



Student Rights, Responsibilities, and Conduct

Blue Mountain Community College reserves the right to make changes to the rights, regulations, procedures, and information contained herein as educational, financial, and legal considerations or mandates require. Academic policies in the BMCC catalog supersede the academic policies listed in this document if in conflict. Additionally, some academic programs may have additional student conduct requirements in addition to the policies contained in this document.

Admission to Blue Mountain Community College and participation in all college sponsored activities and curriculum carries with it the presumption that students will conduct themselves as responsible members of the BMCC community. The term “student” includes all persons taking courses offered by the college, both full-time and part-time, pursuing credit or non-credit classes or enrolled in any special program approved by the college. Persons who are not officially enrolled for a particular term, but who have a continuing relationship with the college, may be considered “students.” It is the responsibility of the student to observe campus rules and regulations and to help maintain appropriate conditions in the classroom, on the campus, and in the community. A student’s registration obligates him/her to comply with the policies and regulations of the College. Blue Mountain Community College is granted the right by law and approved by the Board of Education to adopt such rules as are deemed necessary to assure the college is a safe and supportive environment for all. Student Rights, Responsibilities, and Conduct may also be accessed via the web at www.blue.edu.

This Student Rights, Responsibilities, and Conduct document applies to all immediate and surrounding areas deemed as BMCC property and jurisdiction.

I. Student Rights and Responsibilities

Students at BMCC have the right to various freedoms and protections, such as the right to: freedom of association, inquiry and expression; freedom from harassment, sexual harassment, and discrimination; and participation in institutional governance, co-curricular activities, student clubs, and file a complaint.

A. FREEDOM OF ASSOCIATION. Students bring to the campus a variety of interests previously acquired and develop many new interests as members of BMCC. They shall be free to organize and join associations to promote their common interests subject to the following considerations:

1. The membership, policies, and actions of a student organization usually will be determined by vote of only those persons who are verified BMCC students or their representatives.
2. Affiliation with an extramural organization shall not of itself disqualify a student organization from institutional recognition.
3. Each organization shall be free to select its own BMCC advisor, except for the Associated Student Government whose advisor is hired by the BMCC administration. Employees serve the college community when they accept the responsibility to advise and consult with student organizations; they shall not have authority to control the procedure of such organizations.
4. Student organizations will be required to submit a constitution and by-laws to the Associated Student Government of Blue Mountain Community College (ASGBMCC) and its advisor.

5. Campus organizations, including those affiliated with an extramural organization, shall be open to all students without respect to race, gender, religion, national origin, sexual orientation, marital status, color, parental status, age, mental or physical disability, Vietnam Era or disabled veteran status, expunged juvenile records, family relationships, application for workers' compensation benefits, or any other status protected under applicable federal, state, or local law.
6. In keeping with BMCC Procedure (07-2003-0012), children will not be permitted in classrooms. Children under the age of 16 must be accompanied by an adult while using any BMCC facility including the McCrae Activity Center, Computer Labs or Library.

B. FREEDOM OF INQUIRY AND EXPRESSION. Students and student organizations shall be free to examine and to discuss all questions of interest to them, and to express opinions publicly and privately. They must always be free to support causes by orderly means which do not disrupt the regular and essential operation of the institution. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves. Actions by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the institution in the course of demonstrations, or to obstruct or restrain other members of the academic community and campus visitors by physical force are destructive of the pursuit of learning and of a free society. All components of the academic community are under a strong obligation to protect its processes from these tactics.

C. FREEDOM FROM HARASSMENT. Blue Mountain Community College is committed to providing a learning and working environment free of harassment. If a BMCC student objects to offensive behavior or is the subject of offensive behavior by another student, college employee, or other person on college premises, it is recommended that he/she take personal responsibility to make sure the alleged harasser is told the activity or comments are not welcome. Second, he/she should also take personal responsibility not to engage in conduct which reasonably leads another person to believe that comments or innuendoes are enjoyed or encouraged. BMCC expects that harassment complaints will be filed when the conduct is serious, clearly offensive and substantially interferes with a student's academic progress, health, safety, or work. Students at any BMCC location who believe they have been subjected to harassment or offensive conduct should file an incident report via the college website at www.blue.edu or may report the alleged act immediately with the Office of the Vice President of Student Affairs, 2411 NW Carden Ave., Pendleton, Oregon, 97801; Telephone: 541-278-5796, Morrow Hall, Room M-151.

