

BOARD POLICY SERIES NUMBER: 7035

TITLE: STUDENTS' RIGHTS, RESPONSIBILITIES AND CONDUCT

INTRODUCTION

Students at Linn-Benton Community College are advised to read the statement on Students' Rights, Responsibilities, and Conduct. As members of the LBCC learning community students enjoy the rights and privileges as outlined in this document. To help ensure a positive learning environment, students have the responsibility to conduct themselves in accordance with standards as set forth in this policy.

Members of the LBCC community involved in a dispute are encouraged to first seek resolution with the individual with whom the conflict exists. When resolution through person-to-person communication is not possible, the dean of student services should be contacted. The dean has several informal and, if necessary, formal processes to assist with conflict resolution.

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STUDENTS' RIGHTS AND RESPONSIBILITIES

Linn-Benton Community College students, as free citizens and members of a learning community, enjoy particular rights. Along with these rights is the responsibility to conduct oneself in accordance with the standards of the college that are designed to advance student learning. Although not all of these rights can be enumerated in any document, it is important to note those that are most fundamental.

A. Freedom of Association

Students shall be free to organize and join associations to promote their common interests subject to the following considerations:

1. The membership, policies and actions of a student organization usually will be determined by vote of only those persons who are LBCC College students.
2. Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional recognition.
3. Each organization shall be free to select its own LBCC advisor. Advisors must be either contracted faculty or staff currently employed by LBCC. LBCC staff serves the college community when they accept the responsibility to advise and consult with student organizations, and provide guidance to the group on college procedure and policy.
4. Student organizations shall be required to submit a statement of purpose, criteria for membership, rules of procedures, a current list of officers and a certified number of active members as a condition of institutional recognition.
5. Campus organizations, including those affiliated with an extramural organization shall be open to all students without respect to race, color, sex, sexual orientation, marital and/or parental status, religion, national origin, age, mental/physical/learning disability, Vietnam era or disabled veteran status, or any other status protected under applicable federal, state, or local law. Disability consultations are available through the Office of Disability Services.

B. Freedom from Inquiry and Expression

Students shall be free to take exception with the information or views presented in any course without it affecting their grade as long as the disagreement is not disruptive to the instructional process. Students are responsible for learning the content of any course for which they have enrolled even if they disagree with the course content. Students and student organizations shall be free to examine and discuss all questions of interest to them, and to express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt the regular and essential operation of the institution. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves. Actions by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the institution in the course of demonstrations,

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or to obstruct or restrain other members of the academic community and campus visitors by physical force are subject to sanction.

C. Freedom From Harassment

LBCC is committed to providing a learning and working environment free of harassment (see Appendix A).

D. Freedom From Sexual Harassment/Sexual Assault

Students are protected from sexual harassment/sexual assault by LBCC Board of Education policies, and by state and federal statutes (see Appendix B).

E. Freedom From Unlawful Discrimination

LBCC wishes to maintain a place of learning and work that is free of unlawful discrimination. The college prohibits discrimination based upon a person's race, color, sex, sexual orientation, marital and/or parental status, religion, national origin, age, mental/physical/learning disability, Vietnam era or disabled veteran status, or any other status protected under applicable federal, state or local law (see Appendix C).

F. Student Participation in Institutional Governance

Student representation on selected LBCC councils and committees provides an opportunity for students to participate in institutional governance.

G. Student Publications

Student publications and student press provide for free and responsible discussion of topics. Editor and managers are protected from arbitrary suspension and removal due to editorial policy or content. Editors and managers can be removed as the result of a violation of the LBCC Standards of Conduct.

STUDENT CONDUCT

The following procedures are intended to achieve an equitable solution that will resolve the disputes and issues with due regard to the rights of the parties involved, the protection of the faculty and student body, and the interest of the college. The chief administrator responsible for student rights, freedoms, responsibilities and due process is the dean of student services.

Like other members of the academic community, the student is expected to conduct him/herself in accordance with standards of the college. A charge of misconduct may be made against a student for violating provisions of published college regulations and policies. Where a student is subject to a charge of misconduct, such charge shall be processed in accordance with the procedures set forth in this document.

