrasing text or other written materials without proper citation on an exam, term paper, homework, or other written material submitted to an instructor as one's own work. Plagiarism also includes handing in a paper to an instructor that was purchased from a term paper service or downloaded from the Internet and presenting another person's academic work as

one's own. Individual academic departments may provide additional examples in writing of what does and does not constitute plagiarism, provided that such examples do not conflict with the intent of this policy.

- b. Furnishing false information to any BCC official or faculty member.
  - c. Forgery, alteration, or misuse of any BCC document, record, or instrument of identification.
  - d. Tampering with the election of any recognized BCC student organization.
2. Disruption: disruption or obstruction of teaching, research, administration, disciplinary proceedings, other BCC activities, including its public-service functions on or off campus, or other authorized non-BCC activities, when the act occurs on BCC premises.
  3. Abuse: physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or endangers the physical or emotional health or safety of any person.
  4. Theft or damage to property: attempted or actual theft of and/or damage to BCC property or the property of a member of the BCC community or other personal or public property.
  5. Discrimination as defined in BCC Policy 6Hx2-5.22
  6. Sexual Harassment as defined in BCC Policy 6Hx2-5.20
  7. Sexual Battery/Assault as defined in BCC Policy 6Hx2-5.20
  8. Hazing as defined in Florida State Statute 240.1325
  9. Non-compliance with directions: failure to comply with directions of BCC officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
  10. Keys: unauthorized possession, duplication, or use of keys to any BCC premises or unauthorized entry to or use of BCC premises.
  11. Violation of published BCC policies/procedures, rules or regulations.
  12. Violation of law: violation of federal, state or local law on BCC premises or at BCC sponsored or supervised activities.
  13. Controlled substances: use, possession or distribution of narcotic or other controlled substances except as expressly permitted by law. Smoking in classrooms, on elevators, and in other designated non-smoking areas is prohibited.
  14. Alcohol: use, possession or distribution of alcoholic beverages except as expressly permitted by the law and BCC regulations.
  15. Public intoxication.
  16. Weapons and dangerous materials: illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on BCC premises.
  17. Unauthorized demonstration: participation in a campus demonstration which disrupts the normal operations of BCC and infringes on the rights of other members of the BCC community, or leading

- or inciting others to disrupt scheduled and/or normal activities within any campus/center building or area, or intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.
18. Obstruction of movement: obstruction of the free flow of pedestrian or vehicular traffic on any BCC premises or at BCC sponsored or supervised functions.
  19. Disorderly conduct: conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on BCC premises or at functions sponsored by, or participated in by BCC.
  20. Computer usage:
    - a. unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
    - b. unauthorized transfer of a file.
    - c. unauthorized use of another individual's identification and password.
    - d. use of computing facilities to interfere with the work of another student, faculty member or BCC official.
    - e. use of computing facilities to send or receive obscene or abusive messages
    - f. use of computing facilities to interfere with the normal operation of BCC computing system.
    - g. use of computing facilities to interfere with normal operation of BCC computing system.
  21. False representation: contracting or representation in the name of the College.
  22. Abuse of the student discipline system, including but not limited to:
    - a. failure to appear before the chief student affairs officer, Hearing Officer, Student Conduct Committee, or other BCC officials when requested to do so;
    - b. falsification, distortion, or misrepresentation of information before a Student Conduct Committee;
    - c. disruption or interference with the orderly conduct of a Student Conduct Hearing;
    - d. false accusations of student misconduct knowingly without cause;
    - e. attempting to discourage an individual's proper participation in, or use of, the student discipline system;
    - f. attempting to influence the impartiality of a member of a Student Conduct Committee prior to, and/or during the course of, the Student Conduct Hearing;
    - g. harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Committee prior to, during, and/or after a Student Conduct Hearing;
    - h. failure to comply with the sanction(s) imposed under the Student Code;
    - i. influencing or attempting to influence another person to commit an abuse of the student discipline system.
  23. Bribery: offering or giving money or any item of service to a BCC employee for the purpose of attempting to obtain assistance that would not have otherwise been provided.
  24. Violation of law and BCC discipline.
    - a. If a student is charged only with an off-campus violation of federal, state, or local laws, but not

with any other violation of this Code, disciplinary action may be taken and sanctions imposed for grave misconduct which demonstrates flagrant disregard for the BCC community and/or disrupts the educational mission of the College.

