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## Student Information

The Student Information section includes the rules, guidelines, and processes that allow the student and College to operate while assuring concern for the rights of others and their property. The topics in this section are listed alphabetically.

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### Administration of Student and Academic Codes

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The Vice President of Student Affairs (VPSA) shall be primarily responsible for the administration of the student conduct system. The Student Life Specialist (SLS) may work closely with the VPSA in resolving minor disciplinary problems resulting from the violation of regulations regarding student activities.

The Vice President of Academic Affairs (VPAA) shall be primarily responsible for the administration of the academic conduct system, in cooperation with the Dean of Instruction. On rare occasions there may be incidents that involve both student and academic conduct, at which time the Vice Presidents will consult and the more serious offense will have precedence. (The consultation is to include the necessity for having the President appoint an additional 'standby' appeals committee as a precaution to help ensure fairness of due process in this unusual situation.) .

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### Alcohol/Drug-Free Campus Policy

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#### Definition of Terms

- “College property” means any property owned, leased or rented by LCC including hotel rooms, rental cars, and meeting rooms or facilities rented by the College on a short or long-term basis.
- “Alcoholic beverages” as used in this policy, mean beverages, which are alcoholic liquor, or cereal malt beverages as defined in Kansas Statutes.
- “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 the College does not directly control them.

#### General Regulations

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

#### Exceptions

- Alcohol may be served at select events in the Cardinal Event Center with written permission from the College President.
- Request to serve alcohol at an event in the Cardinal Event Center must be made in writing to the College President at least two weeks in advance of the event.

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

#### Purpose and Scope

The abuse of alcohol and other drugs interferes with the processes of learning, teaching, research and public service, which are the functions of Labette Community College. In order to accomplish its mission, and further, to comply with the Drug Free Schools and Communities Act, this policy is promulgated.

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**Internal Sanctions**

Any student or employee who violates this policy shall be subject to disciplinary action, including, without limitation, probation, expulsion, suspension, or termination of campus/LCC enrollment/employment (including clinicals and internships); may be required to participate satisfactorily in an appropriate rehabilitation program; or may be referred for prosecution.

**External Sanctions**

Violation of applicable local, state, and federal laws governing the possession, use, manufacture, or distribution of alcohol and other drugs may subject violators to fines, imprisonment, and/or community service requirements.

Convictions become part of an individual's criminal record and may prohibit certain career and professional opportunities.

**Health Risks**

Abuse of drugs and alcohol can result in behavioral changes; impairment of judgment and coordination; elevated/ lowered blood pressure; depression; anxiety; hallucinations; convulsions; temporary and permanent loss of memory; damage to the heart, liver, brain, etc.; sterility; lowered immune system and increased infection; cancer; emphysema; chronic bronchitis, and death.

**Alcohol/Other Drug Assistance Programs**

Programs are available in the Parsons area to help LCC students/employees deal with substance abuse related issues. Federal laws ensure all persons seeking help for alcohol and/or other drug problems will be treated with respect and in a confidential manner.

**Coordination and Reference****At LCC**

Labette Community College has a full-time Case Manager/Advisor who is able to work with students who have mental health concerns or need someone to talk with. The Case Manager/Advisor can be reached at 620-820-1254.

In addition, Labette Community College has teamed with Labette Center for Mental Health to assist current students with the expense of mental health care if needed. If a student is in need of assistance, they should make an appointment with the Vice President of Student Affairs. The Vice President will refer the student to the Labette

Center for Mental Health. The college will pay for three sessions with the Labette Center for Mental Health if the student does not have medical insurance.

**Services are also available through:**

Hotlines – 7 days a week, 24 hours a day:

Labette Center for Mental Health	(620) 421-3771
Southeast Kansas Mental Health Center	(620) 473-2241
Family Life Center	(620) 231-5863
Four County Mental Health Center	(800)499-1748

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**Animals on Campus (Procedure 2.18)**

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The following procedure is based on LCC Policy 2.18. The policy can be found in the LCC Policy and Procedure Manual. Please contact the Vice President of Student Affairs regarding a copy of the policy.

Pets and/or other animals are prohibited from all College facilities except for assisted service animals or animals who have received proper authorization from the Vice President of Finance and Operations for educational purposes. Permitted pets and/or other animals must be leashed or otherwise secured and shall not be left in automobiles, tethered on campus, or otherwise endangered.

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**Awareness of Policies**

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Each student is expected to be fully acquainted with all published College policies, copies of which are available to each student for review in the Student Affairs Office or in the LCC Library. The College will hold each student responsible for compliance with these published policies. Students are also expected to comply with all federal, state, and local laws, and

any student who violates any provisions of those laws is subject to disciplinary action, notwithstanding any action taken by civil authorities because of the violation. This principle extends to conduct off campus that is likely to have an adverse effect on the College or the educational process. In the event of an infraction:

- A. The student(s) believed to have been involved will meet the respective Vice President of Academic Affairs to review the incident.
- B. Following a preliminary investigation, if sufficient evidence indicates that a violation of the Code has occurred, the Vice President of Academic Affairs will initiate the procedures for a hearing.
- C. Should the student disagree with the findings, an appeal is allowed and is to be pursued within the respective procedures.

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### **Cardinal Cards**

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In order to help provide a safer and more secure environment, all Labette Community College (LCC) students, employees, and guests are asked to have identification while on campus. LCC students may be asked to present their identification card when picking up books, checks and at other times to ensure appropriate identity. The college will make every effort to ensure that all individuals on campus are here for appropriate reasons. All Labette Community College students and employees are asked to have an LCC Identification Card.

LCC identification cards must not be tampered with or altered. Doing so could result in disciplinary action by the Vice President of Student Affairs for students and the appropriate supervisor for staff. The initial identification card is free. Replacement cards, whether lost or stolen, are \$10 each. Identification Cards may be obtained from the Admissions Office located on the second floor of the Student Union. The hours of operation for the Admissions Office are:

Fall and Spring Semesters: Monday-Friday from 8:00 a.m. – 4:30 p.m.

Summer Sessions: Monday-Thursday from 7:00 a.m. – 4:30 p.m.

Visitors to campus, may be asked to provide photo identification as well as their reason for being on campus, if an issue warrants.

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### **Change of Information**

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Changes of information such as contact information, name, advisor, concentration, degree, etc. are processed in the Student Affairs Office.

Students are required to maintain current information.

- A student who has legally changed his/her name must provide a copy of their Social Security Card and a Government Issued Photo ID. Financial aid, grade reports, diplomas and transcripts are issued under a student's legal name as recorded in the Student Affairs Office.
- Students are responsible for having their current mailing address on file to avoid not receiving enrollment, financial aid and any other important notices including some changes in policies/procedures. (Financial Aid checks are required to be returned to the federal government if not claimed within a very limited time period.)
- When changing advisor/concentration/degree, the proper form must be signed by the student's current advisor, and where appropriate, by the new advisor and returned to Student Affairs Office.
- Concentration changes can only be made during the first two weeks of each semester.

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### **Computer and Internet Usage (Procedure 3.25)**

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Labette Community College (LCC) makes computer and Internet access available to students, faculty, staff and service area residents for their use in pursuing the educational and administrative goals of the College. Access to LCC's network, computer systems and Internet connection is granted subject to College policies, procedures and local, state, and federal laws.

To view the full Computer and Internet Usage Procedure 3.25 see the [Policy and Procedure Manual](#)

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## Accommodation Services

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Labette Community College, in adhering to the belief that all people should have the opportunity to develop to their potential, endeavors to stimulate enthusiasm for learning and provide opportunities to develop skills and attitudes to be a fulfilled, contributing member of society. LCC, in accordance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, ensures that no qualified person shall, solely by reason of disability, be denied access to, participation in, or the benefits of, any program or activity operated by the College.

Each person who has met the academic and technical standards for admission to, or participation in, College programs and has provided documentation from a certified professional stating the nature of the disability, shall receive the reasonable and appropriate accommodations needed to ensure equal access to educational opportunities, programs, and activities in the most integrated setting appropriate. Reasonable accommodations are those that do not fundamentally alter the nature of the program, that can be provided without undue financial or administrative burden, and that can be provided without lowering academic and other essential performance standards.

Services for LCC students who have a documented disability from a certified professional are coordinated through the ADA Coordinator. Many services are provided at no cost to enrolled students on an individual basis and with respect to confidentiality.

### How to Access Accommodations

- Students that need accommodations are to contact the ADA Coordinator to schedule an intake interview. During this meeting, the discussion will focus on how the disability affects the student and what accommodations have been recommended as appropriate at a postsecondary level. Early contact with the ADA Coordinator is imperative to ensure accommodations will be in place by the first day of classes.
- Students will be required to furnish appropriate documentation of their disability. The documentation must be completed by a certified professional, and include justification and suggested academic accommodations. This documentation must be on file with the ADA Coordinator before accommodations can be determined.
- The ADA Coordinator will determine if the documentation is adequate to establish the existence of a qualifying disability and to support the requested accommodations. Renewal of documentation is normally required every three years and is the responsibility and expense of the student.
- Students must request accommodations each semester and requests should be made a minimum of 30 days before the first day of courses.
- Students will also be required to furnish a copy of the class schedule to the Coordinator for each semester accommodations are requested.
- Notify the ADA Coordinator immediately of schedule changes, including leaving a copy of the new schedule, with the changes marked.

### Types of Accommodations May Include, But Are Not Limited To:

- Notification of instructors concerning needed accommodations
- Note taker
- Course exam accommodations
- Recorded textbooks/materials
- Sign language interpreters
- Alternate print formats
- Quiet testing rooms
- Print magnifier
- Large screen computer monitor
- Screen reading software

- Alternate lighting for testing or studying

#### Accommodations/Substitutions

Accommodations will only be utilized in cases where the person's inability to meet the requirement does not constitute a fundamental alteration in the nature of the course/program. Students seeking an accommodation or course substitution on the basis of a specific disability shall present documentation to the ADA Coordinator to substantiate the disability. The documentation must establish that the disability can be reasonably expected to prevent the individual from meeting course and/or degree requirements. Substitutions, which are relevant to the student's career aspirations or college concentration, will be considered.

#### Grievance Procedure for Students With Accommodations

Students whose accommodations, modifications, and/or adjustments are approved and who believe that they have been discriminated against on the basis of their accommodations should bring these issues to the attention of the ADA Coordinator. The Coordinator will work with students, faculty and administrators to resolve disagreements regarding recommended accommodations. If the Coordinator is unable to resolve the matter informally, or if the student with is not satisfied with the resolution, she/he may file a written grievance with the Vice President of Student Affairs.

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### **Emergency/Evening/Weekend Procedures**

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In the event of a non-instructional issue, students should act according to the Emergency Response Plan posted in each classroom. When the fire alarm sounds or you are asked to evacuate for other reasons such as gas leaks and bomb threats, leave the building immediately. Evacuate all buildings to Forest Park and away from fire hydrants. If the situation allows, take all belongings with you.

The Environmental Services personnel will notify employees and students of possible approaching tornadoes during the evening and by the Emergency Response Team during regular working hours. Students and staff will move to the shelters indicated in the Emergency Response Plan in the classroom.

Other emergency related procedures are provided in the Emergency Response Plan posted in each classroom. In addition, an Emergency Intercom System is installed in each classroom that will allow each classroom to communicate with a central operator that will follow Labette Community College's Emergency Response Plan.

Labette Community College reserves the right to contact medical personnel in an emergency with the college being responsible for the cost.

Emergency Response Team contact names and numbers are also provided in the plan posted in each classroom.