A. Standards of Conduct

A student enrolling in LBCC assumes an obligation to conduct him/herself in a manner compatible with an educational community. In order to maintain a positive learning environment, students at LBCC will adhere to the following standards of conduct. Students at LBCC will:

1. take responsibility for learning material, participating in class activities, advocating for personal needs, and knowing rules and regulations governing the education community;
2. follow the lawful direction of faculty and staff including providing information and identification when requested;
3. respect the teaching/learning environment by interacting with civility within the classroom and following safety guidelines;
4. maintain honesty and integrity in all work, communication and interactions;
5. properly use college equipment, computers and facilities including timely return of loaned equipment/materials;
6. follow all college regulations, including those posted in special labs and classrooms, such as rules governing electronic devices; and
7. follow state and federal laws.
8. The following are examples of the categories of misconduct for which students may be subject to disciplinary action.
 - a. Failure to comply with the lawful directions of college personnel acting in performance of their duties, e.g., disrupting class sufficiently to hinder effective instruction, or failure to leave a building or specified work area when directed to do so by college personnel;

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- b. Physical or verbal harassment which threatens or endangers health or safety of any such person, assault and/or abuse on college property or at college-sponsored or supervised functions;
- c. Disorderly, lewd, indecent, or obscene conduct on college-owned or controlled property, or at a college-sponsored or supervised activity;
- d. Libel or slander of another individual;
- e. Interference by force or by violence (or by threat of force or violence) with any administrator, faculty or staff member, or student at the college who is in the lawful discharge or conduct of his/her duties or studies;
- f. Dishonesty, including but not limited to:
 - i. forgery
 - ii. changing or misuse of college documents or records of identification,
 - iii. cheating
 - iv. plagiarism
 - v. aiding or abetting cheating or plagiarism
 - vi. knowingly furnishing false information to the college, and/or
 - vii. copying college software.
- g. Furnishing false information to the college with the intent to deceive the college or any person or agency;
- h. Invasion of another person's reasonable right to privacy by any means, including the unauthorized use of snooping or recording devices on campus or at college-sponsored activities;
- i. Unauthorized entry to, or use of, the college campus and its facilities or disobedience of a notice against trespass;
- j. Bringing animals into classrooms and college buildings except for assist animals, assist animals in training, other animals defined in ORS 346.680, or animals used for instructional purpose;
- k. Theft of, or intentional damage to, property of the college or of a member of the college community, such as visitors, students, or employees;
- l. Abuse or unauthorized use of the college's computer equipment, software, passwords or records, or any violation of the confidentiality or security of passwords, records or software, including but not limited to networks, Internet, World Wide Web, and e-mail (see Administrative Rule No. B301);
- m. Violation of the electronic devices guidelines as outlined in this document (see Appendix E);
- n. Unauthorized use of college supplies or equipment. Using LBCC computer resources and/or networks to send threatening or harassing messages or view pornographic materials electronically is forbidden (see Administrative Rule No. B301);
- o. False representation of the college for any commercial purpose or contracting in the name of the college;
- p. Gambling, except as expressly permitted by law;
- q. Unlawful use or possession or distribution of alcoholic beverages, narcotics or dangerous drugs, except as expressly permitted by college policy;
- r. Possession or use, without written authorization, of firearms, explosives, dangerous chemicals, substances, instruments or other weapons on college-

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owned or controlled property or at college-sponsored or supervised functions;

- s. Harassment, sexual harassment, sexual assault and unlawful discrimination, a violation of any state or federal law on campus or while attending or participating in any college event (see Appendices A, B and C for information and the resolution process);
- t. Violations of published college regulations, the rules in this section and any other college regulations that may be enacted.

B. Dispute Resolution Procedures

Each of the dispute types listed below shall be subject to a dispute resolution process. The same process is not necessarily appropriate for resolving all disputes. The dispute types listed below will be resolved through the following procedures:

1. Grade Appeals

Dispute between a student and his or her instructor concerning the appropriateness of a grading decision. A grade may be appealed within one term of the grade's posting.

Students and faculty members are encouraged to maintain frank and open communications concerning student progress and performance. If a student believes he/she has been awarded an inappropriate grade by an instructor, the first step is to appeal the grade to the responsible faculty member. If satisfaction is not received, the next step is to appeal to the dean/director by providing a written statement of the facts.

The dean/director will review both the instructor's and student's facts related to the grade appeal (tests, papers, reports attendance, etc). A hearing or meeting may be held at the discretion of the dean or director. The decision of the dean/director shall be final and shall be forwarded to the instructor and student within 30 days upon receipt of the appeal by the dean/director.