D. FREEDOM FROM SEXUAL HARASSMENT. Students are protected from sexual harassment by Board of Education policies, state, and federal statutes. BMCC will not tolerate sexual assault, domestic violence, dating violence, or stalking, as defined below:

Sexual Assault: Sexual assault is any sexual contact made without consent. Consent is a clear yes, not an absence of no. All physical contact requires clear verbal consent, even a seemingly innocent hug or kiss.

Domestic Violence: Includes asserted violence misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Dating Violence: Means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

Stalking: Means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

Policy Statement:

Under the college's policy, unlawful discrimination, unlawful harassment, and sexual misconduct will not be tolerated. Management and staff will be held accountable to take reasonable action to bring the matter to the attention of the

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appropriate authority, who will take action pursuant to BMCC policy in order to maintain work areas and educational environments free from conduct that causes, or reasonably could be considered to cause, intimidation, hostility, or discrimination. Any student or employee, who believes they have been discriminated against, harassed, or the victim of sexual misconduct by college employees, campus visitors, or students are encouraged to file an incident report via the college website at www.blue.edu or directly with a designated Title IX Coordinator in the Office of the Vice President of Student Affairs or Human Resources in Morrow Hall. For additional information, see BMCC's web site, which contains Student Right to Know information, or contact the Student Health and Wellness Center in Morrow Hall, or any college administrator.

E. FREEDOM FROM DISCRIMINATION. Blue Mountain Community College (BMCC) is an Equal Opportunity institution and is nondiscriminatory relative to race, religion, color, national origin, gender identity, sexual orientation, marital status, familial relationship, age, disability or veteran status. BMCC adheres to all federal and state civil rights legislation, as amended, including but not limited to Title VI of the Civil Rights Act of 1964 (34 CFR 100), Title IX of the Education Amendments of 1972 (34 CFR 106), Section 504 of the Rehabilitation Act of 1973 (34 CFR 104), the Americans With Disabilities Act of 1990 (28 CFR 35), and the Oregon Civil Rights Law (ORS 659), as well as their implementing regulations. Any person having inquiries concerning BMCC's policies, procedures, and implementation of these may contact the Human Resources Office or Office of the Vice President of Student Affairs in Morrow Hall.

F. STUDENT PARTICIPATION IN INSTITUTIONAL GOVERNANCE. As members of the academic community, students must be free to express their views on issues or institutional procedures and on matters of general interest to the student body. The student body must have clearly defined means to participate in the formulation and application of procedures affecting academic and student affairs. The role of the student government and both its general and specific responsibilities must be made explicit, and the actions of the student government within the areas of its jurisdiction shall be reviewed only through orderly and prescribed procedures.

G. OFF CAMPUS FREEDOM OF STUDENTS. Blue Mountain Community College students are both citizens and members of the College community. As citizens, students shall enjoy the same freedom of speech, peaceful assembly, and right to petition that other citizens enjoy and, as members of the College community, they are subject to the obligations which accrue to them by virtue of this membership. Activities of students may upon occasion result in violation of law. Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority must never be used merely to duplicate the function of general laws. Only where the institution's interests as an academic community are distinct and clearly involved may the special authority of the institution be asserted.

H. RIGHT TO FILE A COMPLAINT. The College recognizes that disputes may sometimes arise and requires the parties involved to resolve the conflict informally whenever possible. If resolution cannot be reached informally, a formal complaint process will be provided in order to assure impartial and equitable resolution for those conflicts. Any individual that feels they have been treated unfairly will have the ability to present their concerns and has the right to be heard fairly and promptly. This complaint process may not be invoked for matters that have independent appeal processes established. Examples of these include, but are not limited to academic standing appeals, student conduct decisions, FERPA regulations, financial aid awarding and decisions, grades, Title IX regulations, discrimination and harassment policies/procedures, and safety related activity. Matters which are not grievable through the informal or formal complaint process include the following:

1. Federal and State laws
2. Employment and personnel decisions
3. Policies of the Board of Education
4. Rules and procedures adopted by the department of Community Colleges and Workforce Development
5. Procedures for filing a formal complaint: (After efforts to resolve informally have been exhausted.) Complaints should be filed as soon as possible or no more than 90 days after the incident occurs. Confirmation that a complaint has been received and is being considered will take place within five regular business days by an appointed College designee via the complainant's preferred contact information. For more information on resolving a complaint or filing a formal complaint go to the college website www.blue.cc and click on "Do you have a complaint?"
<http://www.bluecc.edu/support-services/information/student-complaint-process>