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### **Falsification/Misrepresentation of College Records\***

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- No student shall complete a College record dishonestly.
- No student shall alter, counterfeit, forge, or cause to be altered, counterfeited, or forged, a record, form, or document used by the College, nor shall a student knowingly/recklessly use altered, counterfeited, or forged records, forms, or documents.
- No student shall hinder or mislead or attempt to hinder or mislead a properly identified College official in the performance of his duty by providing false or misleading information or by misrepresenting the facts.

\* Example: Documents related to residency, admission, disability, etc.

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## Library Access (Procedure 3.12)

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### Children in the Library

The Library at Labette Community College exists first and foremost to serve the students, staff, faculty and administration of the College. Children under twelve years of age must be accompanied by an adult, and may not be left unattended in the Library.

### Study Groups

Groups of students sent to the library for study purposes tend to become a distraction if left without a proctor. The instructor or coach of the group will give the Library staff at least 24 hours prior notice. The instructor or coach will remain with groups of five (5) or more. The Library staff reserves the right to ask any individual, sub-group, or the group as a whole to leave the Library because of inappropriate behavior.

### Disabled Students Services

The Labette Community College Library staff shall make a reasonable effort to provide assistance to disabled students as needed to assure equal access to the library's resources and services. The students will also be referred to the ADA Coordinator in the Human Resources Office.

Assistance in the Library may take various forms depending on the disabling condition and may include but may not be limited to the following:

1. Help with literature searching.
2. Retrieval of materials from the stacks, shelves, files, etc.
3. Staff-assisted copy service at self-service rates for persons unable to use the copy machine.
4. Help with filling out of interlibrary loan forms.

### Tours

Tours of the Labette Community College Library and its resources are available for all LCC faculty members, staff, and administration, and their students. Advance notice is suggested to provide the best experience for the students. The Library staff will schedule the tours as close to the desired date as possible. Tours may be adapted as needed.

### Displays

The Library reserves the right to decline the offer of art objects, posters, and other displays. The Library Director will decide what displays will be allowed in the Library.

### LCC Library Keycard and Conduct Procedures

Students who request a keycard will be allowed to have extended hours access to the library for studying and computer use. This privilege will be granted as long as the following conduct procedures are followed. **Failure to follow the following conduct procedures will result in revoking of the access privileges and possibly access to library services.**

The keycard is issued to ONLY the assigned student and must be in his/her possession at all times while using the library after hours.

When the library is closing, the student will be asked to present their card, if they are staying. If they are unable or unwilling to present the card at that time, or whenever asked, they will be asked to leave the library.

The individually assigned key card is NOT to be loaned to others.

NO community members are allowed to be in the library after regular closing hours. All students will be monitored by video surveillance at ALL times while in the library. Students are expected to follow LCC Administrative Procedure 3.13, as outlined below. Failure to follow these guidelines will result in the loss of your keycard privilege.

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## Library Conduct (Procedure 3.13)

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### Procedure 3.13 Summary

Participating in any of the following behaviors will be considered violating this procedure and will result in losing your keycard, 24 library access, and possibly library privileges.

Removing or attempting to remove library material or property without authorization. Mutilating or defacing library materials or property in any way.

Creating a disturbance or behaving in a manner that interferes with other students' use of the Library (Including but not limited to rowdiness, noise, falsely setting off fire alarms, and offensive behavior).

Harassing, threatening, or treating other students without respect or dignity, or behaving in an inappropriate or discourteous manner

Smoking or using smokeless tobacco in the Library.

Possession or consumption of alcohol or illegal drugs in the Library.

Participating in loud conversations or laughter that is disturbing to other users.

Using obscene or abusive language, downloading pornographic materials on the computer or engaging in obscene or abusive behaviors.

Blocking or in any way interfering with the free movement of other students.

Rearranging furniture or equipment from one location to another.

Users of the Labette Community College Library have the right to expect a safe and pleasant library environment free of disruptive activity, access to clean and undamaged library materials, surroundings free from food, tobacco, alcohol and drugs. Ensuring a pleasant and productive environment for study and research for all users requires that each user of the Library follow the Library's Conduct Procedures and refrain from the activities listed below:

1. Removing or attempting to remove library material or property without checking them out or without proper authorization.
2. Mutilating library materials by marking, underlining, or removing pages or portions of pages; removing bindings; injuring or defacing library materials or property in any way.
3. Creating a disturbance or behaving in a manner that interferes with normal use of the Library (Including but not limited to rowdiness, noise, falsely setting off fire alarms, and offensive behavior).
4. Harassing or threatening Library staff members or patrons.
5. Consuming food or drink around the computer areas of the Library.
6. Smoking or using smokeless tobacco in the Library.
7. Possession or consumption of alcohol or illegal drugs in the Library.
8. Treating other patrons without respect or dignity, or behaving in an inappropriate or discourteous manner.
9. Loud conversations or laughter that is disturbing to other users.
10. Obscene or abusive language.
11. Blocking or in any way interfering with the free movement of any person or persons.
12. Using radios, tape players, etc. without headphones that prevent transmission of sound to others.
13. Soliciting or selling of any kind, unless approved by the Library Director.
14. Distribution of leaflets or posting of notices not approved of by the Library Director.
15. Rearranging furniture or equipment from one location to another without permission.

The Labette Community College Library and the patrons of the Library need this procedure in order to provide a clean and healthy environment for study and research, to preserve library materials, to protect library furnishings and equipment, and to prevent the disruption of other patrons' use of the Library. Taking part in the activities listed in this section may result in loss of library privileges, disbarment from the Library premises, College imposed sanctions and/or criminal prosecution.

### **Injury or Sudden Illness**

If a patron is injured or becomes suddenly ill and requires medical attention, the Library staff will assess the situation. A first-aid kit is available, but for more serious injuries, or if there is any doubt of the severity of a person's injury or illness, an ambulance will be called (911). The Library staff will obtain the name, address, and phone number of the ill or injured patron, of any witnesses, if appropriate, and the names of any College staff who were involved or who might have witnessed the incident. Library staff will notify the administration as soon as possible.

### **Emergencies**

In the event of a fire, a tornado, or another emergency situation, Library staff will alert the patrons to the procedures for evacuation or taking shelter. Emergency Response Plans are posted in the Library.

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### Location of Records

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Student records maintained by the Student Affairs Office include admissions applications, transcripts, enrollment forms, schedule change forms, and ACT & SAT scores. Financial Aid applications and records, including student earnings and disbursements, are on file in the Financial Aid Office.

Student placement test results are maintained in the Student Success Center.

A copy of the GED Testing records are stored in the GED Chief Examiner's office in the Student Success Center. Applications for admission to specific programs, test results, confidential references, and unofficial copies of transcripts are maintained in the Program Assistant's Office of the prospective department. (i.e. Diagnostic Medical Sonography, Nursing, Physical Therapist Assistant, Radiography, Respiratory Therapy, etc.).

A charge of \$1.00 per page will be assessed the student for reproduction of the records requested by the student. Official Academic transcripts are \$10.00 per copy. Students can print an unofficial transcript from their Red Zone account..

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### Military-Connected Student Services (MCSS)

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MCSS works to connect military-connected student (Veterans, dependents, active-duty, and reservist) to support services within the college. It can provide direct case management and one-on-one assistance to our military-connected students both the Labette Community College main Campus and the Cherokee Center. Assistance with academics, career, financial and personal counseling, tutoring, accommodations, and disability services are programs available.

We want to help you overcome barriers to your education and your continued success!

**Educational Barriers:** increase your awareness of program qualifications, programs of study, and course load expectations. Information barriers: provide you with a "go-to" person who is available to help you with transitioning from military to civilian life (campus and community resources).

**Financial barriers:** provide you with the most up-to-date information on federal and state benefits, and connect you with the School Certifying Official.

**Cultural Barriers:** Provide professional development to administrators, faculty and staff on military experience and challenges that military-connected students face.

Provide assistance with:

- Tuition resources and admissions process
- Financial support resources
- Personal academic planning
- Student veterans community involvement opportunities
- Career Development

If you are a Veteran, active-duty service member, dependent or survivor of a veteran, reservist, or member of the National Guard, you may be eligible for federal or state educational veteran benefits. Our Veteran friendly staff can assist you with the application process and ensure a smooth transition into college.

Military-Connected Student Services Coordinator & School Certifying Official:

Kelly Kirkpatrick

O: 620-820-1280

kellyk@labette.edu

Student Success Center

### VA or Military Education Benefits



**Student Responsibilities**

LCC's School Certifying Official (SCO) needs assistance to ensure the most accurate and timely information is sent to the Dept. of Veterans Affairs-on the student's behalf. The following student responsibilities are required of each student using VA or military education benefits for courses taken at LCC.

**Benefit Decision:** It is the responsibility of the student to decide on which benefit is most appropriate for him/her based on individual circumstances. Our SCO cannot make the decision for the student. Please visit the VA website for assistance.

**Certificate of Eligibility:** Students must submit a copy of the Certificate of Eligibility to their VA School Certifying Official to be certified for courses.

**Approved Courses:** Students must enroll for courses that are required for the elected degree program. The Dept. of Veterans Affairs only pays benefits for courses that are needed for the degree program, and that have not been previously or successfully completed.

\*Remedial/Developmental Classes cannot be certified to the VA if any part of the remedial course is online or independent study. (remedial/developmental courses consist of MATH 088, MATH 096, MATH 100, ENGL 097, ENGL 099)

**Federal Financial Aid:** If you are using federal aid or have used it previously, please make sure you contact the Financial Aid office for any questions or concerns. Please note that the rate of pursuit may be different for financial aid and VA. It is the student's responsibility to inform the SCO if they are using financial aid.

**Change in Degree:** In order to change a degree program, please submit a Change of Degree form with the admissions office. You will then need to send an email to the SCO stating which degree you are changing from, and what degree you are now interested in pursuing. You will also need to complete a Request for Change of Program or Place of Training form (22-1995). This information will be kept in your file.

**Enrollment Changes:** Federal law requires students to report any change of enrollment status that might affect their education benefits. It is the student's responsibility to notify the school certifying official of any change in status-IMMEDIATELY! This includes adding/changing or withdrawing from a course. Changes should be reported promptly to avoid delay in payments or possible over payments.

**Third Party:** If your third-party sponsor (military, employer, governmental agency, etc.) fails to pay LCC, you assume responsibility for paying the amount the sponsor originally promised to pay on your behalf.

**Submission of Transcripts:** Students must submit official transcripts from previously attended colleges & universities to LCC.

\*Students using federal financial aid have different transcript requirements. Please visit the Labette Community College Financial Aid website for more information.

Students using CH 31 Vocational Rehabilitation benefits are required to submit a LCC unofficial transcript to their VA counselor at the end of each semester. Unofficial transcripts are available through your RedZone.

**VA Payments:** Questions concerning VA payments must be addressed with the Dept. of Veterans Affairs. SCO's cannot access payment information, as they are school representatives and not employees of the Dept. of Veterans Affairs. Please visit your eBenefits account for assistance.

**Record Changes:** It is the student's responsibility to submit a change of address to the Admissions Office and to also notify the School Certifying Official. All correspondence from LCC is mailed to the address listed in the student's RedZone. Guest Students: Students visiting LCC to take classes to transfer back to their home school are required to submit the following documentation:

- This is the responsibility of the student to obtain from the Veteran Services Department or School Certifying Official at their home school. Certification of courses with Labette Community College will not be completed without the Parent School Letter from the home school.
- A copy of their certificate of eligibility.

