

STUDENT SUPPORT SERVICES

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Student Rights and Responsibilities

Family Educational Rights and Privacy Act (FERPA)

Broward College Policy 6Hx2-5.03

Broward College (the "College") will provide access to student records in accordance with the Family Educational Rights and Privacy Act (FERPA) and *Florida Statutes*, Chapter 1002.22. All requests for student records must be made to the Custodian of Records/Vice President for Student Affairs and Enrollment Management.

No record will be created or retained without a legitimate educational purpose for the information contained therein.

The College will protect the confidentiality of a student's record and share information only with members of the College community who have a legitimate educational interest, to another educational institution when the student is seeking or intending to enroll at that institution, is part of an authorized Federal, State, or local audit of such records in compliance with applicable law, in connection with the determination of financial aid eligibility or enforcement, pursuant to a lawfully issued court order, a properly prepared subpoena, to a contracted vendor of the College performing an authorized service where there is a legitimate educational interest for the vendor to have access to such records, or the information is designated directory information.

In response to a lawfully issued court order or a properly prepared subpoena, the College will seek to notify the student or the student's representative counsel when educational records are requested and before these records are released.

Student records of a counseling or non-academic nature will not be made available to any outside person without written authorization from the eligible student or parent unless those records are specifically requested in conjunction with federal or state laws or court orders. In the case of properly prepared subpoenas, the release of the record will only be given when the student has been notified and payment of the fee established by the Board of Trustees has been paid.

FERPA and the Student

Students have the right to inspect their own official records and to authorize the College in writing to release information to outside sources. In accordance with the provisions of *Florida Statutes*, Chapter 1002.22, eligible students and parents have a right to challenge the content of their record. An eligible student or parent may exercise his/her rights under these provisions by submitting a request in writing to the appropriate Campus Registration Coordinator, the Office of the Associate Vice President for Student Affairs/College Registrar, or the Vice President for Student Affairs and Enrollment Management.

Student-generated documents are not considered working documents of the College or permanent student records, and it is the responsibility of the student to dispose of the document should they produce the document. A student-generated document is information generated by the student for his/her own use. When such a document is presented to the College, it shall be reviewed and then returned to the student or eligible parent.

FERPA and the Parent of the Student

According to Federal FERPA Regulations 34 CFR 99, and Florida Statute 1002.22, the parents of a student who has reached the age of 18 years or is enrolled in a post-secondary program no longer have any rights under the provisions of this policy, unless the student gives written consent to release the information to the student's parents, or the parent provides evidence that the student is a dependent of the parent as defined in the Internal Revenue Code. The Parent of a student must establish his/her eligibility by providing dependency documents, including, but not limited to providing the most recent copy of a Federal tax return naming the student as a dependent. Such documentation must be provided in-person with the campus chief student affairs officer (dean of students). The record provided will be for viewing and validation purposes only; these records will not be retained.

FERPA and Directory Information

Schools may disclose, without consent, "directory" information; however, the College must annually notify students and parents of their rights under

FERPA to “opt out” of the release of directory information. The College notifies its students at the beginning of the fall and winter term in the student newspaper and in the annual printing of the *Student Handbook*. The College reserves the right to deny access to directory information when such action is deemed necessary to protect the rights of the student.

In accordance with United States Code Title 10 Section 983 and Florida Statutes Section 1004.09, the College shall grant military recruiters access to recruiting information including the names, addresses, telephone listing, dates and places of birth, academic major, degrees received, and most recent educational institution for students attending the College. The information provided to military recruiters is not subject to the definition that the College has established for “directory information” as defined in this Policy. Students who opt out of the release of College directory information will also be considered to have opted out of the release of military recruitment information

FERPA and Outsourcing

The College may enter into agreements with outside vendors to provide services to the College that the College cannot or chooses not to provide through internal resources. In such situations, the College will ensure that the contractor will make available student records only to those individuals where there is a contractual relationship to provide such services. The College will ensure that the contracted vendor will not redisclose personally identifiable information without the Colleges consent as allowed by an authorized FERPA exception.

FERPA and other Educational Institutions

Student records will be released at the request of the student if the student is seeking or intending to attend another educational institution

FERPA and Health and Safety

In cases where there is a health and safety emergency, all College personnel are authorized to utilize any information as necessary to protect the health and safety of persons and property. Such release of information will not be considered a violation of College Policy. To the extent possible, the College will attempt to share information regarding the presence of students who may have a communicable disease (i.e. H1N1) without disclosing personally identifying data about the infected student. In instances where members of

the College community have been exposed to a communicable health risk from a student, the College will, on a case-by-case basis, make a determination whether a disclosure of the infected student’s name is necessary to protect the health or safety of other persons or whether a general notice is sufficient.