2. Academic Integrity

Instructors may issue an 'F' for a paper, assignment, test or course as a sanction for dishonesty/cheating (see Standards of Student Conduct, page 3 of this document and Administrative Rule No. C602). The instructor will report the cheating situation to the division director/dean and dean of student services. (see Appendix D for more information.)

The student may file a written appeal of the faculty member's decision to the dean/director. A hearing or meeting may be held at the discretion of the dean/director. The decision of the dean/director will be forwarded to the instructor and student within 30 days upon receipt of the appeal by the dean/director. The dean/director's decision concerning the grade shall be final.

In addition, the dean/director may initiate a written complaint (according to Student Conduct, section C-3, of this document) to the dean of student services

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whereby potentially the student would be subject to penalties/sanctions as outlined in this document (Student Conduct, section B).

3. Notification of Student Misconduct Made by Faculty, Student or Staff Member
These complaints could include any violation of the Standards of Student Conduct set forth above that comes to the attention of a faculty or staff member. Faculty, students and staff members are encouraged to deal with student misconduct on an informal basis whenever possible. However, where the misconduct rises to a level such that informal resolution is not appropriate, the faculty, student or staff member may initiate this dispute resolution procedure by filing the following material with the dean of student services and/or designee.
 - a. A written complaint setting forth the name of the student;
 - b. A description of the alleged inappropriate conduct;
 - c. A reference to the student conduct policy allegedly violated and, if informal dispute resolution was attempted, a statement of the steps utilized or, if no informal dispute resolution was attempted, then an explanation of the reason why such an attempt was not made; or
 - d. name and telephone number of the faculty, student or staff member initiating the complaint.

Unless the deadline is specifically extended by the dean of student services, misconduct charge materials must be filed within 30 calendar days of the event/incident that is the subject of the event giving rise to the complaint.

At an initial conference with the dean of student services and/or designee, the accused student shall be informed verbally and in writing of the charges, and the maximum penalty that might result from consideration of the disciplinary matter. The accused student will be warned that any retaliation against the complainant is against school policy. The accused student will be provided an opportunity to explain his/her behavior. An attempt will be made to resolve the situation informally at this time.

Legal advice may be sought. However, neither the college, college staff, nor student may be represented by an attorney during the college's dispute hearing.

Failure of the accused student to attend the conference without good cause and prior notification or a verifiable emergency constitutes a waiver of the student's right to participate and appeal further.

If a student has written or documented evidence it must be submitted within seven calendar days of the initial conference. If a student knows the identity of individuals who should be interviewed, then name, address and telephone number with sufficient information to allow contact must also be submitted within seven days. The college is under no obligation to consider written information that is submitted after seven days or witnesses without contact information.

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After considering the evidence in the case and interviewing persons as appropriate, the dean of student services may take one of the following actions:

- a. dismiss the case after appropriate counseling and advice; or
- b. impose an appropriate sanction as described.

The accused student will be notified in writing of the decision of the dean of student services. The student may appeal the decision of the dean of student services by filing a written appeal with the vice president for administrative and student affairs or designee within seven calendar days of the dean of student services decision.

The student accused of misconduct may appeal the decision of the dean of student services to the office of the vice president for administrative and student affairs. The vice president may elect to consider the appeal personally, or may appoint a designee, or a hearings panel to consider the appeal. The accused student will be advised by the vice president of the method and procedures selected to consider the appeal, and a hearing on the appeal shall be held within 14 days after the appeal has been delivered to the office of the vice president for administrative and student affairs. The decision of the vice president (or designee or hearings panel) shall be final and not subject to further appeal, except in cases of expulsion. Expulsion sanctions may be appealed to the college president. Decisions on appeals shall be communicated to the student within 14 days of a hearing.

In the event the vice president refers an appeal to a hearings panel, the panel named by the vice president shall consist of one student, one faculty member and one administrator. Every effort will be made to select panel members who will be fair and objective.

4. Admissions, Graduation and Financial Aid Appeals

Students may appeal the decision of committees involved in selection to programs, graduation requirements and financial aid by completing the Admissions, Graduation and Financial Aid Appeals form. Appeals must be based on new information and/or procedural errors and submitted within 14 days of the respective appeals committee's decision. The dean of student services will respond within 14 days. The decision of the dean of student services shall be final.

5. Records

Records of disciplinary proceedings shall be kept by the dean of student services. Records will be kept a minimum of five years after resolution of the complaint. In the case of expulsion, this will be permanently maintained.

6. Charges of Faculty or Staff Misconduct

These complaints do not include grade appeals. They may include any perceived violation of law or college policy, or the student rights section of this document.