- Students using Chapters 30, 35 & 1606 will be required to set up a payment plan for total tuition due for, as tuition payments are not paid to the school directly.
- Students must also follow the prerequisite requirements for courses offered at LCC. Submission of an unofficial transcript is required for clearance of prerequisite requirement.

**Veteran Education Benefits Orientation Form:** The first time a student wishes to utilize their VA Education Benefits at Labette Community College, the student is required to meet with the school certifying official to complete the Veteran Education Benefits Orientation Form.

**Request for VA Certification (RVAC) Form:** Every student wishing to use their benefits to pay for classes are required to submit the Request for VA Certification (RVAC) Form each time. No Exceptions!

**Part Time vs. Full Time Status:** The Dept. of Veteran Affairs determines the rate of pursuit by the number of credits and days/weeks of the semester/session/term/cycle. Students can typically be considered a full-time VA student based on the following criteria (subject to change):

\*Students taking only on-line courses will receive 1/2 of the national BAH rate at the E-5 level.

\*Students must take at least one on-campus course during the same time frame as the on-line course to receive the BAH rate for the area in which you are assigned to a SCO (Parsons).

16 week on-campus courses= 12 credit hours to be full time

**Disclaimer:** Information is subject to change at any time, and without prior notice. For questions, contact your assigned certifying official. See the area Contact Us for contact information of your assigned School Certifying Official.

### SCO Responsibilities

Labette Community College provides a School Certifying Official (SCO) to assist LCC students with their VA Educational Benefits. SCO's must abide by the federal laws that dictate the Dept. of Veterans Affairs. Your School Certifying Official is responsible to ensure the following:

**Reporting Enrollment Status:** Report enrollment, withdrawals, changes in degree program, unsatisfactory progress, academic warning and dismissals, and the monitoring of courses to ensure students are enrolled in courses needed for their current degree program.

**Records:** Maintain adequate records of certification, degree plans, transcripts, VA applications and certificate of eligibility. Records are kept for three years following the student's last date of attendance.

### Enrollment Certification Request

**Purpose:** Verification of approved/enrolled courses

Students are required to submit the Request for VA Certification (RVAC) Form each time an enrollment occurs. This form allows your School Certifying Official to verify with your academic advisor that the courses are needed for your degree program. Courses will begin being certified the first week of classes. It is highly recommended that submission is as early as possible to avoid delays, block on accounts and add/drop time. If there is an issue with the enrolled course(s), you will be contacted by email or phone. Please ensure that you have the most current information listed on the Request for VA Certification (RVAC) form and report any necessary updates to the Admissions Office.

- Ensure that an enrollment has occurred before submitting the Request for VA Certification (RVAC) form. Submission of the RVAC form does not constitute enrollment for classes.
- Submit one RVAC form for EACH session/cycle of courses that you are enrolled into. This will help to avoid a certification being overlooked.
- Course certification to the VA will be done when the classes have started.
- Certification for classes will not occur without a Request for VA Certification (RVAC) form - No Exceptions!

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If this is your first time utilizing VA Education Benefits at Labette Community College, you must meet with the School Certifying Official and complete the Orientation Form for Veteran Education Benefits.

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## **Nondiscrimination, Equal Opportunity, and Harassment (Procedure 2.01)**

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### **1. Labette Community College Procedure on Nondiscrimination**

Applicants for admission and employment, students, employees, visitors, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with LCC are hereby notified that this college is committed to not discriminating on the basis of race, color, ethnic or national origin, sex, gender identity, sexual orientation, marital status, religion, age, ancestry, disability, military status, or veteran status in admission or access to, or treatment or employment in, its programs and activities. Further, it is the policy of the college to prohibit harassment (including sexual harassment and sexual misconduct) of students and employees. Any person having inquiries concerning the college's compliance with the regulations implementing Title VI, Title VII, Title IX, Section 504, and the Americans with Disabilities Act Amendments Act is directed to contact the person identified below who has been designated to coordinate the College's efforts to comply with the regulations implementing these laws.

The Director of Human Resources shall serve as the Section 504/ADA Compliance Officer. The Director of Human Resources may be reached at (620-820-1234) or by mail at [hr@labette.edu](mailto:hr@labette.edu).

The Vice President of Student Affairs shall serve as the Title IX Compliance Officer for students and the Director of Human Resources as the Title IX Compliance Officer for employees. They may be reached at 620-820-1268 for students and 620-820-1234 for employee or at [titleix@labette.edu](mailto:titleix@labette.edu).

It shall be a violation for any individual associated with the College to discourage an individual from filing a complaint, to fail to investigate if charged with doing so, to fail to refer for investigation any complaint lodged under the provisions of this policy and procedures, or to retaliate or discriminate against an individual for filing a complaint or testifying, assisting, or participating in any investigation, proceeding, or hearing involving a complaint is prohibited. Any person who retaliates is subject to immediate disciplinary action, up to and including expulsion for a student or termination of employment for an employee.

Filing a false or malicious complaint under this procedure may result in corrective or disciplinary action against the complainant.

If discrimination or harassment has occurred as prohibited by this procedure, the College will take prompt, remedial action to prevent its re-occurrence.

### **2. Labette Community College Procedure on Accommodation of Disabilities**

Labette Community College seeks to provide students, employees and job applicants with disabilities equal access to College classes, activities, and employment. The College will provide reasonable accommodations upon request under the terms of the Americans with Disabilities Act or Section 504 of The Rehabilitation Act of 1973, unless doing so poses an undue hardship on the College. The Directors of Human Resources and Facilities are jointly responsible for implementation of this procedure for job applicants and employees. Applicants should contact the Human Resource Department for assistance in the hiring process, and qualified employees needing accommodation to perform the essential functions of their position should speak with the Director of Human Resources, Janice Every, [janicec@labette.edu](mailto:janicec@labette.edu) or call 620-421-6700 x1234, Rm. SU207 or the Director of Facilities, Kevin Doherty, [kevind@labette.edu](mailto:kevind@labette.edu) or call 620-421-6700 x1284, Rm. SU209.

Students should make their needs known to the ADA Coordinator, Karen Barger, [karenb@labette.edu](mailto:karenb@labette.edu) or call 620-421-6700 x1182, SSC. The student may also contact the Vice President of Student Affairs, Tammy Fuentes, [tammyf@labette.edu](mailto:tammyf@labette.edu) or call 620-421-6700x1264, Rm. SU220. It is recommended students contact the ADA Coordinator at least 30 days before the first class meeting.

**A. Students**

The accommodation process must be interactive. The student applying for the accommodation will be asked to present a written request to the ADA Coordinator for accommodation including medical documents, if available, and ideas for workable accommodations. The ADA Coordinator may also suggest other options for accommodation. The ADA Coordinator will complete a Student Accommodations Form for each instructor the student has for the semester and send the form via email to the instructor. The ADA Coordinator will follow up with the instructor regarding special furniture items in the classroom and/or if the student is in need of assistance with note taking to determine how the accommodation will be implemented in each instructor's classroom. Instructors who have questions regarding any accommodations on the Student Accommodations Form should contact the ADA Coordinator. Because the ADA Coordinator must fully understand both the nature and extent of the disability to be accommodated, the ADA Coordinator may request further information from the student's healthcare provider or another physician. The ADA Coordinator may also consult with outside agencies with accommodation expertise as appropriate. Through discussion with the instructor and others (including but not limited to vice presidents, deans, directors, outside agencies and physicians), the ADA Coordinator will offer a reasonable accommodation that does not pose an undue hardship on the College.

In addition, the ADA Coordinator will present her/his choice of the available effective reasonable accommodations to the student or a written explanation as to why all the available options place an undue burden on the College. If the student accepts the offered accommodation, the ADA Coordinator will implement it as soon as possible. If the offered accommodation is refused or no accommodation that does not impose an undue burden on the College is available, the process ends. The student is informed and will be given a chance to respond. However, nothing in this procedure or applicable law prevents the College from offering an accommodation of its choosing if it is effective.

Students who feel they have been unfairly denied accommodation may use the College's grievance procedure.

**B. Employees**

The accommodation process must be interactive. The employee applying for the accommodation will be asked to present a written request for accommodation including medical documents, if available, to the College official. Once received, the College official may suggest other options for accommodation. Because the College official must fully understand both the nature and extent of the disability to be accommodated, the College official may request further related information from the employee's healthcare provider or another physician. The College official may also consult with the responsible vice president, dean, director, supervisor, affected faculty or staff, and/or outside agencies with accommodation expertise as appropriate. Through discussion, the College official will offer a reasonable accommodation that does not pose an undue hardship on the College.

Once the need for accommodations and various options have been evaluated, the College official will present her/his choice of the available, effective, reasonable accommodations to the employee or present a written explanation why the available options might place an undue burden on the College. If the employee accepts the offered accommodation, the responsible College official will implement it as soon as possible. If employee refuses the accommodation the College official offers, or there is no workable accommodation that does not impose an undue burden on the College, the process ends. The employee will receive a written notice and will be given the opportunity to respond. However, nothing in this procedure or applicable law prevents the College from offering an accommodation of its choosing if it is effective.

Employees who feel they have been unfairly denied accommodation may use the College's grievance procedure to seek relief found in Conditions of Employment 7.01 and 8.01 and the Faculty Master Agreement.

**C. Applicants**

The accommodation process must be interactive. The applicant applying for the accommodation will be asked to present a written request for accommodation to the College official. Once received, the College official may suggest other options for accommodation. The College official may also consult with outside agencies with accommodation expertise as appropriate. Through discussion, the College official will try to offer a reasonable accommodation that does not pose an undue hardship on the College.

Once the need for accommodations and various options have been evaluated, the College official will pres-

ent her/his choice of the available, effective, reasonable accommodations to the applicant or present a written explanation why the available options might place an undue burden on the College. If the applicant accepts the offered accommodation, the responsible College official will implement it as soon as possible. If the applicant refuses the accommodation the College official offers, or there is no workable accommodation that does not impose an undue burden on the College, the process ends. The applicant will receive a written notice and will be given the opportunity to respond. However, nothing in this procedure or applicable law prevents the College from offering an accommodation of its choosing if it is effective.

### **3. Labette Community College Procedure on Accommodations for Religious Practices**

Labette Community College, as part of its anti-discrimination efforts, will provide reasonable accommodations when sincerely held religious practices or beliefs interfere with student's work, performance of assigned employee duties, or the applicant process, unless accommodating the religious practice places an undue business hardship on the College.

Students experiencing difficulty in their course work because of sincerely held religious practices or beliefs should contact their instructor and the Director of Human Resources and ask for accommodation. After the need for accommodation has been established, the College will offer the student's suggested accommodation or an effective alternate accommodation unless the religious practice or belief cannot be accommodated without creating an undue business hardship.

Employees experiencing difficulty in performing their job duties because of sincerely held religious practices or beliefs should contact their supervisor and the Director of Human Resources and ask for an accommodation. After the need for accommodation has been established, the College will offer the employee's suggested accommodation or an effective alternate accommodation unless the religious practice or belief cannot be accommodated without creating an undue business hardship.

Applicants experiencing difficulty in applying or interviewing because of sincerely held religious practices or beliefs should contact the Director of Human Resources and ask for an accommodation. After the need for accommodation has been established, the College will offer the applicant's suggested accommodation or an effective alternate accommodation unless the religious practice or belief cannot be accommodated without creating an undue business hardship.

### **4. Labette Community College Procedure on Discriminatory Harassment**

Students, staff, administrators, faculty and applicants are entitled to a working environment and educational environment free of discriminatory harassment. Labette Community College's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom or in hiring processes that include relevant and controversial or sensitive subject matters protected by academic freedom, or the first amendment. The sections below describe the specific forms of legally prohibited harassment that are prohibited under College policy.