Law enforcement unit officials or safety officials employed or contracted by the College are designated as “school officials” with a “legitimate educational interest.” As school officials, the College may disclose without consent personally identifiable information from students’ education records to law enforcement or safety officials in order to perform their professional duties and to assist with discipline and other matters related to official duties at the College. Law enforcement may not redisclose any personally identifiable information from the students’ education record, except in compliance with FERPA. Specific law enforcement records maintained separately from education records are not subject to FERPA.

Violation of Policy

Students and eligible parents who believe there has been a violation of their rights regarding student records are encouraged to contact the Custodian of Records/Vice President for Student Affairs and Enrollment Management. . If a resolution is not achieved, students and eligible parents may grieve the alleged misconduct in accordance with *Florida Statutes*, Chapter 1002.22 or they may contact the United States Department of Education’s Family Policy Compliance Office.

Students who improperly obtain student records may be subject to discipline in accordance with the Student Code of Conduct. .

Staff and non-represented faculty who improperly obtain records and/or misuse their access to student records to disclose, share, or dominate information to unauthorized persons, employees, or outside parties will be subject to discipline up to and including termination.

Full-time Faculty who improperly obtain and/or misuse their access to student records to disclose, share, or disseminate information to unauthorized persons, employees, or outside parties, will be subject to disciplinary action up to and including termination, as outlined in the Collective Bargaining

Agreement between the Board of Trustees of Broward College and the United Faculty of Florida, Broward College Chapter.

Definitions

Custodian of Records – Vice President for Student Affairs and Enrollment Management

Directory Information – name, enrollment status, degrees and awards received, and statistics pertaining to a student’s participation in officially recognized sports and activities.

Eligible student - a student who has reached 18 years of age or is attending an institution of postsecondary education

Eligible Parent - a natural parent, an adoptive parent, or a legal guardian of the student as defined in the *Internal Revenue Code of 1954*. An individual invoking the *Code* must present evidence showing his/her compliance with this provision.

Student Record - files, documents, electronic images, and other formats which contain information directly related to a student and which are maintained as a permanent record at the College. Drafts or notes are not considered student records. The term “Records” does not include:

1. records of instructional, supervisory, and administrative personnel, which are in the sole possession of such personnel and which are not accessible or revealed to any other person except as a replacement for that person;
2. records of law enforcement units of the College, which are maintained solely for law enforcement purposes and which are not available to persons other than officials of the College or law enforcement officials of the same jurisdiction;
3. records made and maintained by the College in the normal course of business which relate exclusively to a student in his/her capacity as an employee/student worker and which are not available for any other purpose;
4. records created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her

professional or paraprofessional capacity or assisting in that capacity, which are created, maintained, or used only in connection with the provision of treatment/or services being provided to the student and which are not available to anyone other than persons providing such treatment and/or services in accordance with Title II of the Health Insurance Portability and Accountability Act (HIPAA).

5. directory information as defined in the *Florida Statutes*, Chapter 1002.22 and the FERPA;
6. other information, files, or data which do not permit the personal identification of a student;
7. letters or statements of recommendation or evaluation which were confidential under Florida law and which were received and made a part of the student’s educational records prior to July 1, 1977;
8. copies of the student’s fingerprints; and
9. working records, which consists of material used in the course of daily College business, which is not a “permanent record.”

Student Code of Conduct

Broward College Policy 6Hx2-5.02

Upon admission to Broward College (the “College”), students and student organizations agree to act responsibly in all areas of personal and social conduct and to take full responsibility for their individual and collective action. Because learning can only be achieved in an atmosphere free of intimidation and coercion, students must observe local, state, and federal laws as well as the academic and behavioral regulations found in the *Broward College Student Handbook*, the *College Catalog*, other official publications of the College, and the College web site at <http://www.broward.edu>. If there is a conflict with any of the aforementioned sources, this policy shall prevail.

When a student exhibits disruptive behavior that appears to pose a threat to the health and safety of the student or others, the College may direct the student to participate in a psychiatric and/or psychological evaluation. The psychiatric and/or

psychological evaluation process will assess the student's ability to safely participate in the educational programs at Broward College as part of the due process for students who are alleged to have violated this policy and procedure.

Students enrolled in various programs at the College may also be subject to standards of conduct unique to these programs, including but not limited to health sciences programs, Institute for Public Safety, Aviation, etc. Violations of the standards of behavior for these programs shall be considered a breach of this Code of Conduct. Students should refer to the program guidelines provided by their programs to learn more about the standards of professional conduct that are applicable to them.

