

10. Granting of academic forgiveness does not affect nor alter a student's record for financial aid awards or for athletic eligibility.

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**Academic Honesty (Procedure 3.07)**

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Labette Community College expects students to adhere to a strict code of academic behavior, honesty, and ethics. Students should learn in an environment of integrity, free from the intrusion of any kind of dishonest conduct.

When an academic exercise is designed to result in a grade, any of the following activities constitute actions of academic dishonesty/misconduct and will be subject to disciplinary action (unless such actions are expressly authorized in advance by the instructor):

- A. Cheating on an examination, clinical, or the preparation of academic work. Any student who engages in any of the following shall be deemed to have engaged in cheating:
1. Copying from another student's test paper, laboratory report, report, computer files, data, listings, and/or programs;
  2. Using, during a test, materials not authorized by the instructor (including when taking tests in the Student Success Center);
  3. Collaborating with another person without authorization during an examination, clinical, or in preparing academic work;
  4. Knowingly and without authorization, using, buying, selling, stealing, transporting, soliciting, copying, or possessing in whole or in part, the contents of an un-administered examination;
  5. Substituting for another student, or permitting another student to substitute for oneself in taking an examination, clinical, or preparing academic work;
  6. Bribing another person to obtain an un-administered examination or information about an un-administered examination; or
  7. Attempting to bribe any faculty/staff/student to alter a grade.
- B. Plagiarizing or appropriating another work or idea without properly acknowledging incorporation of that work or idea into one's own work offered for credit.
- C. Any forgery, alteration, or misuse of academic documents, forms or records.
- D. Fabrication includes the intentional falsification or invention of any information.
- E. Collusion includes any secret agreement among students who participate in any academically dishonest activity.
- F. Violating requirements and/or agreements associated with "academic work" includes preparation for an essay, thesis, report, assignment, computer program, clinical or other project submitted and/or performed for purposes of evaluation/grade determination."
- G. Students enrolled in online courses agree not to give their passwords, login information, or access to an online course to anyone. Any student who does so will be considered guilty of academic dishonesty and subject to the penalties described for such offenses.

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**PENALTIES FOR ACADEMIC MISCONDUCT**

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Being found guilty of academic misconduct will result in a zero grade for the paper, assignment, clinical, course trip/activity, or test on which the violation occurred. Sanctions may also be applied to students who enroll in courses without prior approval for which they do not meet the prerequisites – including developmental courses.

Should the act of academic misconduct occur while the student is taking an exam in the Student Success Center, the staff member who witnessed the act will complete an Academic Misconduct Form and give a copy to the student and then submit it to the instructor, with a copy being sent to the Dean of Instruction and the Vice President of Student Affairs. In addition, the student will not be allowed to complete the remainder of the exam.

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**ACADEMIC CONDUCT APPEALS PROCEDURE**

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**A. Initiation of Action**

Should an instructor believe that a student has committed an act of academic misconduct while performing work under his or her supervision:

The instructor shall provide a written document to the student that will detail the alleged violation and the proposed penalty for that violation. The form for this documentation may be found on Public Folders/Forms/Academic Misconduct. This form is to be completed by the instructor.

The student must sign a copy of this document to acknowledge receipt (this does not indicate agreement with the allegation).

The student will then have 5 working days to meet with the instructor to further discuss the allegation of academic misconduct and the proposed penalty. Either party may choose to have a witness present at the meeting.

Should the student fail to meet with the instructor within 5 days the penalty will be imposed and the matter considered closed.

It is the responsibility of the instructor to provide copies of the document describing the violation and the proposed action to the student, the appropriate Dean of Instruction, and the Vice President of Student Affairs.

In any case where the student is not readily available the written document should be sent to the student via certified mail. In any case where the instructor may not be available to meet with the student within 5 working days after receipt of the document the instructor should present his/her evidence to the appropriate Dean of Instruction and the student should proceed directly to a Level One Appeal if the student disagrees with the proposed action in the written document.

**B. Instructor/Student Meeting**

If, after presenting the student with evidence of academic misconduct and allowing the student an opportunity to respond, the instructor is convinced that an act of academic misconduct did in fact occur, the instructor shall:

Advise the student of such fact and the penalty to be imposed.

The issue will be considered resolved at this level if both parties sign in acceptance of the penalty imposed or if the student chooses not to appeal the decision in writing to the appropriate Dean of Instruction within 5 working days.

**C. Level One Appeal**

1. If the student does not accept the resolution, the student has five (5) working days to appeal in writing to the appropriate Dean of Instruction. The student is to send a copy to the instructor.
2. The written appeal should include:
  - An indication that a formal appeal of the issue is being initiated.
  - Request reconsideration of the assessment.
  - Explain the specific situation being appealed.
  - State the specific basis for the appeal.
  - Include any written evidence and state what additional evidence is available for presentation.
3. The Dean of Instruction will meet separately with the instructor and the student to review the decision and try to resolve the issue. A written response will be provided within five (5) working days. At the discretion of the Dean of Instruction, all three parties may meet to discuss the case.
4. The issue will be resolved at this level if both the instructor and student sign acceptance of an agreement as to the allegations of misconduct and any resulting penalties or if neither the student nor the instructor appeals the matter to the Vice President of Student Affairs.

**D. Level Two Appeal**

1. If either the student or the instructor does not accept the decision of the Dean of Instruction, they (he/she) may appeal in writing to the Vice President of Student Affairs. The written appeal should include:
  - An indication that a formal appeal of the issue is being initiated.
  - Request reconsideration of the assessment.

- Explain the specific situation being appealed.  
State the specific basis for the appeal.  
Include any written evidence and state what additional evidence is available for presentation.
2. Request to appeal must be initiated within five (5) working days following the notification of the Dean of Instruction's decision.
  3. If a request to appeal is filed, the Vice President of Student Affairs will convene the Appeals Committee. The Appeals Committee will consist of: three (3) faculty members, three (3) students and one (1) staff member or administrator. If any person on the committee has been or will be involved in the process at another level, such person should not serve on the committee.
  4. The Vice President of Student Affairs will notify the student, the instructor, and the Dean of Instruction that the request to appeal has been filed by sending each of them copies of the request to appeal.
  5. The Academic Appeals Committee will be conducted as prescribed below:
    - The hearing committee will receive the documentation from the Vice President of Student Affairs that has been provided throughout the course of the process.
    - The hearing committee will convene and discuss the evidence provided as well as any additional evidence that can be accessed through the Vice President of Student Affairs and Academic Affairs offices (for example, a copy of a syllabus).
    - If the hearing committee determines they would like to meet with the individuals involved, the Vice President of Student Affairs will make arrangements for an additional meeting.
  6. The Appeals Committee is empowered to recommend dismissal of the charge if the evidence does not substantiate that academic misconduct did in fact occur. The Committee may uphold, modify, or dismiss the decision of the instructor.
  7. The findings of the Appeals Committee will be reported to the Vice President of Student Affairs, the student, the instructor, and his/her Dean of Instruction. The Vice President of Student Affairs shall notify all parties involved of his or her decision within five (5) working days.
  8. If the action involves an assignment that needs to be graded, the Dean of Instruction will supervise the process.
  9. If the action involves a change of a course grade, the Registrar also will be notified by the Vice President of Student Affairs. The Vice President of Student Affairs decision is considered final. Instructors should retain records of the final decision in a case of alleged academic misconduct for at least one (1) calendar year.

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#### **Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws**

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Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement. Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov).

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#### **Academic Progress, Probation, and Dismissal**

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A student's cumulative Grade Point Average (GPA) is used to evaluate his/her academic progress. Students are considered to be making satisfactory progress toward program completion if a minimum cumulative GPA of 2.0 is maintained.

A student whose GPA falls below minimum progress will be placed on probation for the next semester. If significant progress has been demonstrated, but the student has not quite attained a minimum of a 2.0 cumulative GPA, a second semester on probation may be granted. The student must petition the Vice President of Student Affairs to request an additional semester on probation.

If the 2.0 minimum has not been achieved after a second semester on probation, the student will be suspended from the College. Petition for reinstatement can be made after one semester has expired. During suspension, the student will be encouraged to enroll in developmental courses to assist him/her in required studies upon reinstatement.

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### **Alcoholic Beverages (Policy 2.10)**

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To ensure that the College is in compliance with local, state, and federal laws, and judiciously expends public funds, this policy is established. Furthermore, Labette Community College (LCC) is in compliance with the Federal Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

#### A. Definition of Terms:

1. "College property" means any property owned, leased or rented by Labette Community College including hotel rooms, rental cars, and meeting rooms or facilities rented by the College on a short or long term basis.
2. "Alcoholic beverages" as used in this policy, mean beverages which are alcoholic liquor or cereal malt beverages as defined in Kansas Statutes.
3. "College funds" mean any funds managed and controlled within the College's financial accounting system. Funds of the LCC Foundation are not included in this because they are not directly controlled by the College.

#### B. General Regulations

1. Alcoholic beverages may not be consumed on College owned or leased property or in a College-owned or leased vehicle.
2. As a general operational policy, alcohol may not be purchased with College funds.
3. College employees or students may not operate a College owned or leased vehicle while under the influence of alcoholic beverages or illegal drugs or while impaired by the use of prescription medications.
4. College employees or students may not transport fellow employees or students or drive in a personally owned or leased vehicle while under the influence of alcoholic beverages or illegal drugs or while impaired by the use of prescription medications while on College business or on a College sponsored trip.
5. College employees or students may not be on College owned or leased property while under the influence of alcoholic beverages or illegal drugs.

#### C. Violations

Employees or students who violate this policy are subject to applicable disciplinary actions. Violation of section B-3 & 4 above will be considered a serious offense and may be punishable by termination or expulsion for a first offense. Please refer to Policy 2.16 Performance Improvement.

The College may file complaints with local law enforcement agencies or ban members of the general public who violate this policy.

Procedures in support of this policy must be approved by the President.

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### **Appeal of Final Grade (Procedure 3.18)**

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In the event a student believes that a grade for a course has been incorrectly recorded, procedures to request a grade change may be obtained through the Student Affairs Office. Students may request a grade change no later than one (1) semester after the date the final course grade was officially recorded.

#### A. For grade change requests submitted within one (1) semester of the date of having been originally recorded, the following actions will occur:

1. The student must first contact the instructor with a written statement regarding why he/she requests a grade change. The instructor will then make a written response to the student within ten working days of receipt of the request on whether he/she will make a grade change. If the instructor decides to change the grade, a Change of Grade form is submitted by the instructor to the Dean of Instruction for approval and is then sent