#### **A. Racial Harassment**

Racial harassment against individuals associated with the College is prohibited, whether or not the harassment occurs on College grounds. Racial harassment will not be tolerated at the College. Racial harassment of employees, students or applicants of the College by Board members, administrators, faculty, professional staff members, educational support staff members, students, vendors, applicants and any others having business or other contact with the College is strictly prohibited. Racial harassment may result from verbal or physical conduct or written or graphic material including electronic harassment.

Definition: Racial Harassment is racially motivated conduct which:

1. Affords a student, employee or applicant different treatment, solely on the basis of race, color or national origin, in a manner which interferes with or limits the ability of the student, employee, applicant to participate in or benefit from the services, activities or programs of the College;
2. Is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile working and/or academic environment;
3. Is sufficiently severe, pervasive or persistent so as to have the purpose or effect of interfering with an individual's work performance and employment opportunities;

4. Is sufficiently severe, pervasive or persistent so as to have the purpose or effect of interfering with a student's academic performance or ability to participate in or benefit from the services, activities, or programs of the College.

### **B. Discriminatory and Bias-Related Harassment**

Harassment constitutes a form of discrimination that is prohibited by law. Labette Community College will seek to remedy all forms of harassment when reported or known, whether or not the harassment rises to the level of creating a hostile environment. When harassment rises to the level of creating a hostile environment, the College may, to the extent we have the authority to do so, impose sanctions on the harasser. Labette Community College's harassment policy explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of actual or perceived membership in a protected class, by any member or group of the community.

A hostile environment may be created by oral, written, graphic, or physical conduct that is sufficiently severe, persistent/pervasive and objectively offensive that it interferes with, limits or denies the ability of an individual to participate in or benefit from educational programs, activities, employment access, benefits, and/or opportunities.

Offensive conduct and/or harassment that does not rise to the level of discrimination or that is of a generic nature not on the basis of a protected status may not result in the imposition of discipline under College policy, but may be addressed through civil confrontation, remedial actions, education, and/or effective conflict resolution mechanisms. For assistance with conflict resolution techniques, employees should contact the Human Resource Director and students should contact the Vice President of Student Affairs.

Labette Community College condemns and will not tolerate discriminatory harassment against any employee, student, applicant, visitor or guest on the basis of any status protected by College policy or law.

### **C. Sexual Harassment**

Both the Equal Employment Opportunity Commission and the State of Kansas regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice. Labette Community College has adopted the following definition of sexual harassment, in order to address the special environment of an academic community, which consists not only of employer and employees, but of students as well.

Sexual harassment is unwelcome or uninvited, sexual or gender-based verbal, written, online, and/or physical conduct of a sexual nature.

Anyone experiencing sexual harassment (or knows of harassment occurring) in any College program or activity is encouraged to report it immediately to the appropriate College Title IX Coordinator.

Sexual harassment is unwelcome sexual advances, requests for sexual favors and other inappropriate oral, written or physical conduct of a sexual nature when made by a member of the College staff to a student or staff member or when made by any student to another student or a staff member when: (1) submission to such conduct is made, explicitly or implicitly, a term or condition of the individual's education or employment; (2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or (3) such conduct has the purpose or effect of interfering with an individual's academic or professional performance or creating an intimidating, hostile or offensive academic or working environment.

### **D. Sexual Misconduct**

State law defines various violent and/or non-consensual sexual acts as crimes. Additionally, the College has defined categories of sexual misconduct, as stated below, for which action under this policy may be imposed. The College uses the term "sexual misconduct" to address behaviors like rape and sexual assault. The use of this term is not intended to diminish or minimize a victim's experience but is instead a recognition that the College has no authority to determine that a crime occurred. The College does not view sexual misconduct as a lesser form of misconduct than rape or sexual assault. Generally speaking, the College considers non-consensual sexual intercourse violations to be the most serious, and therefore typically the College imposes the most

severe sanctions, including suspension or expulsion for students and termination for employees. However, the College reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any act of sexual misconduct or other gender-based offenses, including intimate partner or relationship (dating and/or domestic) violence, non-consensual sexual contact and stalking based on the facts and circumstances of the particular instance. Acts of sexual misconduct may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation, and/or gender identity of those involved. Violations include:

**Sexual Harassment (as defined above)**

**Non-Consensual Sexual Intercourse**

Defined as:

- any sexual penetration or intercourse (Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact).
- however slight
- with any object
- by a person upon another person
- that is without consent and/or by force.

**Non-Consensual Sexual Contact**

Defined as:

- any intentional sexual touching (Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner).
- however slight
- with any object
- by a person upon another person
- that is without consent and/or by force.

**Sexual Exploitation**

Sexual Exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of another, and situations in which the conduct does not fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact. Examples of sexual exploitation include but are not limited to:

- Invasion of sexual privacy;
- Sexual voyeurism (such as watching a person undressing, using the bathroom, or engaged in sexual acts without the consent of the person observed);
- Taking pictures or video or audio recording another in a sexual act, or in any other private activity without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent);
- Prostitution;
- Prostituting another student or employee;
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) and without informing the other person of the infection;
- Administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent;
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

**Consent**

Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity. Consent is active, not passive. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Silence—without actions demonstrating permission—cannot be assumed to show consent.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy.

Because alcohol or other drug use can place the capacity to consent in question, sober sex (no alcohol or drug usage by either party) is less likely to raise such questions. It is not an excuse that the individual responding party of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other. Incapacitation is defined as “a state where someone cannot make rational, reasonable decisions because she or he lacks the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of her/his sexual interaction).” This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint, and/or from the taking of incapacitating drugs.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. Likewise, consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone is not consent. A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately. Under this policy, “No” always means “No,” and “Yes” may not always mean “Yes.” Anything but a clear, knowing, and voluntary consent to any sexual activity is equivalent to a “No.”

**5. Labette Community College Procedure Expectations with Respect to Consensual Relationships**

The professionalism of Labette Community College’s (LCC) employees is vital to the efficient daily operations of the College and the fulfillment of its mission. A key ingredient of professionalism is maintaining an atmosphere of mutual trust and respect in employee-student relationships and employee-employee relationships. Any action of faculty, students, and other employees that damages this atmosphere undermines professionalism and impedes the College’s missions. Additionally, persons in positions of authority who abuse or appear to abuse their power cause the most severe damage to the College and its mission. These persons damage their image as a professional, which in turn decreases the trust and respect accorded them by others. This loss of trust and respect can severely damage the College’s ability to function efficiently and fulfill its mission.

The College, while recognizing the right of free association, cautions its employees, especially administrators, supervisors, coaches, and faculty, that establishing close personal or romantic relationships with fellow employees or students can have a negative impact on their career. Once an employee crosses or attempts to cross the line from a collegial professional relationship to a close personal or romantic relationship, it can easily have a negative effect in the workplace or classroom forcing the College to take action that can damage the employee’s career and possibly end his/her employment with the College. This policy has been established to alert employees about possible employment related problems that these relationships can cause and to provide for corrective action once a problem has been identified.

**Student Relationships-** Many employees of the College exercise various types of control or power over students. This power can be in the form of praise, criticism, disciplinary action, evaluation, financial aid, grades,



playing time for athletes, recommendations for employment or further education, or bestowing any other benefit on them. Such relationships, even though apparently consensual, create inherent conflicts of interest, tend to be exploitive in nature, and call into question the judgment and professionalism of the College employee. These relationships greatly increase the chances that the employee in the position of power will abuse that power or appear to abuse it to exploit the student or favor that student, unfairly placing other students at a disadvantage.

Unless otherwise provided herein, faculty or staff are not permitted to offer free room and board to any student unless the student is a relative. Any exceptions to this prohibition will only be allowed in special circumstances and only if approved by the president, vice presidents, or deans. Anyone with power over students such as faculty, coaches, or health science directors, are not permitted to rent lodging to a student taking a course, playing on a team, or participating in a program associated with that person. This would apply to a home as well as rental properties.

**Close personal or romantic relationships between a student and any College employee who can exercise power or control over that student will be considered unethical, highly suspect and will subject the employee to possible disciplinary action.**

**Employee Relationships** - Labette Community College has long had a Nepotism Policy in place (See Policy 2.04) that states in part, "Nepotism, defined as "favoritism shown to a relative on the basis of a relationship," is not permitted within the human resource administration practices of Labette Community College. To discourage nepotism, one relative may not directly or indirectly supervise or evaluate another relative." The College has chosen to apply the same standards to close personal or romantic relationships between superior/subordinate College employees. LCC considers this type of relationship to be unethical and highly suspect. These relationships are also unacceptable for the same basic reasons as are relationships between College employees and students. **Close personal or romantic relationships between superior/subordinate College employees will be considered unethical, highly suspect and will subject the employee to possible disciplinary action.**

Under the best of circumstances, such relationships can easily make fellow employees feel uncomfortable and foster hard feelings within a department or division. In turn, these hard feelings can lead to charges of favoritism, hostile environment, or other unprofessional conduct. In addition, a single ill-considered action, persistent attention, repeated personal comments, or date requests to an unwilling fellow employee or student could result in harassment charges and possible serious employment consequences up to termination of employment.

Superior/Subordinate employees involved in close personal or romantic relationships are required to report their relationship to their supervising Vice President, Dean, the President, or the Board of Trustees Chair as appropriate. Failure to report will result in disciplinary action. The College will make a reasonable effort to place the employees in a position where one employee no longer supervises or evaluates the other. If the College is unable to make changes in the workplace necessary to alleviate the conflict of interest, one or both of the employees may be asked to resign.

Even relationships where one employee does not have any real or perceived power over the other can occasionally cause disruptions or other problems at work, and then the College has the responsibility to correct the situation. Employees involved in consensual romantic or close personal relationships with other persons connected to the College should be aware that sometimes even the best of relationships fail. Many times the resulting hurt feelings make it difficult or impossible for the two persons involved to work effectively with one another and occasionally even go so far as to translate into sexual harassment charges.

Labette Community College will make full use of its disciplinary policy or other appropriate measures when personal or romantic relationships interfere with the efficient daily operations of the College and/or charges of unprofessional conduct or violations of College policies/procedures have been alleged and proven to the satisfaction of the College.

The College vigorously enforces its Sexual Harassment policy and, in the event of a complaint, will fairly and fully investigate the charges. Any College employee who enters into a close personal or romantic relationship with a student or subordinate where a professional power differential exists is warned that, because of the

fundamentally unequal nature of the relationship, a substantial burden will be placed upon them to demonstrate mutual consent. A defense based upon mutual consent will require proof based a preponderance of the evidence.

#### **6. Other Civil Rights Offenses, When the Act Is Based Upon the Status of a Protected Class**

The following are also offenses that may lead to disciplinary action.

- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person on the basis of her/his actual or perceived membership in a protected class
- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits, or opportunities on the basis of their actual or perceived membership in a protected class
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another on the basis of actual or perceived membership in a protected class
- Hazing is illegal under Kansas State law, K.S.A. 21-5418, Formerly cited as KS ST 21-3434, 21-5418. Hazing, Currentness. (a) Hazing is recklessly coercing, demanding or encouraging another person to perform, as a condition of membership in a social or fraternal organization, any act which could reasonably be expected to result in great bodily harm, disfigurement or death or which is done in a manner whereby great bodily harm, disfigurement or death could be inflicted. (b) Hazing is a class B nonperson misdemeanor. Credits Laws 2010, ch. 136, § 53, eff. July 1, 2011; Laws 2011, ch. 30, § 22, eff. July 1, 2011. Kan. Stat. Ann. § 21-5418 (West)
- Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally on the basis of actual or perceived membership in a protected class
- Violence between those in an intimate relationship to each other on the basis of actual or perceived membership in a protected class (which includes romantic relationships, dating, domestic, and/or relationship violence)
- Stalking, defined as a course of conduct directed at a specific person on the basis of actual or perceived membership in a protected class that is unwelcome and would cause a reasonable person to feel fear
- When a complaint contains evidence of criminal activity or child abuse, the Title IX Coordinator shall report such conduct to the appropriate law enforcement or DCF authorities
- Any other College rules, when a violation is motivated by the actual or perceived membership of the victim on the basis of sex or gender or in a protected class, may be pursued using this policy and procedure

Sanctions for the above-listed “Other Civil Rights Behaviors” behaviors range from reprimand up through and including expulsion (students) or termination of employment.

#### **7. Retaliation**

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for alleging harassment, for supporting a party bringing a grievance, or for assisting in providing information relevant to a claim of harassment is a serious violation of College policy and will be treated as another possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the appropriate Title IX Coordinator and will be promptly investigated. Labette Community College is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

#### **8. Remedial Action**

Labette Community College will implement initial remedial and responsive and/or protective actions upon notice of alleged harassment, retaliation, and/or discrimination. Such actions could include but are not limited to: no contact orders, providing counseling and/or remedial services, academic support, providing a campus escort, academic or work schedule and assignment accommodations, safety planning, referral to campus and

community support resources.

Labette Community College will take additional prompt remedial and/or disciplinary action with respect to any applicant, member of the community, guest, or visitor who has been found to engage in harassing or discriminatory behavior or retaliation. Procedures for handling reported incidents are fully described below. Deliberately false and/or malicious accusations of harassment, as opposed to grievances which, even if erroneous, are made in good faith, are just as serious an offense as harassment and will be subject to appropriate disciplinary action.

## **9. Confidentiality and Reporting of Offenses**

Labette Community College officials, depending on their roles at the College, have varying reporting responsibilities and abilities to maintain confidentiality. In order to make informed choices, one should be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality, offering options and advice without any obligation to inform an outside agency or individual unless you have requested information to be shared. Other resources exist for you to report crimes and policy violations and these resources are required to take action when you report victimization to them. Some resources on campus fall in the middle of these two extremes; neither the College, nor the law, requires them to divulge private information that is shared with them, except in rare circumstances but yet must share general, non-identifiable information with designated officials.

### **A. Formal Reporting Options**

A party bringing a grievance(s) is encouraged to speak to a Labette Community College Title IX Coordinator to make formal reports of incidents of sexual harassment and/or sexual misconduct. A party bringing a grievance(s) has the right, and can expect, to have grievances taken seriously by the College when formally reported and to have those incidents afford privacy to the reporter, and only a small group of officials who need to know will be informed. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a party bringing a grievance's rights and privacy. Additionally, safe and anonymous reports can be made by victims and/or third parties using an online reporting form.

### **B. Title IX Reporting**

Those seeking to report sexual misconduct may seek advice from the non-mandated reporting staff members who are not required to initially tell anyone else private, personally identifiable information unless there is a pattern of abuse, cause for fear of safety or the safety of others, or either party is under 18 years of age. If a reporting party is unsure of someone's duties and ability to maintain privacy, ask them before talking to them. They will be able to explain and help a reporting party to make decisions about who is in the best position to help. All these resources are instructed to share incident reports with their supervisors, but they do not share any personally identifiable information about the report unless the reporting party gives permission or they are under 18, except in the rare event that the incident reveals a need to protect the reporting party and/or other members of the community. If personally identifiable information is shared, it will be shared with as few people as possible, and all efforts will be made to protect privacy to the greatest possible extent.

### **C. Weighing Requests for Confidentiality in Reports Disclosed to Responsible Employees**

If a reporting party discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action be taken, the College must weigh that request against the College's obligation to provide a safe, non-discriminatory environment for all individuals, including the reporting party.

If Labette Community College honors the request for confidentiality, a reporting party must understand that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Although rare, there are times when the College may not be able to honor a reporting party's request in order to provide a safe, non-discriminatory environment for all individuals.

The College has designated Title IX Coordinators to evaluate requests for confidentiality once a responsible employee is on notice of alleged harassment and/or misconduct. When weighing a reporting party's request for confidentiality or that no investigation or disciplinary action be pursued, a Title IX Coordinator will consider a

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range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of misconduct or other violence, such as
  - whether there have been other misconduct complaints about the same alleged perpetrator;
  - whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
  - whether the alleged perpetrator threatened sexual violence or other violence against the reporting party or others;
- Whether the sexual violence was perpetrated with a weapon;
- Whether the reporting party is a minor;
- Whether the College possesses other means to obtain relevant evidence of the sexual misconduct (e.g., security cameras or personnel, physical evidence);
- Whether the reporting party's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the reporting party's request for confidentiality.

If the College determines that it cannot maintain a reporting party's confidentiality, the College will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College's response.

The College will remain ever mindful of the reporting party's well-being and will take ongoing measures to protect the reporting party from retaliation or harm and work with the reporting party to create a safety plan. Retaliation against the reporting party, whether by students or College employees, will not be tolerated. The College will also

- assist the reporting party in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus;
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the reporting party of the right to report a crime local law enforcement—and provide the reporting party with assistance if the victim wishes to do so.
- The College may not require a reporting party to participate in any investigation or disciplinary proceeding.

Because the College is under a continuing obligation to address the issue of sexual misconduct campus-wide, reports of sexual misconduct (including non-identifying reports) will also prompt the College to consider broader remedial action—such as increased monitoring, supervision or security at location where the reported sexual misconduct occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments; and/or revisiting its policies and practices.

If the College determines that it can respect a reporting party's request for confidentiality, the College will also take immediate action as necessary to protect and assist the reporting party.

## **10. Federal Statistical Reporting and Timely Warning Obligations**

Certain campus officials have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be shared with the Vice President of Student Affairs regarding the type of incident

and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the College's Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include student/conduct affairs, local police, coaches, athletic directors, residence life staff, student activities staff, human resource staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Victims of sexual harassment and/or misconduct should be aware that College administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The College will make effort to ensure that a victim's name and other identifying information is not disclosed while still providing enough information for community members to make safety decisions in light of the potential danger.

### **11. Grievance Process for Resolving Grievances of Harassment, Sexual Misconduct and Other Forms of Discrimination**

Labette Community College will, to the extent that it can, act on any formal or informal grievance or notice of violation of the policy on Equal Opportunity, Harassment and Nondiscrimination, that is received by a Title IX Coordinator, his or her deputies (if/when applicable), or a responsible Labette Community College employee. The LCC General Grievance Procedure 4.081 can be found in the LCC Policy and Procedure Manual and Policies 7.01 and 8.01 Conditions of Employment for staff and the Master Agreement for faculty.

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### **Soliciting, Distributing Literature, and Advertising on College Property (Procedure 2.11)**

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The following procedure is based on LCC Policy 2.11. The policy can be found in the LCC Policy and Procedure Manual. Please contact the Vice President of Student Affairs regarding a copy of the policy.

Labette Community College procedures relative to time, manner and place for the acts of soliciting, distributing and advertising on College property are established to ensure that the educational functions of the institution are not significantly interfered with by individuals or groups while providing reasonable opportunities for persons to exercise their rights of freedom of speech and expressions. Decisions regarding the acts of soliciting, advertising and distributing literature on College property will be made on a content and subject neutral basis

Only those groups or individuals representing Colleges or non-profit organizations may use College property for the purpose of soliciting, distributing literature and/or advertising unless the Vice President of Student Affairs makes an exception. The Student Life Specialist is designated to approve or disapprove all materials to be posted. The Director of Admissions is designated to approve campus visits. The Vice President of Student Affairs may be consulted by the Student Life Specialist and/or Director of Admissions as appropriate.

#### Definitions

- A. College "property" means property under the College's jurisdiction, either owned or leased.
- B. "Advertising" means placing or displaying printed, written, drawn materials (such as artistic documents) and/or publications on College property or on vehicles on College property.
- C. "Soliciting" means to approach persons with a plea or request, to include sale of merchandise, services, commodities or requests for funds.
- D. "Distributing literature" means to hand materials to persons or to make materials available to persons, or to place materials on College property or vehicles on College property.
- E. "Authorizing office" means the Student Life Office or Director of Admissions Office.

#### Advertising

Advertising materials must:

- A. Be factual and represent the true nature of the event, activity, service, or commodity advertised;
- B. Not claim or imply College endorsement or sponsorship;

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- C. Be date-stamped by the authorizing office before posting, and be in accord with any other applicable College policies or procedures.

#### Advertising by individuals and groups

- A. Advertising on College property requires approval of the authorizing office and is subject to the procedures herein and other procedures, which may be required to effectively operate the College.
- B. On-campus groups and organizations must, when advertising activities not open to the public, confine advertising to the College property on which the activity is to occur.
- C. Off-campus groups or organizations wishing to advertise on College property must follow approved operating procedures relative thereto.
- D. Individuals may, if authorized, use designated bulletin boards for personal announcements. Such announcements are removed on a regular basis.

#### Forms of Advertising

##### Posters

- Posters may be displayed on bulletin boards on College property if:
- The poster displays the sponsoring organization's name and the date-stamp of the authorizing office is attached.
- The poster is no larger than 12 x 18 inches
- There is only one poster on a bulletin board, which advertises the same activity.
- Posters may not be placed on utility posts, trees or shrubs, information or directional signs, interior or exterior building walls, doors or windows, or similar locations. Individuals or organizations violating regulations may be held liable for damages caused by posting.

##### Banners

- College units and recognized campus organizations may display advertising on one or both sides of a banner on College property.
- In locations identified by the authorizing office.
- To display a banner on College property, the unit or organization must request such, in writing, to the appropriate authorizing office at least 7 calendar days before the display date. If the request is approved the unit or organization must.
- Display the unit or organization's name in clear, legible letters in a prominent location on the banner. E. To acquire approval, take the banner to the authorizing office at least two days before the display date. F. Place the banner in the approved location and remove the banner after the approved posting period.

##### Soliciting

Individuals and groups are permitted to solicit on College property as follows:

- A. Recognized student organizations or specific College units/departments may do so if approved by the authorizing office.
- B. Off-campus companies or groups are prohibited unless the Vice President of Student Affairs makes an exception.
- C. Individuals seeking personal gain are prohibited unless the Vice President of Student Affairs makes an exception.

##### Solicitation by recognized student organizations or College units

- A. Recognized student organizations wishing to solicit on College property must present a written request to the authorizing office. Such request must state the date and time for the activity and must be received at least two days in advance of the requested date. If the request is approved, the organization may solicit for the time period approved but not to exceed five calendar days. Extensions require an additional request.
- B. Solicitation may be limited to a specific area designated by the authorizing office.

- C. The activity must not, due to loud noises or interruptions, disrupt the educational activities of the College.
- D. The individual or group must request from the Facilities Director use of College-owned furniture.
- E. The individual or group may post signs, banners, or other materials at their table.
- F. Individual or group must remain in approved areas and not obstruct traffic.