II. Student Conduct

The procedures that follow are intended to achieve an equitable solution that will resolve the disputes and issues with due regard to the rights of the parties involved, the protection of the faculty and student body, and the interest of the College. The chief administrator responsible for student rights, freedoms, responsibilities, and due process is the Vice President of Student Affairs. Blue Mountain Community College or any other partnering institution by way of consortium agreement or official Memorandum of Understanding will be accountable to conduct standards for each institution. By agreement each may intervene in cases of misconduct, particularly in issues involving health and safety. Students will be given opportunity for due process. Students found in violation of conduct codes may receive sanctions from each institution. Blue Mountain Community College and its partners reserve the option to decide that only one institution will process a case of misconduct. Like other members of the academic community, the student is expected to conduct himself/ herself in accordance with standards of the College that are designed to perpetuate its educational purposes. A charge of misconduct may be made against a student for violating provisions of published College regulations and policies. Where a student is subject to a charge of misconduct, such charge shall be processed in accordance with the procedures set forth in this document.

NOTE: Students' privacy is protected in accordance with the federal Family Educational Rights and Privacy Act, 20 U.P.S.C. Section 1232g; 34 CFR Part 99 (2000) and in compliance with Title IX, Clery Act, SaVE Act, and the Violence Against Women Act in the administration of these standards of student conduct.

A. STANDARDS OF STUDENT CONDUCT. A student enrolling in Blue Mountain Community College assumes an obligation to conduct himself/herself in a manner compatible with the functions of the College as an educational institution. The following are examples of the categories of misconduct for which students may be subject to disciplinary action:

1. Dishonesty, including but not limited to forgery, changing or misuse of College documents, records of identification, cheating, plagiarism, aiding or abetting cheating or plagiarism, knowingly furnishing false information to the College in written or electronic form or copying College software.
2. Furnishing false information to the College with the intent to deceive the College or any person or agency.
3. Failure to comply with the lawful directions of College personnel acting in performance of their duties (e.g., disrupting class sufficiently to hinder effective instruction).
4. Physical or verbal abuse, or harassment of any person on College-owned property or at College-sponsored or supervised functions, or conduct which threatens or endangers the health or safety of any such person.
5. Disorderly conduct or lewd, indecent, or obscene conduct or expression as defined by local, state or federal law on College-owned or -controlled property, or at a College-sponsored or -supervised activity.
6. Interference by force or by violence (or by threat of force or violence) with any administrator, faculty or staff member, or student at the College who is in the lawful discharge or conduct of his/her duties or studies.
7. Conduct which materially or substantially disrupts the educational process of the College.
8. Failure to disperse when an assembly is ordered to disperse by College officials.
9. Unwanted contact or communication of any nature with another student or a staff member after being advised by a College official or affected student that such contact or communication is unwelcome and disruptive to the education process of the College as determined by a College official.
10. Harassment, sexual harassment, and discrimination. See Sections IC, ID, IE.
11. Theft of, conversion of, or damage to property of the College or of a member of the College community, such as visitors, students, or employees.
12. Abuse or unauthorized use of the College's computer equipment, software, passwords, records, or any violation of the confidentiality or security of passwords, records, or software, including but not limited to networks, Internet, social media, and Email. Fraudulent, harassing or obscene messages and/or materials as defined by contemporary court decisions are not to be viewed downloaded sent or stored.
13. Unauthorized use of snooping or recording devices on College-owned property or at College sponsored events. As a means of note taking, students may use recording devices to record lectures. However, this must be previously approved by the instructor and openly displayed during the lecture period.
14. Unauthorized use of College supplies or equipment.
15. Gambling, except as expressly permitted by law.

16. Disobedience of the notice against trespass.
17. Unauthorized entry to or use of the College campus and its facilities.
18. Possession, consumption, being perceptibly under the influence, or furnishing of alcoholic beverages (as identified by federal or state law) on College-owned or -controlled property or at College or student organization supervised functions.
19. Possession, consumption, being perceptibly under the influence, or furnishing of any narcotic or dangerous drug, as defined by ORS 475 and ORS 167.203 to 167.252 [as now law or herein after amended], except when use or possession is lawfully prescribed by an authorized medical doctor or dentist.
20. Possession or use of firearms, explosives, dangerous chemicals, substances, or instruments or other weapons which can be used to inflict bodily harm on any individual or damage upon a building or grounds of the College. Incendiary devices or any weapon facsimiles are prohibited on or in College facilities and/or grounds. This includes College-owned or -controlled property or at College sponsored or supervised functions.
21. All College buildings have been designated as "tobacco free" buildings. No smoking, or tobacco chewing is permitted in any BMCC facility/building including classrooms.
22. Violations of published College procedures, the rules in this section, and any other College procedures which may be enacted.