Bias-Motivated Conduct (Commonly referred to as "Hate Crimes"): The College believes that members of the College community have the right to lawfully affiliate free from harassment with social groups of their choice without fear of intimidation based on this membership. Therefore, the College will impose significantly increased sanctions against perpetrators who commit one or more of the offenses in this Policy, if the College determines that the perpetrators actions were motivated by the actual or perceived affiliation of the victim with a particular social group. Additionally, the College will support the criminal prosecution of students who engage in bias-motivated violations of this Code in accordance with Florida Statutes 775.085, Federal Statutes 18 U.S.C. § 245 & 249, and other applicable laws.

The following is a non-exclusive list of behaviors prohibited by students and student organizations at any College location or via any College resource including electronic communication, at any College-sponsored activity, or at any location and /or via any medium (including electronic) if the behavior impacts students, faculty, or staff in the educational environment. Other behaviors not on this list which adversely impact the College community will be considered on a case-by-case basis and may also be considered violations of the Student Code of Conduct:

1. Abusive Conduct
2. Bribery
3. Bullying, including but not limited to the following behaviors directed at an individual or a group:
 - a. Unwanted teasing

- b. Threatening or intimidating behaviors
 - c. Stalking
 - d. Public humiliation
 - e. Spreading malicious and derogatory rumors or falsehoods
 - f. Using discriminatory slurs against an individual or group
 - g. Cyberbullying – including, but not limited to the use of communication-based technologies, including telephones, cellular telephones, e-mail, instant messaging, text messaging, social networking, other web-based technologies, or other electronic methods of communication (either currently available or available in the future) to engage in deliberate harassment or intimidation of individuals or groups.
4. Discriminatory comments or action and/or retaliatory actions, including, but not limited to remarks or actions against a student, faculty, or staff member of the College
 - a. Note: Complaints against faculty and staff are not covered under this policy. Students should refer to BC Policy 6Hx2-3.34 – Discrimination, Harassment and Retaliation if they believe they have been the victim of discrimination or retaliation by a College faculty or staff person.
 5. Dishonesty, including but not limited to the following:
 - a. Cheating, plagiarism, or other forms of academic dishonesty
 - b. Using electronic devices to store, retrieve, search for answers and/or share answers in testing environments when the use of the device is not permitted
 - c. Furnishing false information, making false accusations, or misrepresentation of oneself or others to any College official, including but not limited to faculty, staff or administrators, representing oneself as an agent of the College, and/or entering into a contract on behalf of the Board of Trustees
 - d. Forgery, alteration, or the misuse of any College document, record, or instrument of identification

- e. Tampering with the election of any recognized College student organization
 - f. Violation of copyright as defined in College Policy 6Hx2.8.05
 - 6. Disorderly Conduct
 - 7. Disruption of the Educational Environment – including but not limited to:
 - a. To ensure the quality of the educational environment, the use of electronic communication and entertainment devices, such as cell phones, iPods, iPhones, MP3s, etc. by students in the classroom is prohibited unless otherwise explicitly stated by the individual instructor’s syllabus. Therefore, all such devices must be inaudible and placed out of sight during class.
 - 8. False Report – falsely reporting a bomb or other incendiary device or any other dangerous condition by any medium. Note: These acts are considered acts of terrorism and the College will use all means available to assist in the identification of students who make such threats.
 - 9. Hazing as defined in Florida State Statute, Chapter 1006.63
 - 10. Immigration Status of F1 or M1 Students – If a final course grade or enrollment status is correct it is unlawful and a violation of the Student Code of Conduct for students to ask faculty or any College official to alter a grade or enrollment status in order to remain in compliance with Federal immigration regulations.
 - 11. Misbehavior - Any behavior that is inappropriate and detrimental to the mission, goals, and purpose of the institution
 - 12. Misuse of College Identification as defined in College Policy 6Hx2.5.24
 - 13. Non-Compliance with Directions – Non-compliance with the directions of College personnel or law enforcement officers acting in the performance of their duties and/or failure to identify oneself to these persons when properly requested to do so
 - 14. Non-Compliance With the Student Discipline System, including but not limited to:
 - a. Failure to appear before the Dean of Students , Hearing Officer, Student Conduct Committee, or other College officials when requested to do so
 - b. Falsification, distortion, or misrepresentation of information before a Student Conduct Committee
 - c. Disruption or interference with the orderly conduct of a Student Conduct Hearing
 - d. Knowingly making false accusations of student misconduct without cause
 - e. Attempting to discourage an individual's proper participation in, or use of, the student discipline system
 - f. Attempting to influence the impartiality of a member of a Student Conduct Committee prior to, and/or during the course of, the Student Conduct Hearing
 - g. Harassment (verbal or physical) and/or intimidation of a member of a Student Conduct Committee prior to, during, and/or after a Student Conduct Hearing
 - h. Failure to comply with the sanction(s) imposed under the Student Code
 - i. Influencing or attempting to influence another person to commit an abuse of the student discipline system
- 15. Obstruction of Pedestrian or Vehicular Movement
 - 16. Public Intoxication/Disorderly Behavior
 - 17. Smoking in Non-Designated Areas
 - 18. Sexual Battery/Assault/Crime of Violence or Non-Forcible Sex Offense
 - a. The Family Educational Rights and Privacy Act (FERPA) permits a postsecondary institution to disclose to an alleged victim of any crime of violence or non-forcible sex offense the final results of a disciplinary proceeding conducted by the institution against the alleged perpetrator of that crime, regardless of whether the institution concluded a violation was committed.
 - b. FERPA also permits institutions to disclose to anyone – not just the victim – the final results of a

- disciplinary proceeding, if the College determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against him or her, the student has committed a violation of the institution's rules or policies.
19. Sexual and other Harassment by students against any member of the College community
 - a. Note: Complaints against faculty and staff are not covered under this policy. Students should refer to BC Policy 6Hx2-3.31 – Sexual and Other Workplace Harassment if they believe they have been the victim of sexual or other harassment by a College faculty or staff person.
 20. Student Organization Misconduct - Student organizations (as well as members and officers individually and collectively) may be held accountable when an alleged offense is committed by one or more members or guests of the organization and any one the following conditions apply:
 - a. The offense occurred at an event that was sanctioned by an officer of the organization
 - b. Organizational funds are used to finance the activity
 - c. The event where the offense occurred is substantially supported by the organization's membership
 - d. Members with knowledge of the forthcoming violation did not attempt to prevent the infraction
 - e. The organization fails to report or chooses to protect the individuals(s) alleged to have committed the offense
 21. Theft or Damage, or Attempted Theft or Damage, to a Person's or the College's Property
 22. Unauthorized Computer Usage as Defined in College Policies 6Hx2-8.01, 6Hx2-8.03
 23. Unauthorized Demonstration - participation in a campus demonstration where the students behavior (including but not limited to excessive volume, obstruction of movement or access to College facilities or services, harassment of other students, faculty, or staff etc.), disrupts the normal operations of the College and infringes on the rights of other members of the College community through, or leading or inciting others to disrupt scheduled and/or normal activities within any campus/center building or area, or intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular
 24. Unauthorized Possession, Duplication, or Use of Keys to Any College Facility
 25. Unauthorized Possession, Use, or Distribution of Controlled Substances or Alcohol as defined in College Policy 6Hx2-5.18
 26. Unauthorized Recording - Students may not make an audio or video recording of an instructor or speaker's seminar, lecture, tutorial or other instructional setting without prior consent from the instructor or speaker. However, if such recording is an accommodation in accordance with the Americans with Disabilities Act, prior notification is required, rather than consent. Students may not make an audio or video recording of persons in conversation without prior consent of all parties
 27. Unauthorized Use of College Property or Facilities
 28. Violation of Law and College Policy - Students may be subject to discipline per the Student Code of Conduct for violations of law that occur on College premises or at any College-sponsored activity, and for violations of law that do not occur on College Premises or at College-Sponsored Activities:
 - a. If a student is charged only with an off-campus violation of federal, state, or local laws, but not with any other violation of this Code, disciplinary action may be taken and sanctions imposed for grave misconduct which demonstrates flagrant disregard for the College community and/or which could disrupt the educational mission of the College. Such an off-campus violation must be of a nature that where the presence of the student at a College campus is reasonably considered to be a danger to persons or property.

- b. College disciplinary proceedings may be instituted against a student charged with violation of a law that is also a violation of this Student Code. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
 - c. When a student is charged by federal, state or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before the Student Conduct Committee under the Student Code, however, the College may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the College community.
 - d. The College will cooperate fully with law enforcement and other agencies in enforcing the law on campus and in the conditions imposed by a judge in a court-of-law. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives, as they deem appropriate.
29. Violation of Published College Policies/Procedures, Rules or Regulation.
30. Weapons and Dangerous Materials - Possession of firearms, dangerous chemicals and/or other weapons not deemed necessary for College purposes is forbidden at any College location or at any College-sponsored activity, including in the parking area for the college or the activity. This specifically revokes an individual's right to carry a licensed firearm at any College location or at any College-sponsored activity; additionally, this specifically revokes an individual's right to store a firearm in a vehicle at any College location or at any College-sponsored activity. Law enforcement personnel authorized to possess a firearm in the discharge of their duties are exempt from this policy.

Authorized personnel with a specific educational purpose are exempt, but only to the specific limits outlined in their authorization. When individuals are observed with a firearm or other dangerous materials on campus, Broward College officials have the right to make reasonable inquiries to confirm that the firearm or other dangerous material is being legally carried or stored as permitted by Florida Statute and BC Policy.

Violations of Policy

The College retains the right to discipline students and student organizations up to dismissal from the College for violation of this policy.

Students who are also employees of the College, who are found to have violated the Student Code of Conduct, may also be subject to disciplinary action as employees up to and including termination of their employment from the College. Any such instances will be investigated by the Vice President of Human Resources or his/her designee. Additionally, employees of the College who are also students, and who are subject to disciplinary action in their role as employees, may also be subject to disciplinary action through the Student Code of Conduct.

Breaches of the College's policies pertaining to academic dishonesty may result in academic penalties imposed by the instructor in accordance with BC Policy 6Hx2-4.19. Academic penalties may include, but are not limited to, a failing grade for a particular assignment or a failing grade for the course. Additionally, the student may be referred to the Dean of Students of the campus/center for violations of the Student Code of Conduct for disciplinary action.

The College maintains partnerships with external institutions including but not limited to educational institutions, libraries, and health services providers. A student who violates the rules of a College partner is also subject to BC Policy, including the College Student Code of Conduct. Additionally, a student who violates the College Student Code of Conduct may also be found to have violated the rules of a College partner.

College sponsored programs or sanctioned events may have their own rules and disciplinary procedures that would be applicable in addition to

the Student Code of Conduct, such as the Institute of Public Safety, Aviation Institute, etc.

Definitions

Abusive Conduct - physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or endangers the physical or emotional health or safety of any person

Bias-Motivated Conduct (commonly referred to as “Hate Crimes”) – occurs when a perpetrator targets a victim because of his or her actual or perceived membership in a certain social group, usually defined by race, color, ancestry, ethnicity, religion, sexual orientation, national origin, homeless status, mental or physical disability, gender, gender identity, political affiliation, etc. Hate crimes differ from conventional crimes because they are not directed simply at an individual, but cause fear and intimidation in an entire class of people.

Bribery - offering, soliciting, receiving, or giving money or any item or service to a College employee for the purpose of attempting to obtain assistance, priority consideration, or any benefit that would not have otherwise been provided.

Bullying – behavior that inflicts physical or psychological abuse on one or more members of the College community. Such behavior may occur in-person or via electronic communication.

Cheating - includes but is not limited to, copying homework assignments from another student; working together with another individual on a take-home test or homework when specifically prohibited from doing so by the instructor; and looking at text, notes or another student’s paper during an examination when not permitted to do so. Cheating also includes the giving of work or information to another student to be copied and/or used as his or her own. Including, but not limited to, giving a student answers to exam questions either when the exam is being given or after having taken an exam; informing another student of specific questions that appear or have appeared on an exam in the same academic term; giving or selling a term paper, report, project or other restricted written materials to another student.

Code of Conduct - a set of conventional principles and expectations that are considered binding on any student at the College.

Controlled Substance – all illegal drugs and prescription drugs taken without a physician’s order.

Discrimination - treating any student, officer, employee or agent of the College differently than others are treated based upon race, color, sex, national origin, religion, age, disability, marital status, sexual orientation, veteran status, or any other legally protected classification.

Disorderly Conduct - conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by, or participated in by the College.

Disruption - disruption or obstruction of teaching, research, administration, disciplinary proceedings, other College activities, including its public-service functions on or off campus, or other authorized non-College activities.

Harassment - any verbal or physical conduct based on race, color, sex, national origin, religion, age, disability, marital status, sexual orientation, veteran status, or retaliation, and that has the purpose or effect of unreasonably interfering with the individual’s education by creating an intimidating, hostile or offensive environment.

Plagiarism - includes but is not limited to, an attempt by a student to claim the work of another as the product of his or her own thoughts, regardless of whether that work has been published; quoting improperly or paraphrasing text or other written materials without proper citation on an exam, term paper, homework, or other written material submitted to an instructor as one's own work; and handing in a paper to an instructor that was purchased from a term paper service or downloaded from the Internet and presenting another person’s academic work as one’s own. Individual academic departments may provide additional examples in writing of what does and does not constitute plagiarism, provided that such examples do not conflict with this policy.

Retaliatory action - any material adverse action taken against the person who makes or supports a complaint of discrimination, or creating a hostile or threatening environment against such persons.

Sexual Harassment - any unwelcome sexual advances, requests for sexual favors, or other verbal

or physical conduct of a sexual nature which (1) makes submissions to or rejection of such conduct either an explicit or implicit basis for Admissions and/or academic decisions affecting the individual or (2) unreasonably interferes with the individual's education or academic performance by creating an intimidating, hostile, or offensive environment. Conduct which falls into the definition of sexual harassment includes, but is not limited to:

- Unwelcome physical contact of a sexual nature such as patting, pinching, or unnecessary touching.
- Overt or implied threats against an individual to induce him/her to perform sexual favors or to engage in an unwelcome sexual relationship.
- Verbal innuendos or jokes of a sexual nature, including graphic or degrading verbal comments about an individual and/or his or her appearance.
- Use of sexually suggestive terms or gestures to describe a person's body, clothing, or sexual activities.
- Displaying or posting offensive sexually suggestive pictures or materials on campus.

Student Organization - a student group that has registered with a campus/center student life office in accordance with the provisions of this policy and procedure.

HIV/AIDS

Broward College Policy 6Hx2-5.16

Broward College recognizes the serious adverse societal and educational impact associated with the Human Immunodeficiency Virus (HIV), and Acquired Immune Deficiency syndrome (AIDS).

College students may not violate the Student Code of Conduct as it relates to discrimination against students, faculty, staff, or guests of the College based on their perception of HIV/AIDS infection.

Students enrolled in various programs at the College, including, but not limited to health sciences, Institute for Public Safety, Aviation, etc, may be required per the Program Guidelines for the particular program, to successfully complete an

HIV/AIDS educational class or program as a prerequisite for admission to the program.

Students enrolled in various programs at the College, including, but not limited to, health sciences, Institute for Public

Safety, Aviation, etc. may be required as part of the standards of conduct established by these programs to interact with members of the community who are infected with HIV/AIDS. Students who are not able to meet this obligation should reconsider their program choice as dismissal or disciplinary action could be taken as result of any conduct violation or refusal to service.

In accordance with the Student Code of Conduct, students who discriminate against other students, faculty, staff, or members of the community whom they believe have tested positive for HIV/AIDS are subject to discipline up to and including expulsion from the College. Additionally, it should be noted that discrimination against persons with HIV/AIDS may constitute bias-motivated conduct, which may subject the violator to stronger sanctions.

Acceptable use of Technology and E-mail

Broward College Policy 6Hx2-8.01

BC provides all of its students with College Network and Internet access so that they can obtain up-to-date information useful for their advancement in academics. Inappropriate College Network and Internet usage will result in the loss of network access and possible disciplinary actions. With the exception of academic reasons, BC prohibits students from using the Internet to intentionally visit sites that are pornographic, sexually explicit, racially or ethnically biased or harassing or offensive in any way, either in graphic or text form. BC reserves the right to monitor any and all network activities including Internet access.

Only authorized BC employees or vendors will install software on College computers. Computers and hardware devices that are designated as part of a curriculum may be modified by students enrolled in the associated courses as required by the curriculum.

The following activities are prohibited: Storing, posting, or displaying obscene or offensive data, even temporarily, in areas where someone might view them passively or inadvertently, except in cases where academically necessary; attempts to circumvent established security procedures or to

obtain access privileges to which a user is not entitled; unauthorized access, alteration, or destruction of another user's data, programs, or electronic mail; manipulation of others to gain information for the purpose of gaining access to commit fraud or damage to the system; theft or destruction of computer hardware or software, and any criminal activity or any conduct that violates applicable state laws.

Copyright Compliance

Broward College Policy 6Hx2-8.05

All BC students are expected to have a basic understanding of copyright law and to adhere to all laws regarding Copyright, Fair Use, and the Digital Millennium Copyright Act, and to act in good faith when using copyrighted materials to support their educational and research activities. Copyrighted material includes text, music, videos, games, movies, and software.

Meningitis and Hepatitis B

Florida Statute, Section 1006.69

Section 1006.69, Florida Statutes requires that Broward College provide information to all enrolled students on the risks associated with Meningitis and Hepatitis B. Information regarding Meningitis and Hepatitis B is available at the following websites from the Centers for Disease Control:

Meningitis: <http://www.cdc.gov/meningitis>

Hepatitis B: <http://www.cdc.gov/hepatitis>

Complaint Process for Students for Non-Instructional Issues

Broward College Policy 6Hx2-5.23

A prospective or enrolled student may file a complaint, which is a written claim raised by a student, a group of students, or the student government, alleging improper, unfair, arbitrary, or discriminatory action by an employee involving the application of a specific provision of a college rule/regulation or a board policy or procedure.

A prospective or enrolled student has the right to seek a remedy for a dispute or a disagreement through a designated complaint procedure. Students

should use available informal means to have a decision reconsidered before filing a complaint. No retaliation of any kind shall be taken against a student for participation in a complaint.

This policy ensures students that their complaints will be received, heard and addressed with consideration of fairness by the appropriate administrator/manager/supervisor of the College with oversight of a department or division. . Students are encouraged to communicate their complaints informally first through the incremental levels within the organization as indicated in the procedure for this policy. If no resolution is achieved from levels one through three within the organizational structure, then students can file formal complaints with the appropriate Vice Presidents or Campus President. Complaints may be made verbally or in writing and the student is entitled to an appropriate response at each level within the College structure. After exhausting all internal complaint processes, students may file a complaint with the Florida Department of Education Division of Florida Colleges, and with the Southern Association of Colleges and Schools Commission on Colleges, the College's regional accrediting agency.

Violations of Policy

Students are expected to present and communicate their complaints using a professional standard of behavior in accordance with the Student Code of Conduct Policy and Procedure (College Policy 6Hx2-5.02). Students are not exempt from sanctions themselves when they violate any standard of the Code of Conduct while communicating their complaint to any level of the complaint process. The act of complaining comes without protection in this regard. Students found in violation are subject to discipline in accordance with the Student Code of Conduct, up to and including expulsion from the College, which can postpone the complaint moving forward.

Staff and non-represented faculty who violated this policy will be subject to discipline up to and including termination.

Full-time Faculty who violate this policy will be subject to disciplinary action up to and including termination, as outlined in the Collective Bargaining Agreement between the Board of Trustees of Broward College and the United Faculty of Florida, Broward College Chapter.

Definitions

Complaint - is a dispute or disagreement raised by a student, group of students, or the student government, concerning the application of the specific provision of a policy, rule or regulation, the application of a policy, rule or regulation in other than a uniform manner, or the application of a rule or regulation other than in accordance with the provisions of the policy, rule or regulation.

The College expects and requires that front-line staff and/or administrators attempt to meaningfully resolve complaints prior to reaching the Executive Leadership level (President, Provost, Senior Vice Presidents, Vice Presidents, and Campus Presidents). In the same regard, students are expected to follow the chain of command within the complaint process prior to elevating a concern to the senior executive level of the College.

This procedure should be used when a student or prospective student has a concern about her/his education at the College. (Students who have a concern about a final course grade may appeal in accordance with College Policy and Procedure 6Hx2-4.19 – Grades and Grade Appeal). The objective of the procedure is to provide a resolution process for students to use to resolve concerns as quickly and efficiently as possible. This complaint process is for students and prospective students, and only students or prospective students can participate in the College’s complaint process; however, nothing within this process precludes a student from seeking counsel from an adviser of their choice, which may be an attorney.

The student or prospective student brings the concern to an appropriate staff or faculty member using the steps in the resolution process below. If the student is uncomfortable with approaching the college employee directly, she/he may select an advocate inclusive of the campus ombudsman, a counselor or adviser, or other staff member. The staff member and administrators will attempt to work with the student and any other persons who are involved to respond to the problem within ten (10) business days. If the complaint is not answered satisfactorily at any step in the process, the student should progressively elevate their concerns through the process and if not resolved should can make a written complaint with the appropriate Vice President or Campus President as indicated below.

After exhausting all institutional complaint processes and students and/or prospective students feel their issue(s) are unresolved, a complaint may be filled with the Florida Colleges Division of the Florida Department of Education and/or the Southern Association for Colleges and Schools Commission on Colleges. For more information on how to how to contact the Florida Department of Education regarding a Complaint, students may access information at the following website: <http://www.fldoe.org/cc/complaint.asp>.

Complaints related to actions that violate Federal law such as discrimination, ADA, FERPA should be reported to the appropriate College official using the resolution process above. Additionally, students may file a complaint with the appropriate Federal agency that has jurisdiction over these areas. The United States Department of Education Office of Civil Rights handles complaints related to discrimination and ADA. Complaints related to privacy of records in accordance with the Family Educational Rights and Privacy Act (FERPA), students may also contact the United States Department of Education Family Policy Compliance Office and file a complaint in accordance with the rules of that agency.

Procedures Specific to Online Students

Students enrolled in a fully online program who desire to file a complaint not related to their final grade in a course should follow this Complaint Process for Non-instructional Issues (BC Procedure 5.23). After exhausting all institutional complaint processes, Florida residents may file a complaint with the Florida Department of Education-Division of Colleges, and/or with Broward College’s regional accrediting agency, The Commission on Colleges of the Southern Association of Colleges and Schools. Students residing in states other than Florida may file a complaint with the regulatory agency in the state where they are receiving the online instruction, and/or the Commission on Colleges.

Most complaint processes external to Broward College require that the student: 1) document the steps taken to exhaust the institution’s grievance process; 2) describe the action taken by the institution to date in response to the student complaint; and 3) provide a copy of the institution’s response to the student as a result of following the college’s procedures.

Contact information for filing complaints regarding online learning:

Broward College Online.
<http://www.broward.edu/online>; email: bconline@broward.edu
 954.201.6564
 3501 SW Davie Road, Davie Florida 33314

Florida Department of Education, Division of Florida Colleges;
<http://www.fdoe.org/cc/complaint.asp>
 850-245-0407
 325 West Gaines Street, Room 1544, Tallahassee, Florida 32399-0400

Southern Association of Colleges and Schools, Commission on Colleges
<http://sacscoc.org/pdf/081705/complaintpolicy.pdf>
 404-679-4500
 1866 Southern Lane, Decatur, GA 30033-4097

For students residing outside of Florida, contact information for other state regulatory agencies may be found at <http://www.broward.edu/academics/online/Pages/default.aspx>.

Areas of Concern	First Response	Next Level	Next Level	Final Level
Advising/ Counseling	Associate Dean of Students		Campus Dean of Students	Academic Standards Committee/Vice President for Student Affairs with Campus Presidents
Admissions Application	Coordinator of Enrollment Services	Campus Dean of Students	AVP for Student Affairs/College Registrar	Academic Standards Committee Vice President for Student Affairs
Bookstore	Bookstore Manager	Director of Bookstores	Campus Business Dean	Vice President for Student Affairs w/' Vice President for Facilities
College Placement Test	Testing Center Coordinator	Associate Student Dean	Campus Dean of Students	Vice President for Student Affairs
Disruptive Behavior of Students In class Outside class	Faculty Member Campus Safety Officer	Associate Dean	Campus Dean of Students	Campus President in conjunction with Vice President for Student Affairs
Faculty Concerns	Associate Dean Program Manager		Academic Dean Bachelor or Instructional Dean	Campus President in conjunction with College Provost and Senior Vice President for Academics and Student Success, and AVP for Human Resources and Equity depending on the complaints as indicated in the Policy.

Enrollment/ Registration	Coordinator of Enrollment Services	Associate Registrar	AVP for Student Affairs/College Registrar	Vice President for Student Affairs
Financial Aid	Financial Aid Adviser, Supervisor	Associate Director of Financial Aid	AVP for Student Affairs/Financial Services	Vice President for Student Affairs
Florida Residency	Coordinator or Associate Dean of Enrollment Services	Associate Registrar	AVP Student Affairs/College Registrar	Vice President for Student Affairs
Grade Appeal See College Policy 4.19				http://www.broward.edu/PolicyAndProcedure/PolicyAndProcedure/SupportingContent/Pol419.pdf
Graduation	Adviser/Counselor	Associate Registrar	AVP Student Affairs/College Registrar	Vice President for Student Affairs
Immigration Status I-20	Coordinator International Admissions		AVP for Student Affairs/College Registrar	Vice President for Student Affairs
Intercollegiate Athletics	Athletic Director		Associate Vice President for Student Affairs/Student Life	Vice President for Student Affairs
Library/LRC	Associate Dean Academic Resources		Dean of Academic Resources	Campus President
Parking	Campus Safety Lieutenant		Campus Business Dean	Campus President
Refund Petition Denial Requests			Campus Dean of Students	Campus President
Security	Campus Safety Lieutenant		Campus Business Dean	Campus President
Sexual Harassment, Discrimination, Hate Crimes Bullying and/or Retaliation (if student is the alleged perpetrator)	Campus Dean of Students			Vice President for Student Affairs with Campus Presidents

Sexual Harassment, Discrimination, and/or Retaliation (if faculty or staff is the alleged perpetrator)				
AVP Human Resources and Equity handles all such cases. Students can proceed directly to this office or contact the Campus President of their respective campus.				
Student Activities	Director/Coordinator of Student Life		Campus Dean of Students.	Campus President with Vice President for Student Affairs
Students with Disabilities	Disability Services Adviser	Manager of Disability Services		Vice President for Student Affairs
Transcripts	Coordinator or Associate Dean of Enrollment Services	Associate Registrar	AVP for Student Affairs/College Registrar	Vice President for Student Affairs