#### Distribution of Literature

- A. Distribution of literature is prohibited in areas associated with educational and administrative functions of the College, which include, but are not limited to, inside buildings or external walkways from which individuals enter and exit classrooms. An inside area which is an exception to this procedure is the first floor of the Student Union. The area will be designated by the authorizing office.
- B. Individuals or groups must remain in approved area(s) for the duration of the activity.
- C. Not wander to undesignated areas of the College property while distributing literature.
- D. Not obstruct pedestrian or vehicular traffic flow, or the free movement of any individual by any means or activities.
- E. Ensure that the activity does not, due to loud noises, disrupt the educational activities of the College.
- F. In the event there is an allegation of disruption, follow direction of authorized College officials.
- G. In addition to the procedures stated above, individuals or groups may distribute literature according to the following procedures:
- H. Handbills, pamphlets and other literature distributed on College property must display the name of the sponsoring organization or group.
- I. In the event literature distribution results in unreasonable littering of the College property by such individuals or groups, such activity may be halted by College officials.
- J. Literature may not be placed on vehicles parked on College property.
- K. If individuals or groups wish to place literature on College property for pickup by passers-by, they must do so in areas/locations designated by the authorizing office.

#### Approval/Disapproval of Activities

- A. Individuals or groups may be denied, by the authorizing office, the opportunity to conduct an activity for soliciting, material distribution, and advertising on College property because of scheduling conflicts or space not being available on a particular day. Alternative days/times or places will be offered by the authorizing office.
- B. The Vice President of Student Affairs is responsible for administration of these procedures. Any exceptions to such must be authorized by him/her.

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### **Student Code of Conduct (Policy 4.08)**

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Labette Community College strives to create an academic community conducive to the proper functioning of the educational process and the development of each student. To create the atmosphere in which these goals can be pursued, the College maintains disciplinary rules and regulations. Students are expected to behave in a manner which is supportive to the mission of the College. Labette Community College reserves the right to impose disciplinary sanctions for behavioral misconduct which occurs either on campus or off campus. Violations of the Student Code of Conduct must be reported by staff to the Vice President of Student Affairs within five working days of the incident along with any action taken.

#### **Regulations**

- A. Alcohol. The College will uphold and enforce the Kansas law concerning the possession and consumption of alcoholic liquor and beer.
- B. Tobacco. The College will uphold and enforce the Kansas law concerning the use of smoking products in public places. In addition, College Policy 2.09 prohibits the use of all tobacco products on campus.
- C. Illegal Drugs. The College supports the enforcement of the State of Kansas laws and federal laws on controlled substances. Use, possession and/or sale of such substances is prohibited whether on campus or off campus.

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- D. Behavior Misconduct. Students are not to exhibit behavior, which threatens any person, harms or causes to place in harm any person, or conduct themselves in a lewd, indecent, obscene, or disorderly manner. A student may be directed to desist from behavior, which, in the opinion of a College official, is intended to or has the effect of subjecting a fellow student to this type of harassment or intimidation. A student who persists in this behavior after being so directed may be charged with failure to follow the reasonable directive of a College official.
  - E. Rape. Any person has the right to say no to sexual activity. Lack of objection is not agreement to sexual contact. Any unwanted sexual activity, including date/acquaintance rape or gang rape, will not be tolerated and the “perpetrator(s)” could face both College judicial action and criminal charges.
  - F. Assault. Any actual or threatened interference, physical or sexual attack, physical or verbal harassment, intimidation, or personal abuse against any member of the College community is forbidden. Face to face confrontation utilizing fighting words or racial epithets or putting any person in fear and apprehension of harm will not be tolerated.
  - G. Fireworks and Other Weapons. Possession of fireworks, explosives and unlawful weapons such as those described below shall be prohibited on College property. The use of any object to cause or to attempt to cause, either injury to a person or damage to property is prohibited. The possession or use of any fireworks or explosives on the College property is in violation of College regulations. Students identified as responsible for such activity will face serious disciplinary action, including suspension/dismissal from school, as well as criminal prosecution. Storage space for firearms or other weapons is not provided on College property. The term weapon is defined in Procedure 4.08.
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### **Student Code of Conduct (Procedure 4.08)**

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Labette Community College will establish and maintain a fair and equitable procedure for addressing student disciplinary matters to ensure that the rights of the students, the College community, and the community-at-large are protected. Alleged and/or violations of the Student Code of Conduct must be reported to the Vice President of Student Affairs within five working days of the incident along with any action taken.

The Vice President of Student Affairs shall be primarily responsible for the administration of the student conduct system. The Vice President of Student Affairs will address academic misconduct with the Dean of Instruction, as stated in Procedure 3.07 Academic Misconduct.

#### A. Applicability

This Student Code of Conduct is applicable to every student enrolled at the College, whether part time or full time and whether in residence, by extension, or otherwise and may at times apply to persons off campus when using College facilities or participating in LCC programs or activities, including, but not limited to, off campus outings and clinical practice trips. This code is adopted pursuant to authority granted by the LCC Board of Trustees.

#### B. Definitions

1. College: Labette Community College.
2. College officials: those persons given the responsibility and authority by the appropriate agency or person, including trustees, regents, faculty, physical plant and administrative staff.
3. College property: property owned/used/controlled/occupied by the College, including property physically removed from a campus. This includes the Cardinal Villas.
4. Notice: correspondence (1) sent by mail, including email, addressed to the addressee at the local address, as shown on College computer records in the Office of the Registrar/Admissions; (2) personally delivered to the addressee; or (3) personal contact.
5. Preponderance of the evidence: that quantum of evidence which, when given probative force, would tend to prove that a fact is more likely to be true than not.
6. Record: all written documents, forms, copies, reports, statements, tape recordings, emails, or tangible evidence in a disciplinary action.
7. Will and Shall are used in the imperative sense.

#### C. Awareness of Student Code of Conduct Policies

Each student is expected to be fully acquainted with all published College policies, copies of which are available to each student for review in the Student Affairs’ Office, in the Library, or online at [http:// www.labette](http://www.labette).

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edu/catalog/policies/Code-of-Conduct-408.pdf. The College will hold each student responsible for compliance with these published policies. Students are also expected to comply with all federal, state, and local laws, and any student who violates any provisions of those laws is subject to disciplinary action, notwithstanding any action taken by civil authorities because of the violation.

The student is advised that specific career technical programs (as well as College athletic programs, performing arts programs, and other student organizations) publish student handbooks and program guidelines with policies and procedures associated with their respective programs. Students are advised that in addition to the guidelines and expectations outlined herein, they are expected to comply with the policies and procedures applicable to the programs with which they are affiliated. All students in all programs are entitled to the same due process.

#### D. Conduct Prohibited

Misconduct for which students are subject to disciplinary actions includes but is not limited to the items listed below.

1. Commission of an act that would constitute an offense under appropriate federal, state or local criminal and civil statute.
2. Failure to comply with the directives of a College official acting in the performance of his/her duties. This includes the failure to respond to a summons to the office of an administrative officer within the designated time or to present identification upon request of any college official. This summons may be issued by mail or email.
3. Furnishing false information to the College, and/or giving false testimony or other evidence at a College disciplinary or other administrative proceeding.
4. Issuance of a check without sufficient funds or otherwise failing to meet financial obligations to the College.
5. Sharing of LCC RedZone pin number or LCC e-mail address password with anyone.
6. Unauthorized throwing of any object in/from College facilities.
7. Misuse, abuse or unauthorized use of fire extinguisher or other safety equipment (such as alarms, AED's, or notification equipment).
8. Engaging in conduct that interferes with or disrupts any College teaching, research, administrative, disciplinary, public service, any other authorized activity or the peace and welfare of any person, whether on or off the campus, includes collusion.
9. Disruption of the learning environment or any behavior that detracts from the goals or diminishes the dignity, respect, or worth of other students on campus. This includes: overt disrespect for the ideas and opinions of others; disruptive talk during class; and bringing activated electronic devices to classes or computer labs without prior approval.
10. Engaging in conduct that endangers the physical or mental health or safety of any person or which causes physical injury.
11. Unauthorized possession, duplication, or use of keys (including key cards) to any College property, or unauthorized entry to or use of College property.
12. Engaging in or submitting to hazing which includes but is not limited to an initiation by an organization utilizing any dangerous, harmful, or degrading act toward a student. Includes but is not limited to:
  - a. Brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, alcoholic beverage as defined in Kansas Statutes, controlled dangerous substance, or other substance, or any other forced physical activity which could adversely affect the physical health or safety of the individual; and
  - b. Any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct which could result in extreme embarrassment or any other forced activity which could adversely affect the mental health or dignity of the individual.
13. Gambling in any form on College property.
14. Manufacture, possession, control, sale, transmission of, or use of any controlled substance, alcohol, or other illicit drugs on the College's property.
15. Unauthorized possession, ignition, or detonation or any explosive device, fireworks, liquid, or object which is flammable or which could cause damage by fire or explosion to persons or property on College property.
16. Attempted or actual theft of and/or damage to property of the College, or property of a member of the College community, or other personal or public property, including knowingly receiving or possessing

- stolen property.
17. Any forgery or fraud, including but not limited to alteration, or misuse of College documents, forms, records, meal cards or identification cards.
  18. Advocating or recommending orally or in writing conscious or deliberate violation of any federal, state, or local law. Advocacy means addressing an individual or group for imminent action and setting in place such actions.
  19. Unauthorized entry/use of LCC buildings, facilities, equipment, resources.
  20. Not maintaining current official mailing addresses (local & permanent) in the Student Affairs Office or giving a false, invalid or fictitious address.
  21. Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency on College property or at College-sponsored activities.
  22. Receiving three (3) Academic Misconduct Notification Forms during attendance at LCC. (Refer to Procedure 3.07)
  23. Receiving three (3) Tobacco Incident Forms during attendance at LCC. (Refer to Procedure 2.09)
  24. Any illegitimate or unauthorized use of computer systems, resources, facilities, hardware or software. (Refer to Computer Use Policy 3.25)
  25. Malfeasance or misuse of elective or appointed office in a student organization or position as a college work study, its members or the welfare of the College community.
  26. Tampering with the election of any College-recognized student organization.
  27. Failure to have LCC Identification Card when asked to present it on the LCC Campus.
  28. Possession of an instructor's manual or other teaching material for an LCC course.
  29. Physical abuse, verbal abuse, threats, intimidation, bullying, harassment, coercion, and/or other conduct which threatens or endangers the health or safety of any person, whether perceived or real.
  30. Verbal or written communication that has the intent or effect of subjecting any individual or group to hatred, contempt, ridicule, racist slurs, or intimidation and thereby injures the person, property, or reputation of another.
  31. Violation of Procedure 2.072 – Sexual Misconduct - specifically including rape, acquaintance rape, sexual assault, dating violence, domestic violence and stalking, and related retaliation of any nature against or by any student or employee.
  32. Discrimination, harassment or retaliation including harassment based on race, color, religion, gender identity, sexual orientation, national origin, age, disability, or status in any group protected by state or local laws, including all forms of sexual harassment.
  33. Unless otherwise provided in College policy, possession of a weapon, firearm, explosive and/or facsimile of a weapon on the College's properties, including any weapon designed to fire any projectile as well as the associated paraphernalia is not permitted. These include but are not limited to:
    - a. A bludgeon, sand club, metal knuckles, or throwing star, or any knife, commonly referred to as a switch- blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;
    - b. a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;
    - c. a spring gun; (i.e. paintball guns, bb guns, air rifles, pellet guns, etc.)
    - d. any facsimile of the above weapons.The only exceptions will be for military personnel, law enforcement officers, for in-class use by instructors teaching or students enrolled in courses utilizing firearms, and as authorized in College Policy 2.12 with regard to concealed carry of firearms.
  34. Failure to comply with a directive of College officials acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
  35. Obstructing or disrupting a police response or the response of the Emergency Response Team.
  36. Littering or posting of notices in non-designated spaces or without approval from the appropriate College personnel and unauthorized distribution or sale of goods on campus.
  37. Use of bicycles, skateboards, roller blades, and any other non-motorized vehicle or equipment (except wheelchairs) outside of designated areas.
  38. Violation of any other published College policies, procedures, rules, or regulations.

