

BLUE RIDGE COMMUNITY AND TECHNICAL COLLEGE BOARD OF GOVERNORS

SERIES: 2 | **Students**
NUMBER: 21.1 | **Student Rights and Responsibilities**

Scope: Rule regarding student rights, responsibilities, and conduct at Blue Ridge Community and Technical College.
Authority Date: WV Code §18B-1-6; 18B-2A-4
Approval Date: April 2, 2014
Effective Date: April 2, 2014

Section 1. Purpose.

- 1.1 The purpose of this rule, but is not limited to, the following:
- 1.1.1 To establish the rule on student life, including a statement on student rights and responsibilities, at Blue Ridge Community and Technical College.
 - 1.1.2 To identify behavioral expectations of students and certain prohibited act by students at Blue Ridge CTC.
 - 1.1.3 To prescribe penalties and sanctions for such prohibited conduct.
 - 1.1.4 To define the powers, authority, and duties to be exercised by the President and other officials of Blue Ridge CTC in applying this rule.
 - 1.1.4 To prescribe disciplinary actions and proceedings to be taken in cases of the violations of this rule.

Section 2 Definitions.

- 2.1 **Activity.** All or any operations conducted, sponsored, promoted, operated, or otherwise engaged in by the institution, including, by way of illustration and not as limitation of the foregoing, classroom and course activity, recreational and cultural programs, maintenance or building programs, committee or other business activity, registration, advising, teaching, admissions, placement, disciplinary or routine office activity, research or service.
- 2.2 **Campus.** All the property and facilities of the institution serving as the *locus in quo* of any activity of the institution.
- 2.3 **Facility.** Any and all property of the institution used or usable in any activity of the institution.
- 2.4 **Faculty.** Those employees of the Board of Governors who are assigned to teaching or research or service functions at the institution, and who hold academic rank.
- 2.5 **Property.** Any property, whether owned, rented, or otherwise held or used by the Board of Governors or by the institutional community.
- 2.6 **Member of the institutional community.** Any Board of Governors member, officer, administrator, faculty member, staff member, employee, student of or at the institution, as well as any person authorized to participate in an institutional activity at the time applicable.
- 2.7 **Staff.** Those employees of the Board of Governors who are assigned to teaching or research or

service functions at an institution, and who are not members of the faculty.

- 2.8 Student. Any person who has been admitted to the institution to pursue a course of study, research, or service, who is currently engaged in an institutionally-sponsored activity, and who has some right or privilege to be on campus or in the facilities of the institution, or to use the same, in connection with study, research, or service, or who yet has some right or privilege to receive some benefit or recognition or certification from the institution, under the rules, regulations, or policies of the Board of Governors. (Special Note: when any person commits a violation of the standards of conduct while a student but terminates student status before the institution completes action under this Rule, the institution may either continue with the procedures provided for herein, in absentia if necessary, or may preclude eligibility for a return to student status in the future until the issues of the conduct violations have been fully addressed, at the sole discretion of the institution; provided, however, that in all cases every reasonable effort will be made to provide appropriate notice to the former student.)

Section 3 Policies Regarding Student Rights and Responsibilities

- 3.1 The submission of an application for admission to the institution or an application for financial aid represents an optional and voluntary decision on the part of the prospective student to partake of the program and privileges offered by the institution pursuant to the policies, rules and regulation of the Board of Governors and the institution. Institutional approval of that application, in turn, represents the extension of a right or privilege to join the institutional community and to remain a part of it so long as the student fulfills the academic and the behavioral expectations that are set forth in the policies, rules and regulations of the Board of Governors and the institution.
- 3.2 The student enjoys the essential freedoms of scholarship and inquiry central to all institutions of higher education. In exercising these freedoms the student has certain rights and responsibilities, including, but not limited to the following:
- 3.2.1 To have access to campus resources and facilities.
 - 3.2.2 To espouse causes.
 - 3.2.3 To inquire, discuss, listen to and evaluate.
 - 3.2.4 To listen to any person through the invitation of organizations recognized by the institution.
 - 3.2.5 To have a free and independent student press that adheres to the canons of responsible journalism.
 - 3.2.6 To not violate the rights of others in matters of expression and assembly.
 - 3.2.7 To abide by policies, rules, and regulations of Blue Ridge CTC and federal, state, and local statutes, and ordinances pertaining to freedom of expression and assembly.
- 3.3 Students may organize whatever associations they deem desirable and are entitled to affiliate with any group or organization for which they meet membership qualifications. However, institutional recognition of student organizations shall be limited to those purposes comport with the educational mission of the institution.
- 3.4 The student is entitled to the same safe-guards of the rights and freedoms of citizenship as are afforded those outside the academic community, including but not limited to, the following:
- 3.4.1 Confidential communication on a one-to-one relationship with faculty, administrators, counselors, and other institutional functionaries.
 - 3.4.2 Confidentiality of academic and disciplinary records.
 - 3.4.3 Legitimate evaluations made from student records.
- 3.5 The student is expected, as are all citizens, to respect, and abide by local ordinances and state and

federal statues, both on and off the campus. As a member of the educational community, the student is expected to abide by the institution's code of student conduct which clarifies those behavioral standards considered essential to its educational mission.