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Faculty and staff members are subject to collective bargaining agreements and formal disciplinary rules that are beyond the scope of this document. By law, certain procedures must be followed before discipline can be imposed. For this reason, complaints concerning the conduct of a faculty or staff member shall be made to the supervisor and/or the director of human resources or his or her designee, within 30 calendar days of the occurrence, and shall be subject to dispute resolution procedures as he or she may prescribe.

7. Student Complaints Alleging Violation of a College Rule, Policy, or Procedure
This type of complaint is to be employed if a student believes that the college, as a matter of practice, is violating its own rules, policies or procedures.

A student complaint concerning a college rule, policy or procedure shall be made in writing and submitted to the dean of student services within 30 calendar days of the occurrence. The complaint shall contain the student's name, and the nature of the complaint, together with all documents, policies, procedures and related material that may be necessary for college review of the complaint.

- a. Upon receipt of the complaint, the dean of student services or designee shall schedule a meeting with the student complainant. At that meeting, the dean shall attempt a resolution of the student complaint. In the event that the resolution proposed by the dean is not acceptable to the student, he or she may make a secondary appeal to the vice president for administrative and student affairs.
- b. The secondary appeal shall consist of a meeting with the vice president of administrative and student affairs, the dean of student services and the student. At this meeting, the vice president will hear the student complaint, discuss the matter with the student and the dean of student services, review appropriate materials and issue a written decision within 30 days of the meeting. The vice president reserves the right to appoint an alternative panel.
- c. The third level appeal shall be made in writing to the LBCC board of education. The third level complaint shall include all materials included in the original and secondary complaints and all materials submitted by the dean of student services and/or the vice president of administrative and student affairs, in response thereto. The board of education shall not be obligated to hold a hearing, but shall consider the matter and the decision of the board of education shall be final.

8. Ancillary Role of Dean of Student Services

In addition to the duties imposed upon the dean of student services as set forth above, he/she also shall be primarily responsible for attempting informal resolutions and reconciliations at all steps of the dispute resolution process. The dean of student services may, with the students' consent, intervene on the student's behalf at any stage of any dispute resolution proceedings. By the same token, the dean of student services shall also be free to schedule meetings with the student complainant at any step during the dispute resolution process should he or she deem it useful. Failure of a student complainant to attend any meeting

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thus scheduled without good cause and prior notification, or a verifiable emergency, shall be deemed a waiver of any right to proceed further at any stage of any dispute resolution process and shall authorize dismissal of the complaint.

Any time line set forth in any dispute resolution procedure may be extended by the dean of student services upon written application to do so.

NOTE: Information regarding student records and disclosure of student records is available through the registrar or the dean of student services or online at www.linnbenton.edu.

C. Forms of discipline/penalties

1. Disciplinary Admonition and Warning

Notice that a student's conduct in a specific instance does not meet college standards and that continued misconduct may result in more serious disciplinary action by the dean of student services.

2. Disciplinary Probation

Written notice by the dean of student services that the student found in violation of the college standards may continue to be enrolled under stated conditions. Violations of the stated conditions will be cause for more serious disciplinary action.

3. Suspension

The dean of student services may suspend a student for a fixed period of time up to an academic year. Suspension means imposition of one or more of the following penalties:

- a. forfeiture of the right to enter the campus;
- b. exclusion from one or more classes; and/or
- c. exclusion from classes and/or activities.

Students shall be required to meet with the dean of student services prior to being allowed to enroll at the college after the suspension period has expired.

4. Underage Students

The parents or guardian of any student under 16 years of age who is placed on disciplinary probation, suspended, or expelled, may be notified.

5. Expulsion

Termination of student status as set forth in the Notice of Expulsion by the college president.

6. Supplemental Sanctions

The dean of student services may impose additional sanctions or requirements. The following are examples of supplemental sanctions:

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- a. work assignments;
- b. service to the college or community;
- c. restitution, i.e., compensation for loss, damage or injury (this may take the form of appropriate service and/or monetary or material replacement);
- d. decision-making skills workshops/peer education, written responses to posed questions;
- e. revocation of degree, holding transcripts, removal from courses;
- f. loss of privileges;
- g. "No Trespassing" order.

7. Temporary Exclusion

A faculty or administrative staff member may suspend a student for up to two class meetings because the student is disrupting the class sufficiently to hinder effective instruction, or when the health and safety of the instructor(s), student(s), or staff appears to be in jeopardy. The faculty member or administrator will write a report of the incident for the dean/director of the division or unit and the dean of student services within 24 hours of the incident.

