

(For use in accordance with [Student Code of Conduct](#) Policy)



Student Judicial Procedures

As described in the College's [Student Code of Conduct](#) policy, the College provides for due process in academic dishonesty and disciplinary matters through the procedures set forth in this document. However, the College reserves the right to take any necessary and/or appropriate steps to protect the safety and wellbeing of the College community, and to expedite or amend the procedures and process for cases that the College deems require immediate action. In cases where there is no complainant, or a complainant is not willing to come forward and it is determined that the safety of an individual or the College community is at risk, the College may deem itself the complainant.

A student charged with violating the [Student Code of Conduct](#) may not avoid the Student Judicial Procedures by withdrawing from the College. Student judicial proceedings may continue as described in this document without the student's participation, and/or a hold prohibiting further registration and/or release of transcripts may be placed on the student's record at the discretion of the Associate Vice Chancellor for Student Affairs' designee until the matter has resolution.

The College ensures the process is free from conflicts of interests by ensuring there is no comingling of administrative or adjudicative roles. Specifically, the College ensures that an individual cannot serve in more than one of the following roles: investigating and collecting information pertaining to the case; presiding over the hearing; serving on the Judicial Affairs Committee; or making an official decision relative to the case throughout the process.

The College is obliged to provide equivalent rights to the complainant and the respondent and to ensure simultaneous notification of the College's procedures throughout the process.

Written notice throughout the student judicial process is issued through an individual's preferred email address, or by a hardcopy letter sent regular or certified mail, as appropriate. The email and mailing address on record in the College's student information system is considered official. It is the responsibility of the student to ensure that the correct address is on record in the College's student information system. Generally, written notice to an incorrect address on file is not an acceptable reason to delay or reschedule a resolution conference or hearing. As per the [Student Code of Conduct](#) policy, the term "Workday" means when the College is officially open for business operations. and excludes weekends, holidays, or other days the College is closed (e.g., weather event, etc.).

I. Due Process for Alleged Academic Dishonesty

- A. In cases of alleged academic dishonesty, procedural due process necessitates the faculty member should first talk with the student(s) and try to resolve any discrepancies within one week (five workdays) of the incident. If, after this discussion, it is still believed that the violation occurred, the faculty member may assess a penalty commensurate with the value of the exercise, work, or exam on which the violation occurred. The student must be informed in writing within three (3) workdays of the penalty that has been levied so that documentation will be available if needed later.

- B. In any situation in which the alleged misconduct is such that it would cause the student to receive a failing grade in the course, the faculty member must file a written report with the academic dean with which the faculty member and the course are housed within one week (five workdays) of the incident or within five (5) workdays of meeting with the student. An [Incident Referral Form](#) should be completed which is submitted to the Office of Student Affairs for the Judicial Files. The faculty member must also inform the student in writing that such a report has been filed.
- C. If the academic dean feels it would be in the best interests of the parties to proceed directly to the hearing level, the case can be referred directly to the College's Student Judicial Committee. If the decision is to move forward at the departmental level, the faculty member, student, and academic dean or designee will meet in a Resolution Conference to discuss the alleged incident. The student must be notified of the meeting at least three (3) workdays in advance.

The student is permitted to have one personal advisor present, but the advisor may not address the academic dean or the faculty member. At the Resolution Conference, an agreement should be reached concerning the alleged violation, as well as any sanctions, if appropriate. If no agreement is reached, the case must be referred to the Judicial Affairs Committee. Procedures can be found in Section IIC, *Due Process/Judicial Procedures for All Other Alleged Violations*. The academic dean will forward all written materials to the Associate Vice Chancellor for Student Affairs; designee.

If the student fails to appear or waives (in writing) the right to appear at the resolution conference, the decision may be rendered by the academic dean using the clear and convincing standard.

- D. In the case of the final grade, the faculty member will not submit a final grade until the alleged violation has been resolved, at which time the faculty member can assign the appropriate final grade.
- E. If the involved student is a candidate for graduation, the student will be allowed to participate in the commencement ceremony, but the diploma/degree will not be awarded until the case is resolved, a final grade assigned, and the student's degree status determined.