B. FORMS OF DISCIPLINE/PENALTIES.

1. Disciplinary Warning. Notice that a student's conduct in a specific instance does not meet College standards and that continued misconduct may result in more serious disciplinary action by the Associate Vice President of Enrollment Management.
2. Disciplinary Probation. Written notice by the Vice President of Student Affairs or her/his designee that the student found in violation of the College standards may continue to be enrolled under stated conditions. Violations of the stated conditions will be cause for more serious disciplinary action.
3. Suspension. The Vice President of Student Affairs may suspend a student for a fixed period of time. Suspension means imposition of one or more of the following penalties.
 - a. Forfeiture of the right to enter the campus;
 - b. Exclusion from one or more classes;
 - c. Exclusion from classes and/or activities.

Students may be required to meet with the Vice President of Student Affairs prior to being allowed to enroll at the College after the suspension period has expired.

4. Expulsion. Authority to terminate student status at Blue Mountain Community College (i.e., removal of the privilege to attend Blue Mountain Community College) rests with the College President.
5. Supplemental Sanctions. The Vice President of Student Affairs or her/his designee may impose additional sanctions or requirements which clearly address the issues involved in the misconduct. Any of the following may be imposed in connection with the above, but are not to be limited to:
 - a. Work assignments;
 - b. Service to the College or community;
 - c. Imposed fines; restitution, i.e., compensation for loss, damage, or injury (this may take the form of appropriate service and/or monetary or material replacement);
 - d. Educational sanctions, e.g., decision making skills workshops/peer education, written responses to posed questions;
 - e. Academic sanctions, e.g., revocation of degree, holding transcripts, removal from courses;
 - f. Loss of privileges;
 - g. "No trespassing" order.

The Vice President of Student Affairs and the College President have discretionary power under the above guidelines. If, in their opinion, a deviation from the above process is warranted, any or all steps may be eliminated or postponed and a more or less severe penalty imposed. Decisions to deviate from established procedure will be well documented and will be made in partnership with at least one of the other administrators.

6. Temporary Exclusion. The Vice President of Student Affairs or an approved designee may suspend a student for up to two class meetings because the student is disrupting the class sufficiently to hinder effective instruction, or when the health and safety of the instructor(s), student(s), or staff is in jeopardy. In rare circumstances it may be necessary to temporarily exclude a student from classes or activities for the rest of a term. The Vice President of Student Affairs will confer with the student and provide the student with an opportunity to explain his or her behavior. The Vice President of Student Affairs may exclude the student when a student's health, behavior, or other actions represent a serious and immediate threat to the ongoing educational activities of the College or the health and safety of any individual.
7. Referral to Outside Authorities. In the case where a student is in violation of federal and state laws on College property, or College sponsored related activities, the College may refer the student to local law enforcement agencies for prosecution.

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

1. Grade Appeals.

Should a student feel that he/she was not graded fairly and has discussed the issue with the instructor; the student may appeal to the Vice President of Instruction for a change in grade in accordance with the following appeal process:

- a. The student shall complete a grade appeal form which shall include all the particulars of the situation surrounding the grade given, what grade change is requested and a statement that substantiates the perception of the student that the grade assigned is unfair.
- b. The form shall be submitted to the Vice President of Instruction who shall review the appeal with the instructor. The instructor shall respond to the statement of the student in written form.
- c. If the instructor's decision is to change the grade in agreement with the student's request, it will be so recorded and the process will be terminated.
- d. If the instructor's decision is to not change the grade and the student is not satisfied with the decision the appeal process may be continued.
- e. All documentation surrounding the grade appeal shall be reviewed by a committee of three regular faculty members. The Vice President of Instruction shall select five faculty members from three separate disciplines who are willing to serve in this capacity. If five faculty members are not willing to serve in this capacity then the Vice President of Instruction shall appoint five faculty members. The instructor involved shall strike two of the names, and the three remaining names shall conduct the grade appeal. The committee shall be authorized to change a grade and the committee's decision shall be final. A permanent record of the grade shall be maintained in the Registrar's office.