Faculty, administrative staff, or contracted classified staff members responsible for services to students may exclude a student from using those services for up to two days when a student's behavior is disruptive to the education environment or when the health or safety of student(s) or staff appears to be in jeopardy. The responsible contracted staff member will write a report of the incident for the director/dean of the division or unit and the dean of student services within 24 hours of the incident.

8. Exclusion with Conditions for Returning to Campus

In rare circumstances it may be necessary to exclude a student from classes or activities for up to one term. The dean of student services will confer with the student and provide the student with an opportunity to explain his or her behavior. The dean of student services may exclude the student when a student's health, behavior or other actions represent a serious and immediate threat to the ongoing educational activities of the college or the health and safety of any individual. The college has no tolerance for threats against any person, persons or any entity of the college. The dean of student services may exclude with conditions for returning to campus.

9. Referral to Outside Authorities

If a student is in violation of federal and state laws on campus, or college-sponsored related activities, the college may refer the student to local law enforcement agencies for prosecution.

STUDENT NOTIFICATIONS

A. Criminal Background Checks and Drug Testing

Participating in some programs may require a criminal background check or drug/alcohol testing. LBCC and its partners reserve the right to perform criminal background checks and/or drug/alcohol tests for programs that involve placement contact with vulnerable populations or when mandated by external agencies in accordance with employers and in accordance with state and federal law. Examples may include, but are not limited to, cooperative education, service learning, and child care.

B. Drug and Alcohol Free Workplace and College

LBCC is legally required and morally committed to the prevention of illicit drug use and abuse of alcohol by both students and employees. LBCC is fully compliant with PL101-226. For more see Web site www.linnbenton.edu/drugfree.

C. LBCC/Oregon State University Degree Partnership Program

Students participating in the Degree Partnership Program between Oregon State University and LBCC will be accountable to the conduct standards at both institutions. LBCC and Oregon State University may each intervene in cases of misconduct, particularly in issues involving health and safety. Students will be given opportunity for due process. Students found in violation of conduct codes may receive sanctions from each institution. LBCC and Oregon State University reserve the option to decide that only one institution will process a case of misconduct.

D. Campus Sex Crimes Prevention

Any person required to register under a state sex offender registration program must notify the state within ten days of enrollment or employment at an institution of higher education. This includes volunteer work, as well as work off campus associated with the institution, even if the employer is not the school itself, i.e. contractor, day-care providers, etc. The sex offender must also notify the state of any change in enrollment or employment status.

E. Application of Student Conduct Rules to All College Sites and Activities

This document applies to all college sites, including off-campus sites used for college instruction and the areas immediately surrounding instructional locations. Further, the Standards of Student Conduct apply to student behavior during off campus activities related to class attendance, study abroad, field trips, and at all other official on and off campus activities and events. Also see Administrative Rule No. C603.

F. Right To Know Statement

In accordance with 34 CFR Part 668, students have the right to know certain information about LBCC, including a variety of academic information, financial assistance information, institutional information, information on completion or graduation rates, institutional security policies and crime statistics, athletic program participation rates and financial support data. As part of the college's compliance with this regulation, LBCC presents the reference chart at <http://www.linnbenton.edu/righttoknow/>. Should you wish to comment on the

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presentation or content of the information provided, please contact the associate dean of enrollment management or the dean of student services.

G. College Rights

Students should have no expectation of privacy in use of college supplies, equipment, and facilities such as lockers or similar containers. Therefore, college officials reserve the right to search such containers when reasonably necessary to address health and safety concerns. College officials may also condition attendance or participation in college events or activities, or college-sponsored events or activities, upon a person's willingness to consent to a search of their personal or private property when such a search is deemed reasonably necessary due to health or safety concerns. Contraband items shall be confiscated and may be used as evidence in disciplinary, civil and/or criminal cases. Further, items such as briefcases and handbags may be searched in the library, laboratories, bookstore and at other places where materials or equipment are not secure.

APPENDIX A – FREEDOM FROM HARASSING OR OFFENSIVE BEHAVIOR

Students are encouraged to report harassing and/or offensive behavior that would cause a reasonable person to fear for his or her personal safety - or would substantially interfere with their employment or academic responsibilities - by another student, college employee, or other person on college premises or at a college-sponsored event/activity off the college premises.