II. **Due Process/ Judicial Procedures for All Other Alleged Violations**

The College provides for due process in disciplinary matters through the following procedures below. Reasonable accommodations will be made for students with disabilities who are currently registered with the Office of Student Accessibility. Students in need of accommodations specific to the judicial proceedings must request accommodations in writing at the time of the notification of the specified proceeding or hearing. Accommodations in place for academic coursework purposes do not apply to judicial proceedings or hearings.

A. **Reporting of Incidents**

1. All reports of student misconduct shall be made on the Office of Student Affairs' [Incident Referral Form](#) on the College's website within five (5) workdays of the incident. However, five the Associate Vice Chancellor for Student Affairs' designee will also accept a Police Report forwarded electronically within fifteen (15) workdays of the incident. The Associate Vice Chancellor for Student Affairs'

designee will notify the supervisor of the College employee making the complaint, if applicable, and the Executive Dean/administrator in charge of the campus/site on which the violation has been reported.

2. The Associate Vice Chancellor for Student Affairs' designee shall determine if a violation of the Student Code of Conduct has taken place based on the allegation within five (5) workdays or within a reasonable timeframe. Preliminary interviews may be necessary to determine if a violation has occurred.

B. **Immediate Action**

Generally, the status of the respondent shall not be altered nor will their right to be present on campus and attend classes be suspended, except for reasons relating to physical or emotional safety and well-being or for the protection of the safety of other individuals, students, faculty, and/or property. The College has the right to take reasonable interim measures to ensure the safety of members of the college community when deemed necessary.

1. *Incidents where no disciplinary action is needed:*

If the Associate Vice Chancellor for Student Affairs' designee is of the opinion that a case merits no disciplinary action, a report to that effect will be made, and this written report will be kept on file in the Judicial Files of the Office of Student Affairs. The person making the complaint, the respondent, the supervisor of the College employee making the complaint, and the Executive Dean/administrator in charge of the campus/site will be notified of the decision by the Associate Vice Chancellor for Student Affairs' designee within fifteen (15) workdays of receiving the report. The proceedings shall terminate at that point.

2. *Incidents where a behavioral warning is needed:*

If the Associate Vice Chancellor for Student Affairs' designee is of the opinion that a mediation conference or judicial hearing is not necessary, the designated Judicial Affairs Officer may issue a Behavioral Warning, which serves as a written warning for the student to discontinue further occurrences of the type of behavior causing the initial complaint.

3. *Incidents where a no-contact order is needed:*

After consultation with the Associate Vice Chancellor for Student Affairs' designee, the designated Judicial Affairs Officer may put in place a no-contact order that removes the right for an individual to interact with another specified individual relevant to the judicial case, whether on or off campus, in person, virtually, via social media, or by any means whatsoever for a specified amount of time.

4. *Incidents where a student is needed to be temporarily banned from campus:*

After consultation with the Associate Vice Chancellor for Student Affairs' designee, the Associate Vice Chancellor for Student Affairs has the authority to place a student on temporary suspension, which removes the student's right to be present on the College's physical and online/virtual premises for any reason without prior contact with Campus Police. During the ban, a no-contact order is in place. This ban is temporary and in place until a Judicial Affairs Committee

hearing can be scheduled. The student shall receive written notice of the ban from the Associate Vice Chancellor for Student Affairs in accordance with the College's [Banning Persons from College Property](#) policy. However, when circumstances require, the Director of Campus Police is authorized to ban the student in accordance with the College's [Banning Persons from College Property](#) policy.

When a no-contact order or temporary ban is deemed necessary as an interim measure, within seventy-two (72) hours, the respondent will receive written notification to include:

- an explanation of the College's reasons for enacting the interim measure;
- the respondent's right to an interim measure hearing within seven (7) work days to determine whether there is substantial evidence that the respondent poses a risk to the physical safety of a member of the college community and that the interim measure is appropriate to mitigate the risk
- the respondent's right to waive an interim measure hearing and the assurance that such a waiver will not constitute an admission of guilt or a waiver of any additional rights; and
- if the case meets the requirements of Sections II-E11 and E12, the respondent's right to have an attorney or non-attorney advisor fully participate in the interim measure hearing if the Associate Vice Chancellor for Student Affairs' designee is provided information on the individual at least three (3) workdays prior to the interim measure hearing.

For the purpose of an interim measure hearing, the College's Behavioral Intervention Team will serve as the interim measure hearing committee to determine whether there is substantial evidence that the respondent poses a risk to the physical safety of a member of the college community and that the interim measure is appropriate to mitigate the risk. The decision of the interim measure hearing committee will be final, and the College's judicial process will proceed in accordance with established procedures.

C. Investigation

1. Not all cases require an investigation. If an investigation is deemed necessary as deemed by the Associate Vice Chancellor for Student Affairs' designee, the Police Investigation/Report may be used in place of conducting a separate investigation.
2. When there is no Campus Police Report or where the Associate Vice Chancellor for Student Affairs' designee determines a need for further investigation, the Associate Vice Chancellor for Student Affairs' designee conducts an investigation. A prompt, thorough and impartial investigation will be conducted within fifteen (15) workdays from the date the incident was reported. The Associate Vice Chancellor for Student Affairs' designee must notify the complainant and the respondent in writing that the investigation is being conducted. In a case where there is no complainant, or a complainant is not willing to come forward and it is determined that safety of an individual or the campus community is at risk, the College may be deemed the complainant. Except in cases where expedited procedures are deemed necessary both parties have three (3) workdays to submit a statement via email to the Associate Vice Chancellor for Student Affairs' designee. The Associate Vice Chancellor for Student Affairs' designee can seek additional information and clarification of the incident as needed.

3. If the complainant does not respond to the investigation request, within three (3) workdays, the incident will be closed and the Executive Dean/administrator in charge of the campus/site will be notified. If the respondent does not respond to investigation request, the process will continue.

D. Investigation Outcomes

Upon the conclusion, the Associate Vice Chancellor for Student Affairs' designee will determine an outcome using the clear and convincing standard. They can choose the following course of action:

a) Require mediation of the incident through resolution conference

1. The designated Associate Vice Chancellor for Student Affairs' designee will advise the involved parties in writing that a resolution conference is being scheduled to resolve the conflict. The notification should be at least three (3) workdays prior to the resolution conference or within a reasonable timeframe if best effort is demonstrated in contacting the individuals.
2. If complainant does not appear for the resolution conference, the incident will be closed and the Executive Dean/administrator in charge of the campus/site will be notified. If the respondent does not respond to investigation requests, the process will continue and a decision can be rendered.

b) Render a final decision

The Associate Vice Chancellor for Student Affairs' designee will render the decision either by certified mail or email, as appropriate. The involved parties may appeal the decision to the Associate Vice Chancellor for Student Affairs. The decision must inform the respondent of their right to appeal as per Section II-G, *Appeal Procedures*.

c) Refer the case to the Judicial Affairs Committee

1. If the Associate Vice Chancellor for Student Affairs' designee determines that the alleged misconduct may require disciplinary action greater than probation, the case will be referred to the Judicial Affairs Committee for additional review.
2. The Associate Vice Chancellor for Student Affairs' designee will advise all parties that the case will be referred to the Judicial Affairs Committee. All involved parties will receive a notice that a hearing will be forthcoming. The notification should be at least three (3) workdays prior to the hearing or within a reasonable timeframe if best effort is demonstrated in contacting the individuals. In cases requiring immediate action, the hearing may be expedited. See Section II-E, *Judicial Affairs Committee Procedures*.

d) *Close the case and find that there was no violation*

1. If the Associate Vice Chancellor for Student Affairs' designee determines that a case merits no disciplinary action, a report to that effect will be made, and this written report will be kept on file in the Judicial Files of the Office of Student Affairs.

E. Judicial Affairs Committee Procedures

In order to protect the student's guaranteed rights, the following procedures will be set forth:

1. The hearing must be scheduled expeditiously by the Associate Vice Chancellor for Student Affairs' designee; however, reasonable efforts will be made to consider the class schedule of the complainant and the respondent.
2. The respondent is to be given written notice of charges against the respondent by the Associate Vice Chancellor for Student Affairs' designee at least seven (7) workdays prior to the hearing, or within a reasonable timeframe if best effort is demonstrated in contacting the student. For hearings concerning alleged violations that the Associate Vice Chancellor for Student Affairs' designee deems may have potentially threatening ramifications to those involved, due diligence may require less notification time.
3. The College will make good faith efforts to include relevant evidence and exclude evidence that is neither relevant nor probative.
4. *Upon written request*, the respondent and the complainant will be provided reasonable continuing access to the case's administrative file and the ability to receive copies of all evidence or documents in the file beginning at least seven (7) work days prior to the hearing, or sooner if otherwise specified under federal law, *except* that individual portions of the file must be redacted if disclosure of the evidence is required by law. Once copies are requested, copies of updates will be provided throughout the seven (7) days.
5. The respondent has the right to face the complainant. The student and the complainant must be present in person, virtually, or by teleconference (as determined by the Associate Vice Chancellor for Student Affairs' designee, and the Associate Vice Chancellor for Student Affairs for the hearing to proceed except as noted in Sections II-E6 and E7 below. Additionally, in cases where the College is the complainant, the committee may proceed without a designated complainant present. The Committee will allow 15 minutes wait time for all parties to appear for the hearing.
6. For cases where the College is not the complainant as noted in Section II-E5 above, in the event that the complainant fails to be present in person, virtually, or by teleconference (except in cases of unavoidable emergency) at the hearing, the charges will be dropped and the Associate Vice Chancellor for Student Affairs' designee shall so notify the Vice Chancellor for Student Affairs in writing.

7. If the respondent fails to appear after the Associate Vice Chancellor for Student Affairs' designee has confirmed written notification of the time/place of the hearing (except in cases of unavoidable emergency), the Committee shall continue with the hearing and make a decision of "responsible" or "not responsible" based on evidence presented at the hearing.
8. The respondent is to be afforded an adequate and fair hearing on the charges and the express presumption of innocence. The respondent will not be deemed guilty of the violation until they formally acknowledge responsibility or at the conclusion of a hearing where the College has established every element of the alleged violation.
9. The respondent is to be permitted to present testimony if desired, and to present the testimony of any competent witnesses who have personal knowledge of any matters or materials relevant to the charges.
10. *For cases where the respondent faces a potential sanction less than a suspension of ten (10) or more days, a deferred suspension, or expulsion:*

Both the complainant and the respondent are permitted to have one personal advisor present during the hearing, but the personal advisor may not address the Committee.
11. *For cases where the respondent faces a potential sanction of a suspension of ten (10) or more days, a deferred suspension, or expulsion:*

Both the complainant and the respondent have the right to be represented, at their expense, by an attorney or non-attorney advisor who may fully participate during the hearing. The advisor will be afforded the opportunity to address the Committee, make opening and closing statements, to examine and cross-examine witnesses, and to provide the complainant or respondent, as applicable, with support, guidance, and advice during the hearing.
12. *For cases where an officially recognized student organization under the jurisdiction of the College is the respondent, regardless of the sanctions being faced:*

The organization and the complainant, at their expense, have the right to be represented by an attorney or a non-attorney advisor who may fully participate during the hearing as defined above.
13. If a complainant or respondent chooses to have an attorney or non-attorney advisor present at the hearing serving in an advisory or fully participating role, as applicable per above, they must notify the Associate Vice Chancellor for Student Affairs' designee and provide information on the individual at least three (3) workdays prior to the hearing.
14. Prior to scheduling the hearing, the College shall inform the complainant and the respondent in writing of the procedures and their rights as listed above.

F. Findings

After hearing from all of those who appear and offer relevant testimony, the Committee excuses all but its members and retires to consider the evidence. The Committee: (1) makes a decision of “responsible” or “not responsible” based on the relevant written and oral evidence; (2) recommends sanction(s), if applicable; and (3) communicates this finding and any applicable recommended sanction(s) to the Associate Vice Chancellor for Student Affairs’ designee. This designee is appointed to specifically communicate the Committee’s findings and to determine the sanctions, and cannot have served as the Associate Vice Chancellor for Student Affairs’ designee prior to this point in the process.

The Associate Vice Chancellor for Student Affairs’ designee, within five (5) workdays of receiving the committee’s findings and recommended sanction(s) if applicable, determines appropriate sanctions, if any, while ensuring consistency in practice, and communicates, in writing, the committee’s findings, sanctions, if any, to the complainant, respondent, the complainant’s supervisor and respondent’s supervisor, as applicable, and the Associate Vice Chancellor for Student Affairs. The Associate Vice Chancellor for Student Affairs’ designee’s notification must inform the complainant and respondent of their right to appeal the committee’s decision to the Associate Vice Chancellor for Student Affairs and the next steps in the appeal process. In the event the College is the complainant, the person filing the original complaint is also notified.

A copy of the Associate Vice Chancellor for Student Affairs’ designee’s communication, is filed in the Student Complaint/ Grievance Files maintained by the Associate Vice Chancellor for Student Affairs.

G. Appeal Procedures

1. Either the respondent or the person filing the original complaint may, within ten (10) workdays of notification, appeal the Committee’s decision to the Associate Vice Chancellor for Student Affairs by completing the appeal request form on the College’s website. Upon consideration of the evidence, the Associate Vice Chancellor for Student Affairs may grant the appeal, deny the appeal, order a new hearing, or reduce or modify the sanction.
2. If an attorney or non-attorney advisor served in a fully participating role during the hearing, as per the requirements in Section E11 and E12, this right also applies for the same individual during the appeal process.
3. During the appeal procedures, the status of the respondent shall not be altered nor will their right to be present on campus and attend classes be suspended, except for reasons relating to physical or emotional safety and well-being or when it is deemed necessary for the protection of the safety of other individuals, students, faculty, and/or property. Also, during the appeal procedures the College reserves the right to administratively withdraw a student from the College resulting in a “W” for Withdrawn for all uncompleted coursework on the official College transcript.
4. An appeal is only reviewed via the [Disciplinary Appeal Form](#) on the College’s website. Appeals are only admissible based on the following:
 - a. Partiality, where the individual believes a decision was made based on unfair bias in favor of another.

- b. New evidence, where evidence presented in a prior hearing was not available at that time; contradictory evidence, and/or evidence that the respondent or complainant was not afforded due process.
 - c. Procedural error, where a process or processes were alleged to not have been followed as outlined within the Student Judicial Procedures.
 - d. Inappropriate sanction, where the individual believes the sanction issued is incongruent with the violation(s) of the code.
 - e. Police reports, transcripts, and the outcome of any civil or criminal proceeding directly related to the appeal may also be considered during the appeal.
5. If the respondent or complainant file an appeal, the student and complainant will be notified in writing of the Associate Vice Chancellor for Student Affairs' decision within ten (10) workdays of the appeal, as applicable. A copy of this decision will be filed in the Judicial Files of the Office of Student Affairs.
 6. The final appeal for the complainant or the respondent at the college level is to the College Chancellor, which must be submitted in writing within ten (10) workdays of notification of the Associate Vice Chancellor for Student Affairs' decision. Upon consideration of the evidence, the Chancellor may grant the appeal, deny the appeal, order a new hearing, or reduce or modify the sanction. If the respondent or complainant appeal the Associate Vice Chancellor for Student Affairs' decision or if the Chancellor modifies or rejects the Associate Vice Chancellor for Student Affairs' decision, the student and complainant will be notified in writing of the Chancellor's decision within ten (10) workdays of the student's appeal or the notification of the Vice Chancellor's decision, as applicable. A copy of this decision will be filed in the Judicial Files of the Office of Student Affairs.
 7. If the appeal results in the reversal of the decision or a lessening of the sanction, the College must reimburse the student for any tuition and fees paid for the period of suspension, including a deferred suspension, or expulsion which had not been previously refunded, if applicable.
 8. In accordance with [LCTCS Policy #2.004, Student Conduct and Appeal Procedures](#), after the student has exhausted all due process procedures at the college level, the student may choose to appeal to the LCTCS Board of Supervisors within thirty (30) calendar days of the College Chancellor's decision.

H. **Composition of the Judicial Affairs Committee**

The Judicial Affairs Committee is responsible for conducting all disciplinary hearings, providing policy recommendations regarding student discipline.

The [Judicial Affairs Committee pool](#) shall be appointed by the Associate Vice Chancellor for Student Affairs at the beginning of each academic year. The committee pool will be comprised of a minimum of three faculty members, three staff members, and three students. The Associate Vice Chancellor for Student Affairs' designee will serve as the Chair of the pool and will coordinate all hearings but shall not serve on the Judicial Affairs Committee for any hearing.

Each case must be heard by members; one faculty, one staff and one student. Any committee member may recuse him/herself from a particular hearing if there may be a conflict of interest in the particular case.

The hearing is to be conducted at the campus or site where the alleged violation occurred unless the Associate Vice Chancellor for Student Affairs' designee determines another location or a virtual hearing to be more appropriate.

I. **Sanctions**

The following sanctions and/or learning outcome requirements may be imposed but are not limited to the list below. Once the terms of the sanction are satisfied the student is in good standing.

1. *Behavioral Warning*- A Behavioral Warning is a written warning for the student to discontinue further occurrences of the type of behavior causing the initial complaint.
2. *Disciplinary Probation* - A written reprimand issued to a student for a violation of the [Student Code of Conduct](#) with specific sanctions identified for the student. Disciplinary Probation means that the student is still enrolled and is put on formal notice that they are subject to specific behavioral guidelines (ex. loss of privilege or access to a particular facility on campus, restriction from a limited admission program), the violation of which may lead to more severe forms of discipline such as suspension or expulsion. Disciplinary sanctions which may be imposed include, but are not limited to:
 - a. Educational project or community service assignment: A project or assignment on campus or in the community, which will provide the student with an opportunity to observe and learn specific valued human behaviors related to the student's own conduct. For example, participation in a leadership seminar, alcohol/drug seminar and/or personal development class. Evidence of satisfactory completion will be required.
 - b. Restitution: The student is ordered to repair damages or reimburse the affected individual or entity for damage to (or misappropriation of) property. This may take the form of monetary payment or payment of time and services.
3. *Suspension* - Suspension is separation from the College for a specified period of time. After the specified period of time, the student who wishes to return may return with either full or curtailed privileges, as delineated by the prescribed stipulations for return. Upon completion of the appeal process or the opportunity for appeal has passed, or before if deemed necessary, the suspended student will be administratively withdrawn from the College resulting in a "W" for Withdrawn for all uncompleted coursework on the official College transcript.
4. *Expulsion* - Expulsion is the removal of a student from the College based on a violation of the College's [Student Code of Conduct](#), whereby for a set period of time the student loses the right to re-enroll, participate in college activities, and to be present on College premises for any reason without prior contact with Campus Police. Expulsion may include the revocation of any or all academic credits earned at the College. Upon completion of the appeal process or the opportunity for appeal has passed, or before if deemed necessary, the expelled student will be administratively withdrawn from the College resulting in a "W" for Withdrawn for all uncompleted coursework on the official College transcript.

The following procedures apply in regard to judicial expulsion.

- a. A judicial expulsion can only be imposed through the student judicial process.
 - b. After the judicial expulsion has been imposed for seven (7) years or after the duration of the expulsion period if less than seven (7) years, the expulsion may be removed contingent upon a satisfactory review of the student's status relative to the violation after the set time period.
 - c. The judicial expulsion removal review process requires a review of the student's status relative to the violation for which the expulsion was imposed. Upon the student's request for the judicial expulsion to be removed, an ad hoc committee appointed by the Associate Vice Chancellor for Student Affairs' designee reviews the issues related to the violation to determine if the student has made progress to satisfactorily address the issues causing the expulsion.
 - d. The committee makes a recommendation to the Associate Vice Chancellor for Student Affairs' designee, who in turn makes a recommendation regarding the student's status to the Associate Vice Chancellor for Student Affairs.
 - f. The final determination regarding removal of the student's judicial expulsion is made by the Associate Vice Chancellor for Student Affairs.
 - g. If the determination is made to remove the student's judicial expulsion, the Associate Vice Chancellor for Student Affairs' designee requests the Office of the Registrar in writing to lift the judicial expulsion hold off of the student's record.
 - h. Depending on the nature of the violation related to the student's judicial expulsion, the student may or may not have some behavioral restrictions and/or learning outcome requirements set forth in order for the student to re-enroll or participate in college activities. Such restrictions and/or requirements are determined by the Associate Vice Chancellor for Student Affairs for a set period of time, as applicable.
5. *Lifetime Ban* – In accordance with LCTCS policy, the finding of responsibility for the following conduct leads to a lifetime ban from Delgado and all LCTCS institutions: (1) *Possession of Firearms* (except as allowed by Louisiana Revised Statute 14:95.2 and any applicable law). This includes any gunpowder-based devices, projectile-firing devices, and all types of air rifles. (2) *Terrorist Threats*: Any form of terrorist threats, including threats involving bombs, chemicals, or biological agents.

The following factors are considered for issuing a lifetime ban: (1) whether the conduct is legally permissible, (2) the student's intent, (3) opinions and assessments from law enforcement and medical professionals, and (4) mitigating or aggravating circumstances.

The following procedures apply in regard to lifetime bans:

- a. Student lifetime bans may be reconsidered after a minimum of five (5) years. When a student with a lifetime ban applies for reinstatement, the College may evaluate:
 - (1). The time elapsed since the conduct occurred,
 - (2). Steps taken by the individual to rehabilitate their character,
 - (3). The nature and severity of the conduct, and
 - (4). Character references.
- b. When a finding of responsibility for firearms or terroristic threats on campus occurs:
 - (1). The lifetime campus ban sanction is issued to the Respondent, which includes information on the above factors and timeframe for reinstatement;
 - (2). A Disciplinary Hold (DH) hold code is applied in Banner, with the Reason Code of "Lifetime Ban" added; and
 - (3). The dates are entered in Banner for the DH hold code.
- c. If a student requests reinstatement after a lifetime ban sanction was issued:
 - (1). The College will review the date the lifetime ban was issued and determine eligibility for a reinstatement appeal;
 - (2). If the student is eligible to appeal for reinstatement, the College will provide the appropriate appeal form;
 - (3). If the College grants the reinstatement appeal, the DH hold for Lifetime Ban will be removed; and
 - (4). If the College denies the reinstatement appeal, a decision letter with rationale should be provided to the student. It is at the College's discretion if/when beyond that initial timeframe whether or not a student can re-appeal and under what circumstances.

I. **Records**

1. An electronic record maintained in the College's secure electronic database will be created once an Incident Referral Form is submitted to the Office of Student Affairs. If a hearing was conducted, the electronic record must include a video recording, audio recording, OR transcript of the hearing. If the respondent was not found to have violated the Student Code of Conduct, the electronic record of the complaint will be maintained but will not be made available for disclosure. Files are maintained in accordance with the Family Educational Rights and Privacy Act (FERPA).

2. Disciplinary sanctions and outcomes are not reported on a student's official academic transcript; however, if another institution requests a disciplinary record on a student, that record will be reported to the requesting institution. Additionally, all institutions within the Louisiana Community and Technical College System have access to the specific sanction with regard to Disciplinary Suspension, Expulsion, or specific requests by the Office of Student Affairs made regarding the student.
3. A record of the proceedings that led to a student's sanction will be kept in the College's secure electronic database for seven (7) years from the date in which the record was initiated, with the exception of Expulsion and Lifetime Bans in which cases the information is kept permanently.

Attachments:

[Incident Referral Form](#)

[Disciplinary Appeal Form](#)

Reference:

Delgado Policy and Procedures Memorandum [Student Code of Conduct](#)
Delgado Policy and Procedures Memorandum [Student Grievance Procedures](#)
[Delgado Classroom Disruption Procedures](#)
[LCTCS Policy #2.004, Student Conduct and Appeal Procedures](#)
Louisiana Revised Statute 17:3394, Disciplinary Proceedings

Approval Process:

Original Approval 6/18/2013
Procedural Update Approval – Vice Chancellor for Student Affairs 7/14/2014
Procedural Update for Behavioral Intervention Team Procedures Approval –
Vice Chancellor for Student Affairs 2/25/2015
Procedural Update Approval – Vice Chancellor for Student Affairs 4/13/2016
Procedural Update Approval – Vice Chancellor for Student Affairs 6/1/2016
Procedural Update Approval – Vice Chancellor for Student Affairs 8/21/2017
Procedural Update Approval – Vice Chancellor for Student Affairs 7/29/2020
Procedural/Title Update Approval – Vice Chancellor for Academic and Student Affairs
4/12/2021
Procedural Update Approval – Vice Chancellor for Academic and Student Affairs
1/14/2022
Procedural Update Approval – Vice Chancellor for Academic and Student Affairs
12/16/2022
Procedural Update Approval – Vice Chancellor for Academic and Student Affairs
8/11/2023
Organizational Changes/Title Updates – Associate Vice Chancellor for Student Affairs
Effective 8/12/2024
LCTCS Procedural Update Approval – Associate Vice Chancellor for Student Affairs 11/22/24
LCTCS Procedural Update Approval – Associate Vice Chancellor for Student Affairs 7/30/25