2. Charges of Student Misconduct Made by Faculty, Student or Staff Member.

These charges could include any violation of the Standards of Student Conduct set forth above which comes to the attention of a faculty or staff member. Faculty, students and staff members are encouraged to deal with student misconduct on an informal basis whenever possible. However, where the misconduct rises to a level such that informal resolution is not appropriate the faculty, student, or staff member may initiate this dispute resolution procedure by filing an incident report via the college website at www.blue.edu or directly with the Vice President of Student Affairs and includes the following information:

- a. A complaint setting forth the name of the student;
- b. A description of the alleged inappropriate conduct;
- c. A reference to the student conduct policy allegedly violated, and if informal dispute resolution was attempted, a statement of the steps utilized or, if no informal dispute resolution was attempted then an explanation of the reason why such an attempt was not made.
- d. Name and telephone number of the faculty, student, or staff member initiating the complaint.

At an initial conference with the Vice President of Student Affairs or her/his designee, the student will be informed in writing of the charges and the penalty which might result from consideration of the disciplinary matter.

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

The student must submit all of his/her evidence within seven (7) calendar days of the initial conference.

After considering the evidence in the case and interviewing persons as appropriate, the Vice President of Student Affairs may take one of the following actions:

- a. Terminate the proceedings, exonerating the student;
- b. Dismiss the case after appropriate counseling and advice;
- c. Impose an appropriate sanction as described.

The student will be notified in writing of the decision of the Vice President of Student Affairs or her/his designee. The student may appeal the decision by filing a written appeal with the Vice President of Student Affairs (or designee) within seven (7) calendar days of the decision. The Vice President of Student Affairs (or designee) shall render a decision on the appeal within seven (7) calendar days of its filing. The decision of the Vice President of Student Affairs (or designee) shall be final and not subject to further appeal. In cases where expulsion is the recommended outcome, the College President will make the final decision and no further appeals will be allowed.

Contact Information:

Title IX Coordinator: Tammie Parker, Human Resources (541) 278-5850 M-217

Vice President of Student Affairs: Diane Drebin, (541) 278-5796 M-150

complaints@bluecc.edu



ACADEMIC DISHONESTY

I. ACADEMIC DISHONESTY

1. Plagiarism is presenting someone else's work, ideas, data or other creative work as one's own. When a student uses someone else's work, the source of that information must be acknowledged through complete, accurate and specific references. Verbatim statements must also be enclosed in quotation marks.

Examples include:

- 1) not quoting words, ideas, or statistics of another person;
- 2) downloading another person's work from the Internet and claiming that it is your own.

2. Cheating is an act of deception by which a student misrepresents that he or she has mastered information on an academic exercise which, in fact, has not been mastered.

Examples include:

- 1) copying another person's work without their knowledge;
- 2) giving a false excuse to a professor.

3. Fabrication and/or Falsification is the intentional use of invented information or the falsification of research/other findings with the intent to deceive.

Examples include:

- 1) inventing false data, research results, or statistics;
- 2) altering records or procedures.

4. Abuse of Academic Materials is intentionally or knowingly destroying, stealing, or making academic resources inaccessible to others.

Examples include:

- 1) hiding books or materials from other students;
- 2) destroying another student's notes or homework.

5. Aiding and Abetting is encouraging and enabling others to commit a breach of academic honesty. This often resembles cheating.

Examples include:

- 1) allowing another student to cheat off of your work/test;
- 2) not alerting an instructor of cheating if you are aware of its occurrence.

II. OTHER ACADEMIC HONESTY ISSUES

Grade Tampering involves cheating, altering, or being an accessory to the changing and/or altering of a grade in a grade book, on a test, on an assignment, on a change of grade form, or on any other official academic record. Influencing or attempting to influence any college official, instructor, or employee responsible for processing grades, evaluating students, or maintaining academic records through the use of bribery, threats, or any other means of coercion is forbidden.

III. ACADEMIC HONESTY VIOLATION INFORMATION

Facilitating Academic Dishonesty

A student who knowingly helps or attempts to help another individual violate the college's policy on academic honesty also violates the Standards of Student Conduct.

Penalties

Students who engage in academic dishonesty can expect some academic penalty to be determined by the instructor. Additionally, academic dishonesty may result in a disciplinary action and/or penalties. The disciplinary consequences of engaging in any form of academic dishonesty vary. However, the consequences often include warning, probation, suspension, and expulsion. For more information, see the Student Rights, Responsibilities and Conduct found on pages 34-40 of the Student Handbook or on the Blue Mountain Community College website at www.bluecc.edu.