It is recommended that the student take personal responsibility to ensure that the alleged harasser is told the activity or comments are not welcome. Second, the student also should take personal responsibility to avoid engaging in conduct that reasonably leads another person to believe that comments or innuendoes are enjoyed or encouraged. LBCC expects that harassment complaints will be filed only when the conduct is serious, clearly offensive and substantially interferes with a student's academic progress, health or safety.

Students who believe they have been subjected to harassment or offensive conduct should report the alleged act immediately to the dean of student services or designee, 6500 Pacific Boulevard SW, Albany, Oregon 97321; telephone: (541) 917-4806. Complaints involving employees, includes student and employee involvements, should report this to the dean/director responsible for the division/center. If a student does not feel comfortable reporting to the previously cited individuals, he or she should report the incident to the director of human resources or designee.

The investigator will work with the complainant to determine the best course of action for resolution of the situation. Informal resolutions and reconciliations may be attempted prior to a formal investigation. Complaints will be formally investigated under Administrative Rule No. E028: See Web site <http://po.linnbenton.edu/adminrules>.

APPENDIX B – FREEDOM FROM SEXUAL HARASSMENT/SEXUAL ASSAULT

Sexual harassment is defined as, “Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature whereby:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic success;
2. submission to or rejection of such conduct by an individual is used as the basis for an employment or academic decision, such as promotion and benefits or grades, affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance, or creates an intimidating, hostile or offensive working or learning environment.”

The key element in sexual harassment is that the actions, words, conduct, etc., involved are unwelcome to the recipient and generally pervasive. If LBCC student believes he or she is the subject of sexual harassment, it is recommended that the student take personal responsibility to make sure the alleged harasser is told that the activity or comments are not welcome and also take personal responsibility not to engage in conduct that reasonably leads another person to believe that sexual comments or innuendoes are enjoyed or encouraged.

A student who believes he or she has been subjected to sexual harassment by employees, including instructors/faculty or visitors, should report the alleged act immediately to the Affirmative Action Officer (AAO). Students who believe they have been subjected to sexual harassment by other students should report the alleged act immediately to one of the following individuals: the dean of student services or a counselor in the Counseling Department. If the student does not feel comfortable reporting to the AAO or one of the other above named positions, they should contact another member of the Human Resources Department. Only the AAO and dean of student services or their designee is authorized to investigate or delegate the investigation of sexual harassment allegations. Complainants are encouraged to submit their allegations on the college’s Alleged Harassment and Civil Rights form.

The investigator will work with the complainant to determine the best course of action for resolution of the situation. Informal resolutions and reconciliations may be attempted prior to a formal investigation taking place. Student-to-student and student-to-staff complaints will be investigated formally in accordance with Administrative Rule No. E027 only after consultation with the complainant and a preliminary investigation have taken place. In the case of sexual assault allegations, the investigation may be referred to local authorities.

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During the investigation, the complainant and the accused may bring representation so long as that representative does not interfere with the investigation process. Confidentiality will be maintained to the extent possible while determining the facts of the complaint. Penalties for students who are found guilty of sexual harassment/sexual assault range from a written reprimand to expulsion from LBCC. Any form of retaliation against individuals making sexual harassment complaints, witnesses, or any other involved employees or students is against college policy and is strictly prohibited. Retaliatory activities will be treated as a violation of this policy and subject to the same disciplinary measures, up to and including termination/expulsion.

Student complainants have additional options outside the college's internal procedures. Under Title IX, a student may file a complaint with the Civil Rights Division of the Oregon Bureau of Labor and Industries within one year of the alleged discrimination or harassment or with the Office of Civil Rights in Seattle within 180 days of the alleged act of discrimination or harassment. There also is a private right of action to bring a civil lawsuit in federal court.

The college process is focused on reestablishing an environment conducive to learning for the victim and educating the accused on appropriate behavior. This process may be appropriate for resolving issues of sexual harassment, but not for resolving sexual assault. Sexual assault is a serious crime that should be reported to law enforcement authorities and dealt with through criminal investigation procedures and processes.

Forcible or nonforcible sex offense taking place off campus and not involving an off-campus college activity should be reported to the police. If a rape is reported to the police within 72 hours and the victim agrees to cooperate in the investigation, the victim is entitled to 'victim's compensation' in the state of Oregon. It is extremely important to preserve the evidence. In the case of rape, it is advisable to go to the hospital and obtain medical care immediately for treatment of any injuries and for other tests. Do not douche, bathe, shower or change clothes before you go.