### E. Disciplinary Proceedings

College disciplinary proceedings may be initiated against a student charged with a violation of this Student Code of Conduct even if the same factual situation is the basis for pending or potential criminal prosecution and/or civil litigation. Proceedings under this Code of Conduct may be carried out prior to, simultaneously with, or following any such separate civil or criminal proceedings.

When the Vice President of Student Affairs receives information that a student has allegedly violated a published College policy or procedure, she/he shall investigate the alleged violation. The Vice President of Student Affairs may discuss, consult and advise with the individuals involved.

- Faculty and staff must submit a Behavior Misconduct Form to report violations of Procedure 4.08. The forms are available on Public Folders and on the RedZone Faculty Page.
- Full-time and adjunct faculty must submit Academic Misconduct Notification Forms to the Vice President of Student Affairs and the Dean of Instruction. The forms are available on Public Folders and on the RedZone Faculty Page.
- Faculty, staff, and students must submit Tobacco Incident Forms for students to the Vice President of Student Affairs. The forms are available on Public Folders and on the RedZone Faculty Page.
- Faculty, staff, and students may also submit a violation via written correspondence (letter or email) or by contacting the Vice President of Student Affairs via phone call or in person.

The Vice President of Student Affairs or such other person as designated by the President is authorized to take any interim action necessary to maintain campus safety, integrity of the process, and/or protection of student rights and institutional rights during the formal investigation and determination process.

The student shall be given written notice via the student's Labette Community College email of the complaint and charges against him/her within five (5) College working days of receipt of the complaint. The student shall have five (5) College working days after receipt of the notice to respond in writing or in person at a date scheduled by the Vice President of Student Affairs to the charges.

An initial investigation will be completed by the Vice President of Student Affairs or such other designee of the President regarding the charges. Interviews will be completed with the complainant and the respondent as a part of the investigation.

The Vice President of Student Affairs or such other designee of the President, shall, as soon as possible after the investigation, render a decision that may include dismissal of the complaint or imposition of any discipline set forth herein. Written notice of the decision detailing the allegation, the finding, and the sanction imposed or recommended shall be served upon the student in person, by mail and/or by email.

If the Vice President of Student Affairs or such other designee of the President finds that the student has violated College policy, procedure, rules, or regulations, disciplinary action shall be taken. The Vice President of Student Affairs or other designee shall impose such discipline as he/she determines is warranted taking into consideration the seriousness of the offense.

Disciplinary actions, all of which become student records, include but are not limited to:

- *Warning*: A written notice to the student that a violation of a published College policy or procedure has occurred and that the continuation of such conduct or action could result in further disciplinary action.
- *Restricted privileges*: Denial or restriction of one or more privileges granted to students. These may be, but are not limited to, the use of an automobile, access to specific areas of campus, dining privileges, visitation privileges, restricted privilege to attend classes or events, or participation in athletics or other extracurricular activities. The restriction may be imposed for a definite term or period of time.
- *Discretionary Sanctions*: Work assignments, service to the college, or other related discretionary assignments.
- *Restitution*: Compensation for loss, damage, or injury. This may take the form of appropriate service and/

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or monetary or material replacement.

- *Disciplinary probation*: A finding that the student is not in good standing, and that his continued enrollment is conditioned upon adherence to published College policies. Probation may be imposed only for a definite term but automatically imposes the following:
  - A student on disciplinary probation or additional disciplinary sanctions is ineligible to hold or be elected to an office of any student organization recognized by the College;
  - A student on disciplinary probation or additional disciplinary sanctions may not represent the College in any special honorary role, e.g. SKILLS USA Conference, choir tour, athletic competition.
- *Suspension*: Separation from the College for a definite period of time, after which the student is eligible to return. Conditions on readmission may be specified. The Vice President of Student Affairs has the option of requiring the individual to attend a screening/assessment appointment at the student's expense prior to permitting readmission.
- *Expulsion*: Expulsion is the permanent severance from Labette Community College. When a student is expelled, they will be informed in writing, if they are on college property, that the local authorities will be contacted.
- *Expelled Student Procedure*
  - A student can be banned from campus when an incident is reported that could be threatening to one or more individuals or considered a threat at the college. The ban is considered a temporary ban and will not exceed ten working days while an investigation is being completed. The student will receive a letter indicating this is the case and will be made aware of the process.
  - When a student is expelled, they will receive a letter from the Vice President of Student Affairs indicating expulsion as well as any time limits and conditions that have been placed on the student. Depending on where the student is at in the Discipline Process, they will have the opportunity to attend a hearing or appeal the decision.
  - At the time of a temporary ban or an expulsion, the Administration Team will be notified of the expulsion, the reason, and will include a picture of the student.
  - The Administration Team then determines which staff members within departments should be notified of the temporary ban or expulsion without giving the reason unless deemed necessary. A statement regarding FERPA and the confidentiality of the issues will be made at this time. In addition, staff will be told that additional communication will occur as warranted, based on where the individual is in the hearing/appeal process. Some of the following staff should be informed:
    - Instructors the student has for the current semester, as well as full-time faculty, will be informed by the Dean of Instruction.
    - Staff sitting on the "front line" of customer service areas, i.e. Admissions Desk, Business Office Desk, Receptionist, Library.
    - Academic Advisor.
    - Director of Facilities.
    - Coach and Student Organization Advisors if appropriate.
  - If a student is cleared to be back on campus, the Vice President of Student Affairs will contact the individuals listed above indicating such as well as any restrictions that have been placed on the student. The Dean of Instruction will then inform the instructors.
  - If a student is expelled from on ground classes (Main Campus, Cherokee Center, Extension Sites), the Vice President of Student Affairs will make a recommendation on whether the student should remain in any online courses he or she might be enrolled in. The student may be allowed to complete these courses for the semester but then will not be allowed to re-enroll at LCC.
  - Each disciplinary situation is different so the timeline, persons informed, and process may be modified

based on unique circumstances.

- A listing of all expelled students will be kept on file by the Administration Team with the Vice President of Student Affairs providing updates as needed.
- Any student who is expelled for one of the following offenses, as terms defined in Appendix A to Part 99 of Title 34 of the Code of Federal Regulations, will have the expulsion noted on the student’s academic transcript as “non-academic expulsion” at the time the disciplinary decision is made. It will be removed if, after any appeal, the decision is reversed.
  - Assault offense;
  - Criminal homicide – murder or non-negligent manslaughter;
  - Kidnapping; or
  - Forcible sex offense.

If a student is reinstated after the expulsion, it is only after a complete reconsideration of the case by the Vice President of Student Affairs).

F. Appeals

Any decision of the Vice President of Student Affairs or such other person as designated by the President may be appealed by the accused or the complainant. The student should follow Labette Community College Student Grievance Procedure 4.081 to appeal the decision.

**Student Directory Information**

Under Section 438 of the General Education Provision Act as amended, Part 99, Privacy Rights of Parents and Student, Subsection 99.37, educational institutions may disclose to the public personally identifiable information about students provided that it is classified as directory information.

A student may have a confidentiality flag placed on their directory information by contacting the Registrar’s Office. The confidentiality flag prevents any information from being released and will remain on the student’s record until the student requests it to be removed.

The following is considered directory information:

Student’s Name	Major field of study
Address	Dates of attendance
Telephone listing	Participation in officially recognized activities and sports
Electronic mail address	Degrees, honors, and awards received
Photograph	The most recent educational agency or institution attended
Date and place of birth	

**Student Grievance (Procedure 4.081)**

\* If you have a grievance in relation to Procedure 2.010, Sexual Harassment, follow the process within that procedure.

The Labette Community College Administration and Board of Trustees recognizes the right of students to express their grievances and to seek a solution concerning disagreements of practices or differences of interpretation of policy and procedure that might arise between the college and its students.

Should a student feel, after oral discussion with the College Official (faculty or staff member with whom you have the grievance), that the student’s rights under Labette Community College’s Policy and Procedure Manual have been violated, the student may file a grievance.

\*\*\*The student must contact the Vice President of Student Affairs for information regarding the process and the appropriate College Officials within the process.

Within all steps of the Grievance Process, the decision will be based on a preponderance of the evidence (i.e. whether it is more likely than not that a violation did or did not occur; 50% plus a feather).

1. The grievant shall, present the facts, in writing, to the proper College Official, within five (5) working days after the grievant has had the oral discussion with the College Official. The decision of such official shall be made, in writing to the grievant student's Labette Community College email, within five (5) working days.
2. Should the grievant decide that the reply of the College Official is unsatisfactory, the grievant shall, within five (5) working days after receipt of the College Official's decision, submit an appeal to the College Official's direct supervisor. The decision of the direct supervisor shall be made in writing to the grievant student's Labette Community College email, within five (5) working days.
3. Should the grievant decide that the reply of the direct supervisor is unsatisfactory, the grievant shall, within five (5) working days or receipt of the direct supervisor's decision, submit an appeal to the appropriate vice president or dean if this level has not been reached. The vice president or dean will either consider the appeal or refer the appeal to another vice president for disposition. The decision of the vice president or dean shall be made in writing to the grievant student's Labette Community College email, within five (5) working days.
4. Should the grievant decide the reply of the vice president or dean is unsatisfactory, the grievant shall, within five (5) working days of receipt of the vice president's decision, submit an appeal to the Grievance Panel through either the Vice President of Student Affairs or the Human Resource Director. The decision of the Grievance Panel shall be made in writing to the grievant student's Labette Community College email, within ten (10) working days.
5. Should the grievant decide the reply of the Grievance Panel is unsatisfactory, the grievant shall, within five (5) working days of receipt of the Grievance Panel's decision, submit an appeal to the college president. The decision of the president shall be made in writing to the grievant student's Labette Community College email, within five (5) working days.
6. Should the grievant decide that the reply of the college president is unsatisfactory; the matter may be appealed, within ten (10) working days or receipt of the president, to the Board of Trustees. The Board of Trustees shall hear the appeal no later than their next regularly scheduled meeting or within 30 working days, whichever is greater. The decision of the Board of Trustees, upon such review, shall be final.

If the individual to whom the grievance or appeal should be presented is involved in the grievance, the grievant may submit the grievance or appeal to the next higher level in the grievance process (i.e. Vice President, President, or Board of Trustees). The individual receiving the grievance/appeal may respond or refer it to an appropriate employee for disposition.

In addition to utilizing the statutorily created political subdivisions of the state complaint process can be found at Consumer Information.

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### **Sexual Harassment, Including Sexual Assault, Dating Violence, Stalking, and Retaliation (Procedure 2.010)**

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To view the full Sexual Harassment, Including Sexual Assault, Dating Violence, Stalking, and Retaliation (Procedure 2.010) see the [Policy and Procedure Manual](#)

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### **Student Records (Procedure 4.09)**

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Students will be granted access to their personal College records within a period of 15 working days after the request has been made. All records pertaining to the student shall not be removed from the office where the records are maintained.