- 3.6 Disciplinary proceedings for students accused of committing offenses must be consistent with such constitutional provisions guaranteeing due process of law as are applicable to them. In all disciplinary proceedings, the student shall be presumed innocent until proven guilty of any charge. The President or designee shall have authority for promulgating policies and regulations, consistent with the rules of the Board of Governors.

SECTION 4. Standards of Conduct

- 4.1 All students at the institution are subject to the Standards of Conduct delineated in The Student Handbook.

SECTION 5. Powers, Authority, and Duties of the President

The President, being responsible for the entire administration of the institution, shall attend to and administer the laws of the State of West Virginia which may be applicable on the campus, as well as the policies, rules and regulations of the Blue Ridge CTC. The President is vested with authority requisite to that end, subject to the control of the Board of Governors.

- 5.1 Any authority, responsibility, or duty granted to or imposed upon the President by these policies, rules and regulations may be delegated by the President, subject to the control of the Board of Governors, to another person or person on the faculty, staff, or student body of the institution. All persons dealing in the matters so delegated by the President shall be required to deal with the persons to whom the President shall have delegated such authority, responsibility, or duty and such persons shall be required to deal with the institution or the President through such designees, except on appeal to the President as specified by this Rule.
- 5.2 The President or his/her designee shall have authority and responsibility, subject to the policies, rules and regulations of the Board of Governors, for the discipline of all students at the institution. Policies on Student Conduct and Student Discipline shall be published freely to all students.

SECTION 6. Emergency Rules

- 6.1 When there has been harm or damage to persons, property, or facilities, or when there has been disruption of or interference with institutional activities, or when there has been seizure or occupation of property or facilities by person no longer authorized, then, subject to the control of the Board of Governors, when the President deems it necessary to end or to control such occurrences and the circumstances caused thereby, the President shall take any or all of the following actions or other appropriate actions:
- 6.1.1 Declare a state of emergency to exist on the campus; and
- 6.1.1a Close down any part of the institution for any length of time, or limit use of certain parts of the campus, property, or facilities to certain persons at certain times;
- 6.1.1b Impose curfews on the presence of persons in or on institutional facilities or property;
- 6.1.1c Place bans on gatherings of persons at places or times on or in the institution's property or facilities;
- 6.1.1d Enlist the aid of any public authority, police, or otherwise, as may be necessary to restore order, protect persons, property, health, safety, or welfare.
- 6.1.2 Immediately suspend any student who is found involved in prohibited action or conduct and who is:
- 6.1.2a First advised, told, or notified that a particular action or conduct is prohibited, and
- 6.1.2b Continues such action or conduct in spite of the warning.
- Such immediate suspension shall be followed with speedy disciplinary proceedings consistent with these policies, rules and regulations.

6.2 See to the enforcement of the laws of the State of West Virginia; the policies, rules and regulations of the Board of Governors; and the administrative policies, rules, procedures; and regulations of the institution, including any emergency orders imposed as a result of the state of emergency so declared.

SECTION 7 Disciplinary Actions; Proceedings

7.1 Any person who is a student as defined in these policies, rules and regulations shall be subject to disciplinary action by Blue Ridge CTC if that person is involved on the campus in any of the actions or conduct prohibited by these policies, rules and regulations, notwithstanding the fact that at the time the student is also an employee of the Board of Governors. In taking disciplinary action against a student, as defined herein, the institution may act to remove any status of such a person or to revoke or remove any right or privilege of such person as a student, or to withhold, remove, or cancel any benefit, recognition or certification, including the conferring of a degree, which such a person might yet not have received from Blue Ridge CTC.

7.2 The procedures and sanctions in student disciplinary proceedings shall be as provided for in the Student Handbook.

ATTACHMENTS:

A: Student Handbook

DISTRIBUTION LIST:

- President
- Executive Assistant to the President
- Vice President of Workforce & Engineering Technologies
- Vice President of Instruction
- Vice President of Business and Technology
- Vice President of Enrollment Management
- VP of Human Resources
- Chief Financial Officer
- VP of IT
- Faculty Council Chair
- Classified Staff Council Chair
- Student Board Representative
- WVCTCS Chancellor

Board of Governors Chair

Date

President

Date