APPENDIX C – FREEDOM FROM UNLAWFUL DISCRIMINATION

LBCC wishes to maintain a place of learning and work that is free of discrimination. The college prohibits unlawful discrimination based upon a person's race, color, sex, sexual orientation, marital and/or parental status, religion, national origin, age, mental/physical disability or learning disability, Vietnam era or disabled veteran status, opposition to safety and health hazards, application for workers' compensation benefits, or any other status protected under applicable federal, state or local law.

Every student is encouraged to report unlawful discrimination, and no reprisals will be taken against any student who makes such a report. However, each employee and student has a personal responsibility not to knowingly make false or malicious claims. Such claims will not be tolerated and will subject the complainant to disciplinary action.

Students who believe they have been unlawfully discriminated against should report alleged acts to the affirmative action officer (AAO) or designee for investigation. Student complaints involving other student(s) should be brought to the dean of student services or designee. If a student does not feel comfortable bringing a complaint to the dean of student services or designee, then the complaint should be brought to the affirmative action officer or another member of the Human Resources Office.

Student-to-student or student-to-staff complaints will be investigated formally in accordance with Administrative Rule No. E029. See Web site: <http://po.linnbenton.edu/adminrules>. The investigator will work with the complainant to determine the best course of action for resolution of the situation. Informal resolution and reconciliation may be attempted prior to a formal investigation.

APPENDIX D – ACADEMIC INTEGRITY

Students at LBCC are responsible for pursuing their studies with honesty and fairness, and in a manner that respects the rights and dignity of others. Students must not engage in acts of dishonesty or cheating. Academic dishonesty includes, but is not limited to, such acts as forgery, changing or misuse of college documents and records of identification, cheating, plagiarism, aiding or abetting cheating or plagiarism, knowingly furnishing false information to the college or copying college software.

Further, academic dishonesty may involve the misuse of electronic devices. Cell phones or other similar wireless electronic devices must not be used during any test, quiz or other student assessment without the prior approval of the instructor/supervising staff member.

Plagiarism is a type of academic dishonesty. It is recommended that students review the definition of plagiarism according to Webster's New World Dictionary, which states that to plagiarize means to take writings or ideas from another and pass them off as one's own. Word histories also can be revealing: to plagiarize comes from the Latin word *plagiarius*, which means kidnapper. So plagiarism is stealing someone else's 'baby' (or intellectual property) and lying to cover the theft. It is a serious offense.

Not all plagiarism is intentional, deliberate theft or deceit. Some plagiarism results from forgetting or not knowing what plagiarism is. Plagiarism, one form of cheating or dishonesty, is not just the failure to give credit for an exact quotation. It is also the failure to mark all kinds of borrowings correctly. Plagiarism includes both intentional and unintentional acts, such as:

1. obtaining a paper on the Internet and turning it in as the student's own work; this obviously is intentional;
2. copying sections of another's original document or electronic file and putting the text into one's own work without documentation, as if it was one's own original work;
3. copying a sentence or an important, exact phrase of two words or more, or a coined word (which may or may not be copywritten) without the use of quotation marks and credit;
4. copying the structure of another's argument and merely translating key words to match one's own style;
5. using another's results in one's own words without giving him or her credit;

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6. failing to document any borrowing when quoting, paraphrasing, summarizing, or importing and placing a graphic;

An instructor may also issue an 'F' for a paper, assignment, test or course. (see Administrative Rule No. C602) Further, an instructor may initiate a complaint through the dispute resolution process as outlined in this document. Students violating the standards of student conduct may be subject to sanctions as outlined in this document.

APPENDIX E – ELECTRONICS USAGE

It is expected that the usage of personal electronic equipment on campus, including cell phones, will not interfere with the college's educational process, nor interfere with students' rights where privacy is expected. Therefore, the following guidelines have been developed to support the college's educational environment.