Students shall have an opportunity for a hearing to challenge the content of the student's College records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

No personal College records of a student will be released to any person or agency outside the institution without the written consent of the student. However, if a parent or guardian can provide documentary evidence that the student is still a dependent of that person, they would then have a right to the student's educational records without the student's permission. Such proof would consist of the most recent year's Federal Income Tax return listing the student as a dependent, which should be presented to the Registrar. The Registrar will then notify the appropriate Dean, who will inform the individual instructors in the change in the student's privacy status. The College shall provide a form for this purpose.

Dissemination of personally identifiable data specifically authorized by federal law shall not include information, which would permit personal identification of a student (including social security numbers).

Authorized persons, agencies, or organizations desiring access to the records of a student will sign a written form, which shall be kept permanently with the file of the student, but only for inspection by the student. (See also Procedure 4.06 Student Directory Information)

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### **Tuberculosis Prevention (Procedure 4.011)**

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#### Tuberculosis Prevention

Tuberculosis continues to be a highly infectious, potentially life threatening disease. Because of the increase in tuberculosis worldwide, and in response to the Kansas State Statute 28-1-30 as well as the Centers for Disease Control and Prevention's (CDC) recommendations regarding strategies for TB control, Labette Community College has implemented the following prevention recommendations.

#### Testing requirements

A TB Skin Test (Mantoux tuberculin skin testing – PPD) or the TB Blood Test (QuantiFERON) is required for the following Labette Community College Students and Staff:

- New and re-entering foreign-born, non-immigrant students and staff member from high risk countries (see definition) or who have lived in a high-risk country for 3 months or more.
- Any domestic Labette Community College student or staff member who has participated in international travel to a high-risk area and remained in a high-risk area (see definition below). Testing should be done 6-12 weeks after the student's return.
- Any domestic Labette Community College student or staff member who has lived in a high-risk area (see definition) for greater than three months, who has not had subsequent PPD testing.

This testing must be done in the United States or Canada. Test results from outside the United States or Canada will not be accepted.

The cost of the testing is the responsibility of the student or staff member. Tests are available at local county health departments.

#### Student Enforcement

Students completing the LCC Admissions Application will be asked three questions per Kansas State Statute 28-1-30. If the response is “yes” to any question, the Vice President of Student Affairs will contact the student to determine if the student is “high-risk” and should be tested. A student determined to be a high-risk student shall not attend classes and the hold will remain until one of the following conditions are met:

- Completion of testing requirements for “high risk” students and a determination by the Vice President of Student Affairs that the student does not have active TB.
- Confirmation with the Vice President of Student Affairs that the student is from or traveled to a “low risk” country
- Proof that the student received a negative TB Test within the last six months. The test must have been completed in the United States or Canada.

If a student does not complete the TB testing when required, the student will not be allowed to attend class. Students who do not complete the TB section on the Admissions Application will be contacted and not allowed to

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attend class until the information is provided.

In accordance with Kansas State Statute 28-1-30, a student who is not in compliance with this regulation shall not be eligible to enroll for a subsequent semester or to obtain an official academic transcript or diploma until the student is compliant with this regulation.

The Vice President of Student Affairs will maintain data regarding TB testing and compliance of the form provided by the Kansas Department of Health and Environment.

#### Staff Enforcement

Staff that travel outside the United States to high risk countries for 3 or more months will be required to complete the TB testing. This testing will be confirmed by the appropriate Vice President.

#### Definition of high-risk/low-risk country\*

Students entering Labette Community College who are from the countries listed below must have a Tuberculosis 2 Step Test or QuantiFERON Blood Test completed in the United States or Canada.

Afghanistan, Bangladesh, Brazil, Cambodia, China, DR Congo, Ethiopia, India, Indonesia, Kenya, Mozambique, Myanmar, Nigeria, Pakistan, Philippines, Russian Federation, South Africa, Thailand, Uganda, UR Tanzania, Vietnam, and Zimbabwe

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### **Use of Tobacco/Nicotine/Vaping Products (Procedure 2.09)**

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The following procedure is based on LCC Policy 2.09. The policy and full procedure can be found in the LCC Policy and Procedure Manual. Please contact the Vice President of Student Affairs regarding a full copy of the policy and procedure.

The College expects that every student, employee, and visitor will respect the Tobacco/Nicotine/Vaping-Free Policy that has been adopted by the College. Labette Community College has implemented the following sanctions in violation of the policy/procedure:

#### Students

When a student is observed using a tobacco product in violation of the policy, the person who observed the behavior tells the student that he or she is in violation of the College's Policy, referencing the Tobacco/Nicotine/Vaping Free Policy. The student is asked for their name and their student id number so the observer can complete the Tobacco/Nicotine/Vaping Incident Form. If the student indicates they do not have or know their id number, he or she is then treated as a visitor to campus violating the policy.

If the student provides the necessary information, the observer completes the form and submits the form to the Vice President of Student Affairs.

First offense: The Vice President of Student Affairs will send a warning letter to the student reminding him/her of the College's Tobacco Free Policy.

Second offense: The Vice President of Student Affairs will send a letter to the student, fining him/her \$25 for violating the College's Tobacco Free Policy. A hold will be placed on the student's record until the fine is paid.

Third offense: The Vice President of Student Affairs will send a letter to the student, notifying him/her that they have violated the LCC Student Code of Conduct and therefore, will be required to attend a hearing and follow the guidelines of LCC Student Code of Conduct Procedure 4.08. Penalties include, but are not limited to, fines, special projects, probation, and suspension.

Fourth offense: The student will be expelled from Labette Community College as a part of further violation of the LCC Student Code of Conduct Procedure 4.08.



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### **Violence on Campus (Procedure 2.13)**

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The following procedure is based on LCC Policy 2.13. The policy can be found in the LCC Policy and Procedure Manual. Please contact the Vice President of Student Affairs regarding a copy of the policy.

Any student, employee or other person who sees an act of violence in progress should immediately notify the Vice President of Academic Affairs, Dean of Instruction, the Vice President of Student Affairs, Vice President of Finance and Operations, or the Director of Human Resources. Any student, employee or other person who feels they have been subjected to violence or the threat of violence, harassment, or bullying by one or more students, College staff or any other person connected to the College should:

Write a letter or speak to the person or persons you feel are responsible unless you feel you are in immediate danger.

Tell them their actions, comments or requests are unwelcome and let them know you will report them to the College if they don't stop. In many cases, confronting the person(s) will stop the offensive actions.

*Note: You do not have to perform the first step in the process if you feel uncomfortable confronting the person(s) or fear violence or retaliation if you do so. If you have been subjected to physical violence or threats of serious physical injury, the College also encourages you to also report the incident to the proper law enforcement officials.*

If step 1 above doesn't stop the problem or you are uncomfortable confronting the person or you feel that you are in immediate danger, file a formal complaint (oral or written) with the Vice President of Academic Affairs, Dean of Instruction, the Vice President of Student Affairs, Vice President of Finance and Operations, or the Director of Human Resources. If the alleged harassment or violence involves any of Vice Presidents, Dean of Instruction or the Director of Human Resources, the complainant may contact the President and file a formal complaint or, if the alleged incident directly involves the President, the complainant may contact a member of the Board of Trustees directly to file a formal complaint.

If necessary in his or her opinion, the College official receiving the complaint should take prompt action to lessen the likelihood of further intimidation or violence pending the outcome of the investigation. Examples of appropriate actions the College official, with the approval of the President or appropriate vice president/Dean of Instruction, may use include: notification of law enforcement personnel, reassignment of work duties or class schedules, suspension with pay for employees, temporary suspension from classes and College activities for students, and banning the individual from campus. The purpose of intervention at this stage of the complaint is to prevent escalation of the problem and is not intended as punishment. In addition, the College official may contact the Threat Assessment Team as outlined in Procedure 4.14.

Students may make use of the student grievance policy as outlined in the Procedure 4.081 (also listed in the College Catalog) as an alternate method to file a harassment or violence complaint if they choose. Employees of the College may also use the appropriate College grievance policy as an alternative to pursue formal claims of violation of these policies if they wish.

Labette Community College takes all types of harassment and violent behavior seriously. The College will mediate, if requested by the victim, every informal complaint filed by a student and attempt to resolve the informal complaint to the student's satisfaction. The College will also fully and impartially investigate every formal complaint (oral or written) involving violence, threat, harassment, or intimidation. In cases where the investigation confirms our policies have been violated, the College will take the appropriate corrective action to end the violence or intimidation including making full use of the disciplinary policies of the College and legal action as appropriate. Please refer to Policy 2.16 Performance Improvement for employees and Policy 4.08 Student Code of Conduct.

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### **Disruptive Acts and Weapons On Campus or Activities (Procedure 2.12)**

Subject to change pending Legislation

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The college administration and staff are responsible for handling any disturbance caused by adults or students. The final decision for determining if assistance is needed is the responsibility of the President or any Vice President. In the absence of these individuals, the determination shall be made by the staff member designated to be in charge of the facility or activity. The President shall be notified of any serious problem on the campus.

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Anyone in violation of this procedure or other College policy or procedure concerning the possession of weapons shall be directed to leave the premises immediately and not return without prior approval from the President. Failure to comply with such order will result in a report to law enforcement.

Reports of Weapon Possession: Any College employee, student or other person with knowledge of someone possessing weapons on College property or at College functions is directed to immediately contact the President, any of the College Vice Presidents/Dean's/Director of Human Resources or the Director of Facilities. Upon notification, the responsible College official will immediately take steps to assess the danger to College staff and students as well as to the public and by using their discretion and knowledge of the situation, eliminate any danger present through appropriate means.

The following information should be gathered from the person reporting the weapon and/or from other sources if possible.

1. Name and description of the person with the weapon.
2. Type of weapon and its location, if known.
3. Current location of the person and whether there are any other persons in the area.
4. Whether any threats have or are being made and to whom they are directed.
5. Does the person appear to be upset, angry, intoxicated or irrational?

All incidents involving the possession of lethal weapons should be taken seriously, and when the responsible College official reasonably believes that there is a potential for violence or serious injury, the College official should notify local law enforcement personnel and allow them to handle the situation. The College official should also take steps to keep potential victims and third parties away from potentially hazardous areas.

The College official should use their judgment in whether to approach the person reported to have a weapon or to let the police handle the matter. The main responsibility of the College official is to help ensure the safety of students, employees, the general public and their self. However, before approaching anyone suspected of having a weapon, the official should notify other College officials and inform them of the situation, secure the area to prevent students and employees from entering, and enlist the aid of other employees before approaching the person if possible.

**Removal of the weapon and the person carrying it from the College property or activity without incident is the primary objective of the College official. Confiscation of the weapon should only be attempted by the police or where there is clearly no present danger.**

Violation of the Weapons on Campus policy will be considered to be a serious offense. The College will make full use of its disciplinary policies and the legal system up to and including termination of employment for employees and expulsion from school for violators. Please refer to Policy 2.16 Performance Improvement and Procedure 4.08 Student Code of Conduct. The College may also initiate or fully participate in legal actions brought against violators.

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### Weather Cancellations

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When snow, ice, or other bad weather threatens the normal class schedule, students should listen to local radio stations, especially KLKC, KKOW, KSYN and KGGF and local television stations, especially KODE, KSN, FOX, and KOAM regarding changes in the schedule. Each student will also receive a phone call/message on the home phone number they listed with the Admissions office during enrollment, from LCC's Emergency Alert Telephone System. Cancellation of classes is also posted on LCC's website at [www.labette.edu](http://www.labette.edu). If the radio, television, or website does not state that LCC classes have been canceled, students should assume that classes will be held on the normal schedule.

Announcements regarding day classes will be made after 6:15 am and evening and evening extensions classes after 3:15 pm. Extension classes will not be held if the facility in which they are meeting is closed that day.