Broward College
Student Rights and Responsibilities
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Introduction

In order for students to study in an environment that promotes academic achievement, Broward College, in accordance with applicable federal and state laws, provides students with certain rights and expects students to adhere to their responsibilities in areas related to academic learning and general conduct.

Family Educational Rights and Privacy Act (FERPA)

BC Policy and Procedure 5.03

Broward College will provide access to student records in accordance with the Family Educational Rights and Privacy Act (FERPA) and Florida Statutes, Chapter 1002.22. All requests for student records must be made to the Custodian of Records/Vice President for Student Affairs and Enrollment Management.

No record will be created or retained without a legitimate educational purpose for the information contained therein.

The College will protect the confidentiality of a student’s record and share information only with members of the College community who have a legitimate educational interest, to another educational institution when the student is seeking or intending to enroll at that institution, is part of an authorized Federal, State or local audit of such records in compliance with applicable law, in connection with the determination of financial aid eligibility or enforcement, pursuant to a lawfully issued court order, a properly prepared subpoena, to a contracted vendor of the College performing an authorized service where there is a legitimate educational interest for the vendor to have access to such records, or the information is designated directory information.

In response to a lawfully issued court order or a properly prepared subpoena, the College will seek to notify the student or the student’s representative counsel when educational records are requested and before these records are released.

Student records of a counseling or non-academic nature will not be made available to any outside person without written authorization from the eligible student or parent unless those records are specifically requested in conjunction with federal or state laws or court orders. In the case of properly prepared subpoenas, the release of the record will only be given when the student has been notified and payment of the fee established by the Board of Trustees has been paid.

FERPA and the Student

Students have the right to inspect their own official records and to authorize the College in writing to release information to outside sources. In accordance with the provisions of Florida Statutes, Chapter 1002.22, eligible students and parents have a right to challenge the content of their record. An eligible student or parent may exercise his/her rights under these provisions by submitting a request in writing to the appropriate Campus Registration Coordinator, the Office of the Associate Vice President for Student Affairs/College Registrar or the Vice President for Student Affairs and Enrollment Management. Student-generated documents are not considered working documents of the College or permanent student records, and it is the responsibility of the student to dispose of the document should they produce the document. A student-generated document is information generated by the student for his/her own use. When such a document is presented to the College, it shall be reviewed and then returned to the student or eligible parent.

FERPA and the Parent of the Student

According to Federal FERPA Regulations 34 CFR 99, and Florida Statute 1002.22, the parents of a student who has reached the age of 18 years or is enrolled in a post-secondary program no longer have any rights under the provisions of this policy, unless the student gives written consent to release the information to the student’s parents, or the parent provides evidence that the student is a dependant of the parent as defined in the Internal Revenue Code. The Parent of a student must establish his/her eligibility by providing dependency documents, including, but not limited to providing the most recent copy of a Federal tax return naming the student as a dependent. Such documentation must be provided in-person with the campus chief student affairs officer (dean of students). The record provided will be for viewing and validation purposes only; these records will not be retained.

FERPA and Directory Information

Schools may disclose, without consent, “directory” information; however, the College must annually notify students and parents of their rights under FERPA to “opt out” of the release of directory information. The College notifies its students at the beginning of the fall and winter term in the student newspaper and in the annual printing of the Student Handbook. The College reserves the right to deny access to directory information when such action is deemed necessary to protect the rights of the student.

In accordance with United States Code Title 10 Section 983 and Florida Statutes Section 1004.09, the College shall grant military recruiters access to recruiting information including the names, addresses, telephone listing,
dates and places of birth, academic major, degrees received and most recent educational institution for students attending the College. The information provided to military recruiters is not subject to the definition that the College has established for “directory information” as defined in this Policy. Students who opt out of the release of College directory information will also be considered to have opted out of the release of military recruitment information.

FERPA and Outsourcing
The College may enter into agreements with outside vendors to provide services to the College that the College cannot or chooses not to provide through internal resources. In such situations, the College will ensure that the contractor will make available student records only to those individuals where there is a contractual relationship to provide such services. The College will ensure that the contracted vendor will not redisclose personally identifiable information without the Colleges consent as allowed by an authorized FERPA exception.

FERPA and other Educational Institutions
Student records will be released at the request of the student if the student is seeking or intending to attend another educational institution.

FERPA and Health and Safety
In cases where there is a health and safety emergency, all College personnel are authorized to utilize any information as necessary to protect the health and safety of persons and property. Such release of information will not be considered a violation of College Policy. To the extent possible, the College will attempt to share information regarding the presence of students who may have a communicable disease (i.e. H1N1) without disclosing personally identifying data about the infected student. In instances where members of the College community have been exposed to a communicable health risk from a student, the College will, on a case-by-case basis, make a determination whether a disclosure of the infected student’s name is necessary to protect the health or safety of other persons or whether a general notice is sufficient.

Law enforcement unit officials or safety officials employed or contracted by the College are designated as “school officials” with a “legitimate educational interest.” As school officials, the College may disclose without consent personally identifiable information from students’ education records to law enforcement or safety officials in order to perform their professional duties and to assist with discipline and other matters related to official duties at the College. Law enforcement may not redisclose any personally identifiable information from the students’ education record, except in compliance with FERPA. Specific law enforcement records maintained separately from education records are not subject to FERPA.

Students and eligible parents who believe there has been a violation of their rights regarding student records are encouraged to contact the Custodian of Records/Vice President for Student Affairs and Enrollment Management. If a resolution is not achieved, students and eligible parents may grieve the alleged misconduct in accordance with Florida Statutes, Chapter 1002.22 or they may contact the United States Department of Education’s Family Policy Compliance Office.

Students who improperly obtain student records may be subject to discipline in accordance with the Student Code of Conduct.

Students may access records in accordance with the College’s FERPA Procedure.
Religious Observances

BC Policy 4.20

Broward College (the “College”) values the right and freedom of religious choice by all individuals. Accordingly, the College will see to it that major college events, such as major class assignments, major examinations and official ceremonies, on major religious holy days, whenever possible. The student is responsible for making up missed classwork as quickly as possible. Reasonable alternatives shall be provided for students to carry out their responsibilities as students when their religious observance, practice and belief interfere with admission, registration, class attendance, examinations, class work assignments and participation in official ceremonies.

Students shall notify instructors in advance of absences to observe religious holy days in their own faith and the absence shall be considered as a non-penalized absence. However, if non-penalized absences occur on the first day of class, students shall notify their instructors of the reasons for their absences at the next class meeting. Students shall be held responsible for the material covered during their absences and shall be granted a reasonable time to make up any work or tests missed for non-penalized absences.

Students may seek redress when they believe they have been unreasonably denied educational benefits because of their religious beliefs or practices by following the procedure for resolving grievances set forth in Broward College Policy 4.19 Grades and Grade Appeal Process.

When possible, faculty shall provide reasonable alternatives for students to carry out their responsibilities as students when their religious observance, practice and belief interfere with admission, registration, class attendance, examinations, class work assignments and participation in official ceremonies.

All absences shall be subject to the provisions of Broward College Policy 4.18 Class Attendance.

Violations of this policy may result in disciplinary action up to and including termination.
• For non-represented employees, action will be taken pursuant to the terms and conditions of the relevant employment contract, if applicable.
• For full-time Faculty, refer to the Collective Bargaining Agreement between The Board of Trustees of Broward College and United Faculty of Florida, Broward College Chapter.

Grade Appeals

BC Policy and Procedure 4.19

Each student shall be provided with a course syllabus which includes the faculty member’s grading policy and academic honesty policy for the course which complies with BC mission, goals and policy. A student may be able to appeal the final course grade issued by his/her professor through the grade appeal procedure (4.19). In cases where a faculty member’s academic honesty policy appears to be violated, students may appeal the faculty member’s decision to invoke consequences of the academic dishonesty. See Student Code of Conduct policy number 5.02.

The basis for an appeal of the final course grade shall be evaluated in terms of the standard established by the faculty member as stated in his/her syllabus, in accordance with institutional policies and state rules/statutes. The appeal must demonstrate that the faculty member did not assign the final course grade in accordance with the grading policy outlined in the course syllabus, which meets the standard defined in the Faculty Handbook.

When students want to appeal a grade based on academic dishonesty, the appeal shall only be based upon the student’s claim that academic dishonesty did not occur.

<table>
<thead>
<tr>
<th>Grades</th>
<th>Points Awarded</th>
<th>Requires Last Date and Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Excellent</td>
<td>4</td>
<td>No</td>
</tr>
<tr>
<td>B Good</td>
<td>3</td>
<td>No</td>
</tr>
<tr>
<td>C Average</td>
<td>2</td>
<td>No</td>
</tr>
<tr>
<td>D Below Average</td>
<td>1</td>
<td>No</td>
</tr>
<tr>
<td>F Failure – Unsatisfactory Progress</td>
<td>0</td>
<td>Yes</td>
</tr>
<tr>
<td>F Failure – Excessive Absences</td>
<td>0</td>
<td>Yes</td>
</tr>
<tr>
<td>U Unsatisfactory</td>
<td>0</td>
<td>Yes</td>
</tr>
<tr>
<td>S Satisfactory</td>
<td>0</td>
<td>No</td>
</tr>
<tr>
<td>PR Progressing at a satisfactory pace but has not completed the course</td>
<td>0</td>
<td>No</td>
</tr>
</tbody>
</table>

*A “D” grade may not fulfill graduation requirements for certain programs.

The S, PR, and U grades are used only for those courses which have received prior approval through the curriculum review process to award the Satisfactory/Unsatisfactory grades.

The following enrollment statuses, however, do not affect the grade point
average:

<table>
<thead>
<tr>
<th>Enrollment Statuses</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>I   Incomplete</td>
<td>0</td>
</tr>
<tr>
<td>X   Audit</td>
<td>0</td>
</tr>
<tr>
<td>XC  Audit status after drop/add period and prior to audit deadline except on a third attempt</td>
<td>0</td>
</tr>
<tr>
<td>XW  Audit Withdrawal</td>
<td>0</td>
</tr>
<tr>
<td>W   Official Withdrawal</td>
<td>0</td>
</tr>
<tr>
<td>WN  Withdrawal for non attendance</td>
<td>0</td>
</tr>
<tr>
<td>NC  Non-Credit Course</td>
<td>0</td>
</tr>
<tr>
<td>NG  No Grade Assigned</td>
<td>0</td>
</tr>
<tr>
<td>NR  Grade Not Received</td>
<td>0</td>
</tr>
</tbody>
</table>

**Total Attempts – All Courses**

Florida State Board of Education Administrative Rules, Chapter 6A-14.0301, limits the number of times a student may attempt a course. An attempt is defined as student enrollment after the 100 percent refund deadline. A student may have only three attempts per course, including the original grade, repeat grades, withdrawals and audits declared after the end of the drop/add period. A fourth attempt may be allowed only through a successful petition to the Academic Standards Committee based on major extenuating circumstances including but not limited to, serious illness, involuntary call to active military duty or other emergency circumstances or extraordinary situations. The total attempts limitation, however, does not apply to repeatable courses that have been successfully completed and are now being repeated for further skill enhancement; or to courses that are required to be repeated by a regulatory agency; or are being repeated as part of a regulatory requirement for continuing education to stay current in a field, such as teacher certification. A college preparatory student, who is required to be certified as completing competency-based college preparatory instruction, may not enroll as an audit student.

**Forgiveness**

In accordance with Florida State Board of Education Administrative Rules, Chapter 6A-14.0301, a student who has completed a course and desires to improve his/her grade for that course may repeat the course only if he/she has earned a D or F grade. The number of repeat attempts is limited to two per course. Repetition of a course removes the previous grade from the student's record only for the purpose of calculating grade point average. The original grade remains on the transcript, but only the grade earned in the last attempt is used for calculating the degree grade point average. The State's Articulation Agreement does not allow courses to be repeated for the purpose of changing a student's grade point average after the associate degree has been awarded.

Student seeking to appeal a provision of this policy may do so in accordance with the College's Grades and Grade Appeal Procedure.

**Disability Services and Academic Accommodations for Students**

BC [Policy](#) and [Procedure](#) 5.09

Broward College complies with the Americans with Disabilities Act of 1990 (ADA) that governs accessibility standards for disabled students as defined under the Americans with Disabilities Act of 1990 as amended, (ADA) and Section 504 of the Rehabilitation Act of 1973. Section 504 defines an “individual with disability” as any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment. Section 504 provides that: "No otherwise qualified individual with handicaps in the United States . . . shall, solely by reason of her or his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...”

Federal disability laws guarantee students an equal opportunity to participate, but these laws do not guarantee that students will achieve a particular outcome, for example, good grades. Students with disabilities are, in general, expected to be responsible for their own academic programs and progress in the same ways that nondisabled students are responsible for them.

The College sets its own requirements for documentation as allowed in Section 504 and Title II, and as outlined in the procedure to this policy. The College may delay or deny services if the diagnosis or the documentation is unclear. Students should not expect that the documentation guidelines at BC are necessarily the same as those accepted at other prior institutions attended, either in the secondary or post-secondary levels.

**Academic Accommodations:** The College is not required to provide an academic accommodation that would alter or waive essential academic requirements, nor is it required to make every academic adjustment requested. BC also does not have to provide an academic accommodation that would fundamentally alter the nature of a service, program or activity. Students who wait until after completing a course or activity or receiving a poor grade to request services should not expect the grade to be changed or
to be able to retake the course or activity; no refunds will be allowed under these circumstances.

Students in institutions of postsecondary education are responsible for notifying the Disability Services Office staff of their disability should they need academic adjustments. Student must also provide documentation to the Disability Services staff that supports a disability that is an impairment that substantially limits a major life activity, and that supports the need for an academic adjustment. The documentation should be current within three years and identify how the student’s ability to function is limited as a result of her or his disability. The purpose of the documentation is to establish a disability in order to help the College work interactively with the student to identify appropriate services. The information must adequately document the existence of a current disability and need for an academic adjustment.

Students are responsible for requesting accommodations through the Office of Disability Services by providing documentation that meets the guidelines of the College prior to the beginning of each term or at a minimum prior to the start of the course with a requested academic accommodation. The College reserves the right to require additional documentation to clarify any information supplied by the student. Once a student’s documentation is accepted and the accommodation is determined and documented, it is the student’s responsibility to communicate with the faculty prior to the start of class and in a manner that optimizes their privacy. The College considers any accommodation requested by students made after the start of class as altering the nature of its services, programs and academic standards of the course. Students should weigh their options and consider alternatives, including but not limited to taking the course at a later session or term.

Institutions that receive Federal Title IV Financial Aid are required to comply with Section 504 of the ADA and the provisions therein. The institution may be subject to sanctions for failure to comply with this law.

Students who falsify information or otherwise violate this policy are subject to disciplinary action in accordance with College Policy 5.02 – Student Code of Conduct, up to and including expulsion from the College.

Students seeking an academic accommodation for a disability should seek services in accordance with the College’s Disabilities Services and Academic Accommodations for Students Procedure.

**Student Code of Conduct**

BC Policy and Procedure 5.02

Upon admission to Broward College (the “College”), students and student organizations 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 must observe local, state and federal laws as well as the academic and behavioral regulations found in the Broward College Student Handbook, the College Catalog, other official publications of the College and the College website. If there is a conflict with any of the aforementioned sources, this policy shall prevail.

When a student exhibits disruptive behavior that appears to pose a threat to the health and safety of the student or others, the College may direct the student to participate in a psychiatric and/or psychological evaluation. The psychiatric and/or psychological evaluation process will assess the student’s ability to safely participate in the educational programs at Broward College as part of the due process for students who are alleged to have violated this policy and procedure.

Students enrolled in various programs at the College may also be subject to standards of conduct unique to these programs, including but not limited to health sciences programs, Institute for Public Safety, Aviation, etc. Violations of the standards of behavior for these programs shall be considered a breach of this Code of Conduct. Students should refer to the program guidelines provided by their programs to learn more about the standards of professional conduct that are applicable to them.

Bias-Motivated Conduct (Commonly referred to as “Hate Crimes”): The College believes that members of the College community have the right to lawfully affiliate free from harassment with social groups of their choice without fear of intimidation based on this membership. Therefore, the College will impose significantly increased sanctions against perpetrators who commit one or more of the offenses in this Policy, if the College determines that the perpetrators’ actions were motivated by the actual or perceived affiliation of the victim with a particular social group.

Additionally, the College will support the criminal prosecution of students who engage in bias-motivated violations of this Code in accordance with Florida Statutes 775.085, Federal Statutes 18 U.S.C. § 245 & 249, and other applicable laws.
The following is a non-exclusive list of behaviors prohibited by students and student organizations at any College location or via any College resource including electronic communication, at any College-sponsored activity, or at any location and/or via any medium (including electronic) if the behavior impacts students, faculty or staff in the educational environment. Other behaviors not on this list which adversely impact the College community will be considered on a case-by-case basis and may also be considered violations of the Student Code of Conduct:

1. Abusive Conduct
2. Bribery
3. Bullying, including but not limited to the following behaviors directed at an individual or a group:
   a. Unwanted teasing
   b. Threatening or intimidating behaviors
   c. Stalking
   d. Public humiliation
   e. Spreading malicious and derogatory rumors or falsehoods
   f. Using discriminatory slurs against an individual or group
   g. Cyberbullying – including, but not limited to the use of communication-based technologies, including telephones, cellular telephones, e-mail, instant messaging, text messaging, social networking, other web-based technologies or other electronic methods of communication (either currently available or available in the future) to engage in deliberate harassment or intimidation of individuals or groups.
4. Discriminatory comments or action and/or retaliatory actions, including, but not limited to remarks or actions against a student, faculty or staff member of the College
   a. Note: Complaints against faculty and staff are not covered under this policy. Students should refer to BC Policy 3.34 – Discrimination, Harassment and Retaliation if they believe they have been the victim of discrimination or retaliation by a College faculty or staff person.
5. Dishonesty, including but not limited to the following:
   a. Cheating, plagiarism or other forms of academic dishonesty
   b. Using electronic devices to store, retrieve, search for answers and/or share answers in testing environments when the use of the device is not permitted
   c. Furnishing false information, making false accusations or misrepresentation of oneself or others to any College official, including but not limited to faculty, staff or administrators, representing oneself as an agent of the College, and/or entering into a contract on behalf of the Board of Trustees
   d. Forgery, alteration or the misuse of any College document, record or instrument of identification
   e. Tampering with the election of any recognized College student organization
   f. Violation of copyright as defined in College Policy 8.05
6. Disorderly Conduct
7. Disruption of the Educational Environment – including but not limited to:
   a. To ensure the quality of the educational environment, the use of electronic communication and entertainment devices, such as cell phones, iPods, iPhones, MP3s, etc. by students in the classroom is prohibited unless otherwise explicitly stated by the individual instructor’s syllabus. Therefore, all such devices must be inaudible and placed out of sight during class.
8. False Report – falsely reporting a bomb or other incendiary device or any other dangerous condition by any medium. Note: These acts are considered acts of terrorism and the College will use all means available to assist in the identification of students who make such threats.
9. Hazing as defined in Florida State Statute, Chapter 1006.63
10. Immigration Status of F1 or M1 Students – If a final course grade or enrollment status is correct it is unlawful and a violation of the Student Code of Conduct for students to ask faculty or any College official to alter a grade or enrollment status in order to remain in compliance with Federal immigration regulations.
11. Misbehavior - Any behavior that is inappropriate and detrimental to the mission, goals and purpose of the institution
12. Misuse of College Identification as defined in College Policy 5.24
13. Non-Compliance with Directions:
   a. Non-compliance with the directions of College personnel or law enforcement officers acting in the performance of their duties and/or
   b. failure to identify oneself to these persons when properly requested to do so
   c. Disruption or interference with the orderly conduct of a Student Conduct Hearing
   d. Knowingly making false accusations of student misconduct 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
21. Theft or Damage, or Attempted Theft or Damage, to a Person's or the College’s Property
22. Unauthorized Computer Usage as Defined in College Policies 8.01, 8.03
23. Unauthorized Demonstration - participation in a campus demonstration where the student’s behavior (including but not limited to excessive volume, obstruction of movement or access to College facilities or services, harassment of other students, faculty or staff etc.), disrupts the normal operations of the College and infringes on the rights of other members of the College community through, 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
24. Unauthorized Possession, Duplication or Use of Keys to Any College Facility
25. Unauthorized Possession, Use or Distribution of Controlled Substances or Alcohol as defined in College Policy 5.18
26. Unauthorized Recording - Students may not make an audio or video recording of an instructor or speaker’s seminar, lecture, tutorial or other instructional setting without prior consent from the instructor or speaker. However, if such recording is an accommodation in accordance with the Americans with Disabilities Act, prior notification is required, rather than consent. Students may not make an audio or video recording of persons in conversation without prior consent of all parties
27. Unauthorized Use of College Property or Facilities
28. Violation of Law and College Policy - Students may be subject to discipline per the Student Code of Conduct for violations of law that occur on College premises or at any College-sponsored activity, and for violations of law that do not occur on College premises or at College-Sponsored Activities:
   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 College community and/or which could disrupt the educational mission of the College. Such an off-campus violation must be of a nature wherein the presence of the student at a College campus is reasonably considered to be a danger to persons or property.
   b. College 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, the College will not request or agree to special consideration for that individual because of his or her status as a

20. Student Organization Misconduct - 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 one the following conditions apply:
   a. The offense occurred at an event that was sanctioned by an officer of the organization
   b. Organizational funds are used to finance the activity
   c. The event where the offense occurred is substantially supported by the organization’s membership
   d. Members with knowledge of the forthcoming violation did not attempt to prevent the infraction
   e. The organization fails to report or chooses to protect the individuals(s) alleged to have committed the offense

19. Sexual and other Harassment by students against any member of the College community
   a. Note: Complaints against faculty and staff are not covered under this policy. Students should refer to BC Policy 3.31 – Sexual and Other Workplace Harassment if they believe they have been the victim of sexual or other harassment by a College faculty or staff person.

18. Sexual Battery/Assault/Crime of Violence or Non-Forcible Sex Offense
   a. The Family Educational Rights and Privacy Act (FERPA) permits a postsecondary institution to disclose to an alleged victim of any crime of violence or non-forcible sex offense the final results of a disciplinary proceeding conducted by the institution against the alleged perpetrator of that crime, regardless of whether the institution concluded a violation was committed.
   b. FERPA also permits institutions to disclose to anyone – not just the victim – the final results of a disciplinary proceeding, if the College determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against him or her, the student has committed a violation of the institution’s rules or policies.

17. Smoking in Non-Designated Areas

16. Public Intoxication/Disorderly Behavior

15. Obstruction of Pedestrian or Vehicular Movement

14. Unauthorized Demonstration - participation in a campus demonstration where the student’s behavior (including but not limited to excessive volume, obstruction of movement or access to College facilities or services, harassment of other students, faculty or staff etc.), disrupts the normal operations of the College and infringes on the rights of other members of the College community through, 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

13. Unauthorized Dance/Fund Raising

12. Unauthorized Use of College Property or Facilities

11. Unauthorized Possession, Use or Distribution of Controlled Substances or Alcohol as defined in College Policy 5.18

10. Unauthorized Recording - Students may not make an audio or video recording of an instructor or speaker’s seminar, lecture, tutorial or other instructional setting without prior consent from the instructor or speaker. However, if such recording is an accommodation in accordance with the Americans with Disabilities Act, prior notification is required, rather than consent. Students may not make an audio or video recording of persons in conversation without prior consent of all parties

9. Unauthorized Possession, Use or Distribution of Controlled Substances or Alcohol as defined in College Policy 5.18

8. Sexual Battery/Assault/Crime of Violence or Non-Forcible Sex Offense

7. Unauthorized Possession of Tobacco

6. Unauthorized Use of College Property or Facilities

5. Smoking in Designated Smoking Areas

4. Unauthorized Use of College Property or Facilities

3. Unauthorized Possession, Use or Distribution of Controlled Substances or Alcohol as defined in College Policy 5.18

2. Unauthorized Use of College Property or Facilities

1. Unauthorized Possession of Tobacco
student. If the alleged offense is also the subject of a proceeding before the Student Conduct Committee under the Student Code, however, the College may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the College community.

d. The College will cooperate fully with law enforcement and other agencies in enforcing the law on campus and in the conditions imposed by a judge in a court of law. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.

29. Violation of Published College Policies/Procedures, Rules or Regulation.

30. Weapons and Dangerous Materials - Possession of firearms, dangerous chemicals and/or other weapons not deemed necessary for College purposes is forbidden at any College location or at any College-sponsored activity, including in the parking area for the college or the activity. This specifically revokes an individual’s right to carry a licensed firearm at any College location or at any College-sponsored activity; additionally, this specifically revokes an individual’s right to store a firearm in a vehicle at any College location or at any College-sponsored activity. Law enforcement personnel authorized to possess a firearm in the discharge of their duties are exempt from this policy. Authorized personnel with a specific educational purpose are exempt, but only to the specific limits outlined in their authorization. When individuals are observed with a firearm or other dangerous materials on campus, Broward College officials have the right to make reasonable inquiries to confirm that the firearm or other dangerous material is being legally carried or stored as permitted by Florida Statute and BC Policy.

The College retains the right to discipline students and student organizations up to dismissal from the College for violation of this policy.

Students who are also employees of the College, who are found to have violated the Student Code of Conduct, may also be subject to disciplinary action as employees up to and including termination of their employment from the College. Any such instances will be investigated by the Vice President of Human Resources or his/her designee. Additionally, employees of the College who are also students, and who are subject to disciplinary action in their role as employees, may also be subject to disciplinary action through the Student Code of Conduct.

Breaches of the College’s policies pertaining to academic dishonesty may result in academic penalties imposed by the instructor in accordance with BC Policy 4.19. Academic penalties may include, but are not limited to, a failing grade for a particular assignment or a failing grade for the course. Additionally, the student may be referred to the Dean of Students of the campus/center for violations of the Student Code of Conduct for disciplinary action.

The College maintains partnerships with external institutions including, but not limited to, educational institutions, libraries and health services providers. A student who violates the rules of a College partner is also subject to BC Policy, including the College Student Code of Conduct. Additionally, a student who violates the College Student Code of Conduct may also be found to have violated the rules of a College partner.

College-sponsored programs or sanctioned events may have their own rules and disciplinary procedures that would be applicable in addition to the Student Code of Conduct, such as the Institute of Public Safety, Aviation Institute, etc.

Students believed to be in violation of the Student Code of Conduct shall have their matter heard in accordance with the College’s Student Code of Conduct Procedure.
Complaint Process for Students for Non-Instructional Issues

BC Policy and Procedure 5.23

A prospective or enrolled student may file a complaint, which is a written claim raised by a student, a group of students or the student government, alleging improper, unfair, arbitrary or discriminatory action by an employee involving the application of a specific provision of a college rule/ regulation or a board policy or procedure.

A prospective or enrolled student has the right to seek a remedy for a dispute or a disagreement through a designated complaint procedure. Students should use available informal means to have a decision reconsidered before filing a complaint. No retaliation of any kind shall be taken against a student for participation in a complaint.

This policy ensures students that their complaints will be received, heard and addressed with consideration of fairness by the appropriate administrator / manager / supervisor of the College with oversight of a department or division. Students are encouraged to communicate their complaints informally first through the incremental levels within the organization as indicated in the procedure for this policy. If no resolution is achieved from levels one through three within the organizational structure, then students can file formal complaints with the appropriate Vice Presidents or Campus President. Complaints may be made verbally or in writing and the student is entitled to an appropriate response at each level within the College structure. After exhausting all internal complaint processes, students may file a complaint with the Florida Department of Education Division of Florida Colleges, and with the Southern Association of Colleges and Schools Commission on Colleges, the College’s regional accrediting agency.

Students are expected to present and communicate their complaints using a professional standard of behavior in accordance with the Student Code of Conduct Policy and Procedure (College Policy 5.02). Students are not exempt from sanctions themselves when they violate any standard of the Code of Conduct while communicating their complaint to any level of the complaint process. The act of complaining comes without protection in this regard. Students found in violation are subject to discipline in accordance with the Student Code of Conduct, up to and including expulsion from the College, which can postpone the complaint moving forward.

Student may file a complaint in accordance with the College’s Student Complaint procedure:

The College expects and requires that front-line staff and/or administrators attempt to meaningfully resolve complaints prior to reaching the Executive Leadership level (President, Provost, Senior Vice Presidents, Vice Presidents, and Campus Presidents. In the same regard, students are expected to follow the chain of command within the complaint process prior to elevating a concern to the senior executive level of the College.

This procedure should be used when a student or prospective student has a concern about her/his education at the College. (Students who have a concern about a final course grade may appeal in accordance with College Policy and Procedure 4.19 – Grades and Grade Appeal). The objective of the procedure is to provide a resolution process for students to use to resolve concerns as quickly and efficiently as possible. This complaint process is for students and prospective students, and only students or prospective students can participate in the College’s complaint process; however, nothing within this process precludes a student from seeking counsel from an adviser of their choice, which may be an attorney.

The student or prospective student brings the concern to an appropriate staff or faculty member using the steps in the resolution process below. If the student is uncomfortable with approaching the college employee directly, she/he may select an advocate inclusive of the campus ombudsman, a counselor or adviser, or other staff member. The staff member and administrators will attempt to work with the student and any other persons who are involved to respond to the problem within ten (10) business days. If the complaint is not answered satisfactorily at any step in the process, the student should progressively elevate their concerns through the process and if not resolved should can make a written complaint with the appropriate Vice President or Campus President as indicated below.

After exhausting all institutional complaint processes, students and/or prospective students who feel their issue(s) are unresolved, may file a complaint with the Florida Colleges Division of the Florida Department of Education and/or the Southern Association for Colleges and Schools Commission on Colleges. For more information on how to contact the Florida Department of Education regarding a Complaint, students may access information at the following website:  http://www.fldoe.org/cc/complaint.asp.
Complaints related to actions that violate Federal law such as discrimination, ADA, FERPA should be reported to the appropriate College official using the resolution process above. Additionally, students may file a complaint with the appropriate Federal agency that has jurisdiction over these areas. The United States Department of Education Office of Civil Rights handles complaints related to discrimination and ADA. Complaints related to privacy of records in accordance with the Family Educational Rights and Privacy Act (FERPA), students may also contact the United States Department of Education Family Policy Compliance Office and file a complaint in accordance with the rules of that agency.

### Procedures Specific to Online Students

Students enrolled in a fully online program who desire to file a complaint not related to their final grade in a course should follow this Complaint Process for Non-instructional Issues (BC Procedure 5.23). After exhausting all institutional complaint processes, Florida residents may file a complaint with the Florida Department of Education-Division of Colleges, and/or with Broward College's regional accrediting agency, The Commission on Colleges of the Southern Association of Colleges and Schools. Students residing in states other than Florida may file a complaint with the regulatory agency in the state where they are receiving the online instruction, and/or the Commission on Colleges.

Most complaint processes external to Broward College require that the student: 1) document the steps taken to exhaust the institution's grievance process; 2) describe the action taken by the institution to date in response to the student complaint; and 3) provide a copy of the institution's response to the student as a result of following the college’s procedures.

Contact information for filing complaints regarding online learning:

**Broward College Online**

http://www.broward.edu/ online; email: bconline@broward.edu

954.201.6564
3501 SW Davie Road, Davie Florida 33314

**Florida Department of Education, Division of Florida Colleges**

http://www.fldoe.org/cc/complaint.asp

850-245-0407
325 West Gaines Street, Room 1544, Tallahassee, Florida 32399-0400
Southern Association of Colleges and Schools, Commission on Colleges
404-679-4500
1866 Southern Lane, Decatur, GA 30033-4097

For students residing outside of Florida, contact information for other state regulatory agencies may be found at http://www.broward.edu/academics/online/Pages/default.aspx