1. Electronic devices such as video cell phones and/or cameras must be turned off (and not used) when in locker rooms, restrooms or other parts of the campus where privacy is expected (see page 4, section A.8, unauthorized use of snooping or recording devices).
2. Use of electronic devices, including cell phones, will not be allowed during any test, quiz or other student assessment without the approval of the instructor/supervising staff member (see page 4, section A.6, dishonesty).
3. The ringing of electronic devices or receiving incoming calls during a class, lab or academic area, including instructional or instructional support areas or other educational meetings, is disruptive. The phones should be on silence mode or vibration mode in these instances (see page 3, section A.1, disrupting class).
4. Electronic devices may be used in class, labs or other campus meetings by medical or other emergency personnel on call. Personal calls to these people are covered by item three.
5. Students should follow procedures for electronic devices that are in faculty syllabi and/or verbal directions (see page 3, section A.1, following lawful direction of college personnel).
6. Electronic devices may be used in the classroom when it is deemed a reasonable accommodation in accordance with the Americans With Disabilities Act. Students must have a documented disability and the accommodation must be approved by the LBCC Office of Disability Services.
7. Electronic devices may not be used in a manner that violates speakers' rights, fair use practices or copyright law. Please see LBCC Administrative Rules concerning copying (i.e., C321, C322, C323, C324 and C325).

FOR OFFICE USE ONLY:	Date Stamp Complaint Rec'd: _____	By: _____ Initials
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APPENDIX G – COMPLAINT FORM

**LINN-BENTON COMMUNITY COLLEGE
ALLEGED HARASSMENT & CIVIL RIGHTS VIOLATION
COMPLAINT FORM
(please type or print)**

Name: _____ Date: _____

You are: (please check one) Student Employee Campus Visitor

Student/employee I.D. number: _____

1. Please describe alleged misconduct; be sure to include name(s), date(s) of occurrence(s) and place(s) of occurrence(s): (If more room is needed, attach additional pages.)

2. Attach material necessary for the college to review your allegations.

Signature of Person Filing This Complaint	Area Code & Telephone Number
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Mailing Address	City	Zip
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FOR OFFICE USE ONLY:	Date Stamp Complaint Rec'd _____	By: _____ Initials
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FOR OFFICE USE ONLY:

Date Stamp Complaint Rec'd: _____ **By:** _____

Initials

APPENDIX I – APPEAL FORM

LINN-BENTON COMMUNITY COLLEGE
ALLEGED MISCONDUCT
DISCIPLINARY APPEAL FORM
(please type or print)

Name: _____ Date: _____

Student I.D. number: _____

1. Please reference the conduct policy allegedly violated, as stated in the Students' Rights, Responsibilities and Conduct policy: (Copies are available in the dean of Student Services Office.)

2. Describe your reasons for requesting an appeal of sanction/disciplinary actions assigned to you by an LBCC official: (If more room is needed, attach additional pages and/or supporting documentation.)

Signature of Person Filing this Appeal

Area Code & Telephone Number

Mailing Address

City

Zip

FOR OFFICE USE ONLY:		Date Stamp Petition Rec'd: _____	By: _____
			Initials
You will receive a decision on your appeal within 14 school days of receipt of appeal.			
<input type="checkbox"/> Appeal Approved	<input type="checkbox"/> Appeal Denied*	<input type="checkbox"/> Appeal Final	
_____ (Signature of LBCC Official)			
<input type="checkbox"/> Appeal Decision Mailed	<input type="checkbox"/> Appeal Decision Hand Delivered	Date: _____	
Comments: _____ _____			
*Note: In the case of expulsion, a student, if he or she chooses to, must file his or her appeal to the college president within 14 days of receipt of this decision			

APPENDIX J - APPEAL FORM

LINN-BENTON COMMUNITY COLLEGE
ADMISSIONS, GRADUATION AND FINANCIAL AID
APPEAL FORM
(please type or print)

Name: _____ Date: _____

Student I.D. number: _____

- 1. Describe your reasons for requesting an appeal of the committee's decision denying program, admission, graduation, or financial aid petition: (If more room is needed, attach additional pages and/or supporting documentation.)

Signature of Person Filing this Appeal

Area Code & Telephone Number

Mailing Address

City

Zip

FOR OFFICE USE ONLY: **Date Stamp Petition Rec'd:** _____ **By:** _____

Initials

You will receive a decision on your appeal within 14 school days of receipt of appeal.

Appeal Approved

Appeal Denied*

Appeal Final

(Signature of LBCC Official)

Appeal Decision Mailed

Appeal Decision Hand Delivered

Date: _____

Comments: _____

***Note: The decision of the Dean of Student Services shall be final.**

TITLE: STUDENTS' RIGHTS, RESPONSIBILITIES, AND CONDUCT (BP 7035)

DATE OF ADOPTION: 05/12/83

DATE(S) OF REVISION(S): 07/21/93; 12/13/95; 01/20/99; 09/20/06

DATE OF LAST REVIEW: