

**POLICY & PROCEDURES MEMORANDUM**

<b>TITLE:</b>	<b>STUDENT JUDICIAL CODE (Rights, Responsibilities, and Disciplinary Procedures)</b>
<b>EFFECTIVE DATE:</b>	<b>June 18, 2013*</b> <i>(*2/25/16 Behavioral Intervention Team Procedural Update; 8/6/15 Procedural Update for Title IX Compliance)</i>
<b>CANCELLATION:</b>	SA-1448.1C (5/6/08)
<b>CATEGORY:</b>	Student (SA)

**POLICY STATEMENT**

The College has the legal right and moral obligation to establish rules for academic and personal conduct and to deny admission to applicants or continued enrollment to students who do not meet/maintain these standards identified as "responsibilities" as well as other rules of the College and its departments. Counseling and/or sanctions will be imposed on students or student organizations that are found in violation of these standards. The College reserves the right to review any action taken by civil or judicial authorities regarding any Delgado student or student organization.

All students admitted to the College accept the responsibility to conform to all Delgado rules and regulations. The College will make every reasonable effort to make the rules and regulations available. Each student is responsible for becoming familiar with and abiding by them.

The College is committed to affording all students, including distance education students, the opportunity for accessibility and due process during the student judicial process. To ensure this, distance education modalities will be available at each step of the process when appropriate.

**PROCEDURES & SPECIFIC INFORMATION**

1. **Purpose**

To establish a student judicial code (policy) outlining student rights, responsibilities and student disciplinary procedures, in accordance with the policy of the Louisiana Community and Technical College System (LCTCS).

2. **Scope and Applicability**

This policy and procedures memorandum applies to all students of the College.

3. **Background**

The basic philosophy of the policies and procedures in the Student Judicial Code is one of education and fair, prompt resolution of problems. The focus of the Code is on growth and development of the individual student by encouraging self-control, by publishing clear behavioral guidelines (rules and regulations) and by fostering the rights and privileges of others.

Regardless of how a case is processed, the goals are the same: to redirect the behavior of the student in acceptable patterns and to protect the rights of all students and the entire college community. There exists a fundamental difference between the nature of the Student Judicial Code and that of criminal law. The Code is not intended to resemble the policies or procedures of the criminal justice system. Rather, it involves a closed, informal hearing. The rules of criminal law are neither required nor necessary to achieve the educational goal of the Student Judicial Code.

Delgado Community College is a multicultural community composed of diverse students, faculty, and staff. Delgado will not tolerate harassment of any person or group of persons based on race, color, religious or political affiliation, gender, sexual orientation, citizenship, national origin, age, disability/handicap or marital status or veteran's status, pregnancy, childbirth and related medical conditions, and the sickle cell trait. Each member of the college community is held accountable to this standard which is strongly reflected in this Code.

3. **Code Authority**

Delgado Community College is governed by the Board of Supervisors for the Louisiana Community and Technical College System.

The Chancellor has delegated to the Vice Chancellor for Student Affairs the authority and responsibility for the implementation of the Student Judicial Code.

4. **Student Rights**

In order to preserve and to guarantee students of Delgado Community College those conditions indispensable to the full achievement of the objectives of higher education in a free democratic society, the College holds the following rights essential to the development of students as individuals and to the fulfillment of their responsibilities as members of society:

(\*2/25/16 Behavioral Intervention Team Procedural Update;  
8/6/15 Procedural Update for Title IX Compliance)

- A. The right of every person to be considered for admission to Delgado Community College and to participate equally in all College offerings, programs and activities without regard to race, color, religious or political affiliation, gender, sexual orientation, citizenship, national origin, age, disability/handicap or marital status or veteran's status, pregnancy, childbirth and related medical conditions, and the sickle cell trait;
- B. The right to form and participate in campus, local, national, or international organizations for intellectual, religious, social, political, economic or cultural purposes when such organizations do not infringe upon the rights of others;
- C. The right individually or in association with others, to engage freely in off-campus activities, provided they do not claim to represent the College;
- D. The right to issue official student publications following the procedures set forth by the College's Student Publications Committee;
- E. The right to form and maintain democratic student governance;
- F. The right to use campus facilities, provided the facilities are used for the purpose contracted subject to the approval of the appropriate college official;
- G. The right of students to invite and hear speakers of their choice subject to the approval of the appropriate college official;
- H. The right to address concerns in course scheduling, curriculum, or faculty through proper channels;
- I. The right to due process in all disciplinary matters and the right to appeal to the proper authority or committee; and
- J. Enumeration of certain rights herein shall not be construed as to nullify or limit other rights possessed by students.

5. **Student Responsibilities**

It is the responsibility of every student to conduct his or her self in a manner fitting an academic environment. The College has established [Classroom Disruption Procedures](#) to address student conduct issues in the classroom. The College also has established [Behavioral Intervention Team Procedures](#) to address distressed students. In most cases, the exercise of good sense and judgment prevail.

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The following acts as set forth by legislative act and LCTCS policy are contrary to acceptable conduct. The College reserves the right to take any necessary and/or appropriate steps to protect the safety and wellbeing of the College community. Jurisdiction may be extended based on conduct off campus, when the behavior or the presence of the student, in the College's sole judgment, adversely impacts or represents a threat to the College community, damages the reputation of the institution, or impairs, obstructs, or interferes with the interests and/or mission, processes, or functions of Delgado Community College. Behavior conducted through electronic means through blogs, web pages, social networking sites and any other modes of electronic communication are in the public sphere, are not private, and can be subject to allegations of misconduct. Any student who commits or attempts to commit any acts, such as, but not limited to the following, will be subject to disciplinary proceedings:

- A. Intentional obstruction or disruption of teaching, research, administration, disciplinary procedure, or other authorized college event;
- B. Unauthorized entry into or unauthorized occupation of any college facility;
- C. Verbal, emotional, or physical abuse or threat thereof against any person on campus or at any college-authorized event, or other conduct which threatens or endangers the health and safety of any such person;
- D. Harassment defined as the act of systematic and/or continued unwanted and annoying actions of one party or a group. Such actions will be considered a violation of misconduct if deemed, for example, as intimidating, disparaging, unwelcomed sexual advances, physical or verbal in nature. Furthermore, if a violation of legal statute is found to have occurred the matter may be pursued criminally.
- E. Theft or damage to personal property or to the property of the College or injury to a person on the campus;
- F. Intentional interference with the right of access to college facilities or with any lawful right of any person on the campus;
- G. Setting a fire on campus without proper authority;
- H. Unauthorized use or possession of fire arms, ammunition, or other dangerous weapons, substances, or materials on the campus;
- I. Academic dishonesty, such as cheating or plagiarism;
- J. Knowingly furnishing false information to the College;
- K. Forgery, alteration, or misuse of college documents, records or identification;

(\*2/25/16 Behavioral Intervention Team Procedural Update;  
8/6/15 Procedural Update for Title IX Compliance)

- L. Use, possession or distribution of narcotic or dangerous drugs such as marijuana, hallucinogens, and other drugs which are not prescribed or expressly permitted by law;
- M. Failure to comply with the directives of campus officials and law enforcement officers acting in performance of their duties, or to identify oneself to these officers when requested to do so;
- N. Conduct which adversely affects the student's suitability as a member of the academic community (such as drunkenness, use of profanity, or behavior deemed unbecoming of a student);
- O. Aiding or inciting others to commit any act set forth above;
- P. Violating the [Tobacco-Free College policy](#) in accordance with Louisiana Revised Statutes 40:1300.251-263;
- Q. Gambling in any form on college property;
- R. Use or possession of any alcoholic beverage on campus or at College-related activities occurring off site, except at functions as approved by the Chancellor; and
- S. Misuse or Abuse of Computer Equipment, Programs, or Data - Unauthorized use of computing resources or use of computing resources for unauthorized purposes is prohibited by the College's [Information Technology Security](#) policy. This may include but is not limited to such activities as accessing or copying programs, records, or data belonging to the College or another user without permission; attempting to breach the security of another user's account or deprive another user of access to the College's computing resources; knowingly or carelessly performing an act that will interfere with the normal operation of computers, terminals, peripherals, or networks; using the College's computing resources for personal or financial gain; allowing non-college personnel access to college computing resources; displaying obscene, lewd, or sexually harassing images or text in use of college computing services; transporting copies of College programs, records, or data to another person or computer site without written authorization; attempting to destroy or modify programs, records or data belonging to the College or another user.

## 6. **Academic Dishonesty**

Academic honesty and intellectual integrity are fundamental to the process of learning and to evaluating academic performance. Maintaining such integrity is the responsibility of all members of the College. The faculty will encourage and maintain an atmosphere of academic honesty. They will explain to students the regulations defining academic honesty and the sanctions for violating these regulations.

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Students, too, must share the responsibility for creating and maintaining an atmosphere of honesty and integrity. Students should be aware that personally completing assigned work is essential to learning. Students who are aware that others in a course are cheating or otherwise committing academic dishonesty have the responsibility to bring the matter to the attention of the course instructor and/or the Division Dean.

Dishonest practices make it difficult for honest students to be evaluated and graded fairly and damage the integrity of the entire College. Permitting dishonesty is not open to personal choice. A faculty member who is unwilling to act upon academic dishonesty is an accessory with the student offender in damaging the integrity of the College.

Academic dishonesty is a violation of the Student Judicial Code and academic policy and is therefore subject to sanction according to the Student Judicial Code. Academic dishonesty includes, but is not limited to, the following:

*Cheating*--The act of deception by a student who misrepresents his mastery of information on an academic exercise. These acts can be either premeditated or not. Examples include copying or allowing someone else to copy work of another student; using a textbook or other material during an examination; collaboration during an academic exercise or giving or receiving information; and using specially prepared materials during an academic exercise, such as notes or formula lists.

*Plagiarism*-- The inclusion of someone else's actual words or paraphrases, ideas, or data into one's own work without acknowledging the original source. The included material must have appropriate citations such as footnotes or quotation marks and identification of the sources, published or unpublished, copyrighted or not copyrighted.

*Collusion*-- The unauthorized collaboration with another person in preparing an academic exercise or committing an academic violation with another person.

*Academic Misconduct*-- The actual or attempted tampering or misuse of academic records or materials such as transcripts and examinations. Examples include stealing, buying, or otherwise obtaining all or part of a non-administered test or academic exercise; selling, bribing or giving away all or part of a non-administered academic exercise or any information about it; changing or altering a grade book, test, change of student record form, or other official academic records of the College that would alter grades; and breaking in and/or entering a building or office for the purpose of changing a grade or tampering in any way with grades or examinations.

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*Falsification/Fabrication*-- The intentional use of invented information or the falsification of research findings with the intent to deceive. Examples include citation of information not obtained from the source indicated; listing sources in a bibliography not used in the academic exercise; inventing data or source information; submitting as one's own, any academic exercise prepared totally or in part for/by another; taking a test for another student or permitting another student to take a test for oneself; submitting work previously used for credit in another course without express permission of the Instructor; and falsifying information on official school documents such as application, financial aid, and/or scholarship forms.

*Accessory to Acts of Academic Dishonesty*--The act of intentionally facilitating, supporting, or conspiring with another student to commit any form of academic dishonesty.

## 7. **Due Process/Judicial Procedures**

The College provides for due process in academic dishonesty and disciplinary matters through the procedures established in the [Delgado Student Judicial Procedures](#).

## 8. **Cancellation**

This policy and procedures memorandum cancels policy and procedures memorandum SA-1448.1C, *Student Judicial Code*, dated May 6, 2008.

### *Policy Reference:*

[Delgado Student Judicial Procedures](#)  
 Delgado Policy and Procedures Memorandum [Student Grievance Procedures](#)  
 Delgado Policy and Procedures Memorandum [Tobacco-Free College Policy](#)  
[Delgado Information Technology Security](#)  
[Delgado Classroom Disruption Procedures](#)  
[Delgado Behavioral Intervention Team Procedures](#)  
[LCTCS Policy #2.004, Student Conduct and Appeal Procedures](#)  
[LCTCS Policy #7.002 Use of Technology Resources Policy Statement](#)

### *Review Process:*

Ad Hoc Committee on Student Judicial Policy 5/9/12  
 Student Judicial Committee 5/11/12  
 Student Affairs Council 5/21/13  
 College Council 6/18/13  
 Procedural Update for Title IX Compliance-Vice Chancellor for Student Affairs Approval 8/6/15  
 Procedural Update for Behavioral Intervention Team Procedures-Vice Chancellor for Student Affairs Approval 2/25/15

### *Distribution:*

Distributed Electronically Via College's Website