- b. BCC disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of this Student Code. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
- c. When a student is charged by federal, state or local authorities with a violation of law, BCC will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before the Student Conduct Committee under the Student Code, however, BCC may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the BCC community.
- d. BCC will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

#### **Consequences Based on Academic Dishonesty**

Breaches of the College's policies pertaining to academic dishonesty may result in academic penalties and/or disciplinary action at the discretion of the instructor. Academic penalties may include, but are not limited to, a failing grade for a particular assignment or a failing grade for a particular course. Additionally, the student may be referred to the chief student affairs officer of the campus/center for violations of the Student Code of Conduct.

#### **Student Organizations**

Student organizations (as well as members and officers individually and collectively) may be held accountable when an alleged offense is committed by one or more members or guests of the organization, and any of the following conditions apply:

1. the offense occurred at an event that was sanctioned by an officer of the organization;
2. organizational funds are used to finance the activity;
3. the event where the offense occurred is substantially supported by the organization's membership;
4. members with knowledge of the forthcoming violation did not attempt to prevent the infraction;
5. the organization fails to report or chooses to protect the individual(s) alleged to have committed the offense.

#### **Recording Prohibition**

Students may not make an audio or video recording of an instructor or speaker unless prior consent of the

instructor or speaker is obtained. However, if such recording is an Americans with Disabilities Act accommodation, prior notification is required, rather than consent.

**Institute of Public Safety Students**

Institute of Public Safety students who are enrolled in programs or courses regulated by the Florida Criminal Justice Standards and Training Commission are subject to the provisions of the Institute’s “Trainee Rules, Regulations, and Procedures,” in addition to the Student Code of Conduct.

**Student Code of Conduct Procedure**

The administration of student discipline shall be flexible and consistent with the philosophy and educational objectives of Broward Community College. In those cases not likely to result in a termination of a student’s enrollment at the College, the campus/center chief student affairs officer shall have the responsibility for the administration of student sanctions and may impose varying degrees of disciplinary actions.

**Article I: Student Conduct Review Procedures**

1. Any member of BCC community may file charges against any student or student organization for misconduct. Charges shall be prepared in writing and directed to the chief student affairs officer on the campus/center where the violation was committed. Any charge(s) should be submitted as soon as possible after the event takes place, preferably within forty-eight hours.
2. The chief student affairs officer of the campus/center, after reviewing the evidence and meeting with witnesses and the accused student, may impose sanctions outlined in this Procedure. The student shall be informed of the sanctions in writing.

**Article II: Sanctions**

1. Warning: A notice in writing to the student that the student is violating or has violated institutional regulations.
2. Probation: A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during or after the probationary period.
3. Loss of Privileges: Denial of specified privileges for a designated period of time.
4. Fines: Previously established and published fines may be imposed.
5. Restitution: Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
6. Discretionary Sanctions: Work assignments, service to BCC or other related discretionary assignments
7. BCC Suspension: Separation of the student from BCC for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

8. BCC Expulsion: Permanent separation of the student from BCC.
9. The following sanctions may be imposed upon BCC groups or organizations:
  - a. those sanctions listed above;
  - b. deactivation or loss of specific organizational privileges for a specified period of time.

Other than BCC suspension and expulsion, disciplinary sanctions shall not be made part of the student’s permanent academic record, but shall become part of the student’s confidential record. Upon graduation, the student’s confidential record may be expunged of disciplinary actions other than BCC suspension or BCC expulsion, upon application to the Vice President for Student Affairs. Cases involving the imposition of sanctions other than BCC suspension or BCC expulsion shall be expunged from the student’s confidential record five years after final disposition of the case.

**Article III: Appeals**

1. A student, student organization, or complainant may appeal the sanctions imposed by the chief student affairs officer of the campus/center to the Vice President for Student Affairs. Such appeals shall be in writing and shall be delivered to the Vice President for Student Affairs within five business days of the receipt of the sanctions from the campus/center chief student affairs officer.
2. If a student appeals the decision of the chief student affairs officer to the Vice President for Student Affairs, the chief student affairs officer shall decide if sanctions shall be in effect immediately or pending the outcome of the appeal process. If the student or student organization poses a threat to any person, is unruly, disruptive, uncontrollable, damages or threatens to damage any property, or some other very serious condition exists, the chief student affairs officer of the campus/center may suspend the student or organization from activity at BCC immediately, and have the student escorted off BCC property.
3. The chief student affairs officer will forward all necessary paperwork to the Vice President, including but not limited to all incident reports filled out by BCC personnel, all security reports, any witness statements, and any police reports.
4. If the matter is referred to the Vice President for Student Affairs, he/she will decide if the matter will be heard and notify the student or student organization in writing of his/her decision. If the matter will be heard, the Vice President for Student Affairs will refer the case to the Student Conduct Committee. The Student Conduct Committee is a sub-committee of the Academic Standards Committee. The Student Conduct Committee shall consist of six members chosen from the Academic Standards Committee. A Hearing Officer shall be selected by the Vice President for Student Affairs from among the six members of the Student Conduct Committee. The Hearing Officer shall assume the role of Chair of the Student Conduct Committee.
5. The Student Conduct Committee, after hearing the case in the manner outlined in this Procedure, shall recommend sanction(s) to the Vice President for

Student Affairs. The Vice President may accept, reject, or modify the recommendation offered by the Student Conduct Committee.

6. The Vice President for Student Affairs shall forward all pertinent paperwork to the Hearing Officer who shall present the charges to the student or student organization in written form. A time shall be set for a hearing, not less than five or more than fifteen business days after the student has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the Hearing Officer.

#### **Article IV: Hearing Procedures**

1. Hearings normally shall be conducted in private. At the request of the accused student(s), and subject to the discretion of the Hearing Officer, a representative of the student press may be admitted, but shall not have the privilege of participating in the hearing. Admission of any person to the hearing shall be at the discretion of the Student Conduct Committee and/or its Hearing Officer.
2. In hearings involving more than one accused student, the Hearing Officer of the Student Conduct Committee, at his or her discretion, may permit the hearings concerning each student to be conducted separately.
3. The complainant and the accused have the privilege of being assisted by any advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused are responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before a Student Conduct Committee.
4. The complainant, the accused, and the Student Conduct Committee shall have the privilege of presenting witnesses, subject to the right of cross-examination by the Student Conduct Committee.
5. The student or student organization must notify the Hearing Officer of any witnesses and/or evidence they wish to present, at least three business days prior to the hearing.
6. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a Student Conduct Committee at the discretion of the Hearing Officer.
7. All procedural questions are subject to the final decision of the Hearing Officer.
8. At the discretion of the Hearing Officer, the accused may have the privilege of facing the accuser.
9. There shall be a single verbatim record, such as a tape recording, of all hearings before a Student Conduct Committee. The record shall be the property of BCC.
10. After the hearing, the Student Conduct Committee shall determine by majority vote if the student has violated the section(s) of the Student Code that the student is charged with violating.
11. The Student Conduct Committee's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code.
12. If the Student Conduct Committee determines that a violation(s) of the Student Code has occurred, they will vote on sanction(s) to recommend to the

Vice President for Student Affairs. The recommended sanction(s) of the Student Conduct Committee may be more or less severe than those originally imposed by the chief student affairs officer.

13. The Vice President for Student Affairs, after receiving the recommendation of the Hearing Officer shall impose sanctions on the student or student organization. Sanctions shall be delivered to the student in writing.
14. Except in the case of a student charged with failing to obey the summons of a Student Conduct Committee or BCC official, no student may be found to have violated the Student Code solely because the student failed to appear before a Student Conduct Committee. In all cases, the evidence in support of the charges shall be presented and considered.
15. A quorum for the Student Conduct hearing will be the Hearing Officer and three members of the Student Conduct Committee.
16. The decision of the Vice President for Student Affairs shall be final.

#### **Article V: Interpretation and Revision**

1. Any question of interpretation regarding the Student Code shall be referred to the Vice President for Student Affairs or his or her designee for final determination.
2. The Student Code shall be reviewed periodically at the discretion of the Vice President for Student Affairs.

#### **Sexual Harassment Policy for Students.**

As established in Broward Community College Policy 6Hx2-3.31, *Sexual Harassment*, the College intends to protect all employees and students from sexual harassment. In accord with the definitions in that policy, any student who engages in the sexual harassment of any officer, employee, student, or agent of the College shall be subject to disciplinary action.

#### **Sexual Harassment Procedure for Students**

**Administration.** The chief student affairs officer on each campus/center shall administer procedures as they apply to students. The chief student affairs officer shall answer inquiries regarding procedures contained in policy and may provide informal advice to students who are unsure whether they have been victims of sexual harassment.

**Informal Complaints.** Any student who believes that he/she has been the subject of sexual harassment or who has been accused of sexual harassment may seek advice or consultation from the campus chief student affairs officer. The complainant may also bring his/her concerns to a faculty member, department head, dean, director, provost, or vice president, college ombudsperson or other appropriate college administrator. The selected administrator or faculty member may assist the complainant in formulating a plan for resolution of the problem. If the complaint

involves an employee, the Director of Human Resources must be notified. An informal complaint must be filed within 90 days of the alleged act(s) of sexual harassment. Should the problem not be resolved satisfactorily using the informal process, the complainant shall have 30 days to file a formal complaint.

**Formal Complaints.** A formal complaint must be made in writing and submitted to the campus provost/center director. The complaint should be completed using the Sexual Harassment Complaint form (PER42-S), if possible. The written complaint shall contain the name of the complainant and state the nature of the act(s) complained of, including such details as the name of the alleged offender(s) and the date(s) on which the offending act(s) occurred, the name(s) of any witnesses, and the desired resolution(s). A formal complaint must be filed within 90 days of the alleged act(s) of sexual harassment or within 30 days following the informal complaint resolution.

The campus provost/center director may attempt resolution during the course of an investigation of a complaint. The provost/center Director shall involve the chief student affairs officer of the campus/center in the investigation of all student/student and student/employee complaints. (If an employee is involved, then the provost/center director shall implement the employee procedure with the assistance of the Director of Human Resources). If resolution is not achieved, then the campus provost/center director shall continue to investigate the complaint.

If resolution of the complaint was achieved between the parties and the alleged offender fails to abide by the agreement or retaliates against the campus provost/center director, the provost/campus director may require the complaint to proceed as if resolution had not been reached.

**Resolution.** Upon notification of the results of the investigation, the campus provost/center director may provide a reasonable resolution to the complaint and may also recommend or take disciplinary action against the alleged offender. Disciplinary action shall be taken in accordance with the rules of conduct in the case of a student or in accordance with the policies and procedures affecting the class of employee in terms of any applicable collective bargaining agreement.

**Prohibition of Retaliation.** No College employee shall retaliate against a complainant. Any attempt to retaliate against a student, employee, or agent for initiating a complaint shall be treated as a separate incident of sexual harassment.

**Frivolous or Malicious Complaints.** In the event that a claim of sexual harassment is found to be frivolous or malicious, appropriate College sanctions, including disciplinary action as appropriate, shall be taken against the complainant.

**Concurrent Grievance.** Nothing contained in this procedure shall affect the right of a complainant to pursue the matter with an appropriate external agency.

### **Sexual Battery/Assault Policy for Students**

No student may commit or attempt a sexual battery/assault against any student or employee of the College or against any person at a College sponsored or supervised activity. In addition to any criminal or civil actions that may be pending or in process, the College may pursue a separate disciplinary action against any student believed to have committed or attempted a sexual battery as defined in Broward Community College Policy 6Hx2-3.32, *Sexual Battery/Assault*.

### **Sexual Battery/Assault Procedure for Students**

The President has delegated responsibility for administering this procedure to the Campus Deans of Student Affairs. Any violation of Broward Community College Policy 6Hx2-5.20, *Sexual Harassment/Battery/Assault*, on campus or at College-sponsored events, shall be reported immediately to the campus/center chief student affairs officer or the campus Provost and/or the Campus Security Office. The chief student affairs officer shall immediately confer with the Vice President for Student Affairs and notify appropriate law enforcement agencies. The investigation of sexual battery/assault shall be the responsibility of law enforcement personnel. College personnel shall assist by processing evidence, providing names of witnesses, offering counseling support to victims and their families and arranging referrals to community agencies as necessary.

In order to alleviate rumors and promote understanding and calm, the campus provost/center director, in coordination with the Director of College Relations, shall also provide information to the campus community about the incident.

In the event an alleged perpetrator of a sexual battery/assault is an enrolled student, the chief student affairs officer, campus provost/center director, and the Vice President for Student Affairs shall first consult with law enforcement personnel and the College attorney and then decide whether immediate suspension from the College is warranted, pursuant to College disciplinary process as outlined in the *Student Handbook*.

In the case of off-campus violations of this policy involving students, the chief student affairs officer, campus provost/center director and Vice President for Student Affairs may assist law enforcement personnel consistent with the Family Educational Rights and Privacy Act and applicable *Florida Statutes*. Victim counseling and other support shall also be provided according to the needs of the victim and family members.

## **Non-Discrimination and Harassment Policy for Students**

**General Statement:** Federal and state laws protect students and student applicants against discrimination.

1. Broward Community College affirms its commitment to ensure that each student shall be permitted to study and otherwise participate in the BCC community in an environment free from any form of illegal discrimination, including race, color, religion, age, disability, sex, sexual orientation, national origin, marital status, and veteran status. The College recognizes its obligation to work towards a community in which diversity is valued and opportunity is equalized. This rule establishes procedures for a student to file a complaint of the alleged discrimination or harassment.
2. It shall be a violation of this policy for any officer, employee, or agent of the College to discriminate against or harass, as hereinafter defined, any student or student applicant. Discrimination and harassment are forms of conduct that shall result in disciplinary or other action as provided by the rules of the College.

### **Definitions:**

1. For the purpose of this policy, discrimination and harassment are defined as treating any student or student applicant differently than others are treated based upon race, color, religion, age, disability, sex, sexual orientation, national origin, marital status, or veteran status.
2. Conduct that falls into the definition of discrimination includes, but is not limited to:
  - a. disparity of treatment in educational programs and related support services on the basis of membership in one of the listed groups;
  - b. limitation in access to participation in athletic, social, cultural or other activities of the College because of membership in one of the listed groups;
  - c. discrimination of the foregoing types on the basis of sex, unless based on legal distinctions in needs for restrooms, athletics, and other such areas;
  - d. retaliation for filing complaints or protesting practices that are prohibited under this policy.
3. Conduct that falls into the definition of harassment includes, but is not limited to, harassment based on race, color, religion, age, disability, sex, sexual orientation, national origin, marital status, or veteran's status. (For harassment on the basis of sex, see Policy 6Hx2-5.20 and Procedure A6Hx2-5.20, Sexual Harassment). Within the context of this policy, harassment is defined as conduct that unreasonably interferes with a student or student applicant's status or performance by creating an intimidating, hostile, or offensive environment. It includes offensive or demeaning language or treatment of an individual where such language or treatment is based typically on prejudicial stereotypes of a group to which an individual may belong. It includes, but is not limited to, objectionable epithets, threatened or actual physical harm or abuse, or other intimidating or insulting conduct directed against the individual.

4. Scope of prohibitions: activities covered under this policy include, but are not limited to, all educational, cultural and social activities occurring on campus or sponsored by BCC.

## **Non-Discrimination and Harassment Procedure for Students**

**Administration.** The Dean of Student Affairs/Chief Student Affairs Officer on each campus shall administer procedures as they apply to students. The Dean of Student Affairs/Chief Student Affairs Officer shall answer inquiries regarding procedures contained in policy and may provide informal advice to students who are unsure whether they have been victims of discrimination or harassment.

**Informal Complaints.** Any student who believes that he/she has been the subject of discrimination or harassment may seek advice or consultation from the campus Dean of Student Affairs/Chief Student Affairs Officer who may assist the complainant in formulating a plan for resolution or the problem. If the complaint involves an employee, the Director of Employee Relations & Affirmative Action must be notified. An informal complaint must be filed within 180 days of the alleged act(s) of discrimination or harassment. Should the problem not be resolved satisfactorily using the informal process, the complainant shall have 30 days to file a formal complaint.

**Formal Complaints.** A formal complaint must be made in writing and submitted to the Campus Provost/Executive Director. The written complaint shall contain the name of the complainant and state the nature of the act(s) complained of, including such details as the name of the alleged offender(s) and the date(s) on which the offending act(s) occurred, the name(s) of any witnesses, and the desired resolution(s). A formal complaint must be filed within 180 days of the alleged act(s) of discrimination or harassment or within 30 days following the informal complaint resolution. The Campus Provost/Executive Director may attempt resolution during the course of an investigation of a complaint. The Provost shall involve the Dean of Student Affairs/Chief Student Affairs Officer in the investigation of all student/student and student/employee complaints. (If an employee is involved, then the Provost/Executive Director shall implement the employee procedure with the assistance of the Director of Employee Relations & Affirmative Action.) If resolution is not achieved, then the Campus Provost/Executive Director shall continue to investigate the complaint.

If resolution of the complaint was achieved between the parties and the alleged offender fails to abide by the agreement or retaliates against the alleged victim, the Campus Provost/Executive Director may require the complaint to proceed as if resolution had not been reached.

**Grievance Process for Students for Non-Instructional Issues**

The College encourages students to resolve their differences with College employees as soon as possible; however, in order that students may be assured fair consideration of their problems, a means of review and appeal to a higher-level authority, without prejudice, is hereby established.

**Grievance Defined.** For the purpose of this policy a grievance is defined as a student's perception of the improper application of College policies or procedures.

Any student has a right to file a grievance. The President shall establish appropriate procedures for facilitating grievances.

**Grievance Procedure for Students for Non-Instructional Issues**

The following steps are established to provide a fair review of student non-instructional grievances.

**Informal Resolution.** The student shall informally submit his/her grievance, either verbally or in writing, to the supervisor of the department where the alleged improper application of College policy or procedure occurred. The student must submit his/her grievance within 30 calendar days after the incident is alleged to have occurred and the grievance must refer to the specific College Policy or Procedure that was unfairly or misapplied. Students may choose to either ask for a specific action on the part of the College or are free to simply voice their grievance without asking for any action on the part of the College.

**Formal Resolution.** If a satisfactory resolution cannot be reached with the supervisor of the department, the student may formally appeal the decision, in writing, to the next higher level supervisor. The student must submit his/her grievance within 30 calendar days after a response is received from the informal process. Appeals to higher levels of authority end with the appropriate campus provost/center director, or appropriate vice president.

The Vice President for Student Affairs may serve as a liaison between students and staff at all levels of the grievance process.

**Student Bill of Rights**

Broward Community College students should expect quality instruction delivered by a dedicated faculty engaged in continued professional growth (BCC Policy 6Hx2-2.05: Philosophy and Mission of the College). Broward Community College students are granted the following rights as outlined in BCC Policies and Procedures, the *Student Handbook*, College Catalog, and other appropriate publications of the College.

**Access to Education:** Broward Community College maintains an open door to all students who qualify according to the BCC admission standards.

Sources:

- BCC Policy 6Hx2-2.05: Philosophy and Mission of the College
- BCC Policy 6Hx2-5.01: Admission
- BCC Policy 6Hx2-5.09: Service to Student with Disabilities
- BCC Policy 6Hx2-5.11: Student Financial Services Programs

**Fairness in Grading:** Students will receive a syllabus outlining relevant course policies regarding attendance and grading procedures during the first week of instruction. Students may appeal final grades that they consider a misapplication of College Policy or the course syllabus.

Sources:

- BCC Policy 6Hx2-4.18: Class Attendance
- BCC Policy 6Hx2-4.19: Grades and Grade Appeal Process

**Due Process When Charged With Violation of Student Code of Conduct:** Students have the right to due process when charged with a violation of the Student Code of Conduct.

Source:

- BCC Policy 6Hx5-5.02: Student Code of Conduct

**Non-discrimination and Harassment:** Students have a right to be free from illegal discrimination and harassment based on race, color, religion, disability, sex, sexual orientation, national origin, marital status, and veteran's status.

Sources:

- BCC Policy 6Hx2-5.02: Student Code of Conduct
- BCC Policy 6Hx2-5.20: Sexual Harassment/Battery/Assault
- BCC Policy 6Hx2-5.22: Non-Discrimination and Harassment Policy for Students

**Confidentiality of Records:** The College protects the rights of students and their parents or guardians with respect to the confidentiality of student records. Student records may be released to third party individuals only as their requests comply with federal, state, or local laws, court orders and subpoenas, and circumstances involving the safety of persons or property.

Source:

- BCC Policy 6Hx2-5.03: Student Records

**Student Publications:** Students have the right to participate in free and responsible journalism at BCC.

Source:

- BCC Policy 6Hx2-5.04: Student Publications

**Association and Assembly:** Students have the right to form student organizations and may peacefully assemble on BCC property per the guidelines set forth in BCC Policy.

Sources:

- BCC Policy 6Hx2-5.02: Student Code of Conduct

- BCC Policy 6Hx2-5.13: Student Life

**Instructional/Non-instructional Issues:** BCC provides policies and procedures for students to address instructional and non-instructional issues. Students shall follow the steps outlined in the following policies and procedures. Students are not precluded from appealing issues not specifically identified below.

Sources:

- BCC Policy 6Hx2-4.02: Academic Load
- BCC Policy 6Hx2-4.03: Applicable Catalog/Recency of Credit
- BCC Policy 6Hx2-4.04: CLAST Waivers
- BCC Policy 6Hx2-4.05: Cancellation of Previous Unsatisfactory College Record for A.S. Degree and Certificate Students
- BCC Policy 6Hx2-4.07: Completion of Graduation Requirements After Transfer
- BCC Policy 6Hx2-4.09: Substitution Admission and Graduation Requirements for Student with Disabilities BCC Policy 6Hx2-4.11: Program Acceleration
- BCC Policy 6Hx2-4.18: Class Attendance
- BCC Policy 6Hx2-4.19: Grades and Grade Appeal Process
- BCC Policy 6Hx2-4.20: Religious Observances
- BCC Policy 6Hx2-5.01: Admissions
- BCC Policy 6Hx2-5.02: Student Code of Conduct
- BCC Policy 6Hx2-5.20: Sexual Harassment/Battery/Assault
- BCC Policy 6Hx2-5.22: Non-Discrimination and Harassment Policy for Students
- BCC Policy 6Hx2-5.23: Grievance Process for Students for Non-Instructional issues

### ***Dismissal of Disruptive Students Policy***

Students who cannot conform to the standards of appropriate behavior as set forth in Broward Community College Policy 6Hx2-5.02, *Student Responsibilities*, shall not be permitted to interfere with other students' access to a college education. Broward Community College students are subject to federal and state law, county and municipal ordinances, and all policies and procedures of the Board of Trustees. Violation of these published laws, ordinances, or policies and procedures may subject the violator to appropriate action by College authorities. The campus Deans of Student Affairs are authorized to recommend to the Vice President for Student Affairs the suspension or expulsion of students based on disruptive behavior. The Vice President for Student Affairs is authorized to enforce suspension or removal decisions, including the use of appropriate legal processes. Nonviolent student dissent does not fall under the purview of this policy.

For students who exhibit disruptive behavior serious enough to merit disciplinary action, the College may refer the students for appropriate psychological/psychiatric evaluation. The College shall retain the services of a psychological/psychiatric evaluator to assess the behavior and psychological condition of students who exhibit disruptive behavior or threaten bodily harm to themselves or others or exhibit severely disoriented perceptions and/or behaviors.

Alternatively, College counselors may be used to assist students who exhibit less severe disruptive behavior.

All records associated with the treatment or disciplinary process shall be kept confidential. Students treated for a mental disorder under this policy are protected by the Americans with Disabilities Act of 1991 and Section 504 of the Rehabilitation Act of 1973.

Students suspended under this policy shall 1) receive a 100% refund for the term during which they were suspended, and 2) re-enroll only after certification by a licensed clinical psychologist or psychiatrist, a recommendation from a campus Dean of Student Affairs, and approval by the Vice President for Student Affairs.

### ***Dismissal of Disruptive Students Procedure***

For students suspended or expelled under this policy, the campus Dean of Student Affairs shall consult with the student's Instructors regarding the student's grades for the term during which they have been suspended or expelled. Final determination of grades, however, shall rest with the Professors. If a student has been removed from the College through disciplinary dismissal, expulsion, or suspension due to disruption of the educational process, or the endangerment of the health and safety of others, and returns to the College in a subsequent academic term as a student, the Vice President for Student Affairs or his/her designee may share with the student's Instructors otherwise confidential information concerning the student when in his/her judgment it will further educational interests. To protect confidentiality and the possible sensitive nature of the information, the Vice President for Student Affairs or his/her designee should share the information in person with the Instructor, and point out the nature of the information and its educational relevance. Only relevant information should be shared, not the entire record. No copies of the record shall be made.

All referrals for immediate intervention with a disruptive student will be made to the appropriate campus Dean of Student Affairs. The Dean will assess the student's condition and if further evaluation is needed will consult with the Vice President for Student Affairs. The Dean and the Vice President will determine whether an evaluation with an agency consultant is necessary, and the Vice President or his/her designated representative will make the referral to a professional clinician for psychological and/or psychiatric evaluation.

The student will be informed of the reason(s) that he/she is being referred for the initial evaluation and that the College will assume the expense for this evaluation if the student does not have financial means. The results of the evaluation will be used by the Vice President, the Dean, and other appropriate staff in determining the student's enrollment status with the College.

The College will retain the services of professional clinicians who:

1. are state licensed and have appropriate credentials in the field of mental health, according to State of Florida guidelines;

2. are available to the student within two hours after initial contact with the Vice President or Dean of Student Affairs;
  3. provide services which are available daily through 10:00 p.m., 7 days a week;
  4. are geographically accessible at convenient locations;
  5. will provide a written evaluation and diagnosis of the student in a timely manner following referral;
  6. will provide information regarding follow-up treatment if necessary;
  7. have the ability and available personnel to provide immediate crisis intervention, if the severity of the incident or client's condition so warrants.
2. The student's class selection must be approved by the campus Dean of Student Affairs or the Dean's designee during their first term re-enrolled at the College. Classes chosen will be appropriate to the student's background and to his/her their educational plans.
  3. Prior to the beginning of the student's first term of re-enrollment, the campus Dean of Student Affairs or Dean's designee will inform the student's instructor(s) of any relevant educational information.

**Re-entry Process.** If a student who has been removed from the College under the Disruptive Student Policy, applies for re-entry to the College, the following process will be followed:

1. The Vice President for Student Affairs or his/her designee must be contacted by the student regarding the request for college re-entry. The Vice President for Student Affairs or his/her designee will refer the student to the appropriate campus Dean of Student Affairs or the Dean's designee.