

SELECTED COLLEGE POLICIES AND PROCEDURES



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ACADEMIC HONESTY POLICY 3354:2-61-01

(Approved 4/13/04)

Honesty, as the basic component of trust, is essential to both individual and institutional integrity. Lakeland Community College has set forth certain behaviors as violating academic honesty and, thus, potentially diminishing Lakeland's integrity, reputation for academic quality, and ability to function as an academic community. The institution's faculty and administration therefore regard academic dishonesty as a serious offense.

ACADEMIC HONESTY PROCEDURE SS61-01

(Approved 5/9/06)

The following are established as violations of academic honesty at Lakeland Community College:

(A) Definitions

(1) Cheating and Facilitating Cheating:

- (a) Using, attempting to use, or assisting in the use of an aid in any academic assignment.

(2) Plagiarism:

- (a) Representing, in an academic assignment, another person's words or ideas without citing appropriate credit.

(3) Falsification in Academic Research (Fabrication):

- (a) Intentionally inventing or falsifying information for a research project or academic assignment.

(B) Procedures

- (1) Procedures in cases of academic dishonesty will normally begin with the individual instructor who has reason to believe an incident of academic dishonesty has occurred.

- (2) The instructor must first review the information and determine whether there is sufficient reason to proceed with the charge of academic dishonesty.

- (3) If the instructor decides to proceed, he/she must obtain an Academic Honesty Incident Report Form from the Office of the Dean of Student Development. The Dean will, at that time, ascertain if there is a prior record of academic dishonesty. If the student withdraws from class, this procedure will continue as outlined below.

- (a) If this is the first recorded incident of academic dishonesty, the instructor will, in a timely manner, present the evidence and form to the student and ask for an explanation.

- (i) If the student admits guilt, and is willing to accept the instructor-imposed sanction, both the instructor and student will sign and date the form. The instructor will decide the sanction within the scope of his/her authority, as limited within the confines of class i.e. reduction of grade for the pertinent assignment, failure of the assignment or failure of the course. (Since dismissal and suspension from the class or school are outside the instructor's purview, the instructor may not impose these sanctions.) Copies of the signed and dated form will be given to the student, instructor and Division Dean. The Dean of Student Development will maintain the original form and evidence in a permanent file.

- (ii) If the student maintains his/her innocence, refuses to accept the instructor-imposed sanction or refuses to sign the Academic Honesty Incident Report Form, then the instructor should follow the procedure under Step 4, below.
 - (b) If there is a previous record of academic dishonesty, the instructor should follow the procedure under Step 4, below.
- (4) If there is a previous record of academic dishonesty, or
 - (a) if the student maintains his/her innocence, or
 - (b) if the student refuses to accept the instructor imposed sanction, or
 - (c) if the student refuses to sign the Academic Honesty Incident Report Form
 - (i) the instructor will refer the case to the Dean of Student Development. The Dean will contact the student and meet with him/her to review the student's rights and responsibilities under the Academic Honesty Policy and Procedure. Within ten days of this meeting, the Dean will convene an Academic Honesty Panel to conduct a hearing on the charge and evidence in accordance with the disciplinary hearing procedures, described in Section C, below. The Academic Honesty Panel is empowered to recommend disciplinary sanctions as described in Section D. Time limits for scheduling of Academic Honesty Panel hearings may be extended at the discretion of the Dean of Student Development .

(C) Hearing Guidelines

- (1) Students must be informed of the hearing date and the specific charges against them at least five (5) days prior to the hearing.
- (2) The Academic Honesty Panel (consisting of three faculty members and two students) will be established ad hoc by the Dean of Student Development in cooperation with Lakeland Student Government and the Lakeland Faculty Association. The Dean of Student Development (or his/her designee) will preside as chairperson (as a non-voting member) at all hearings.
- (3) The respondent and complainant may be assisted at the hearing by an advisor, at their own expense (the advisor may not be a witness). In all cases, the role of the advisor is limited to providing support for the respondent or the complainant. Advisors are specifically prevented from presenting information or answering questions in the place of the respondent or complainant, or asking information from or questioning any of the following: the witness, the complainant faculty member, the respondent, or any member of the hearing panel.
- (4) In hearings involving more than one accused student, the Dean of Student Development, at his or her discretion, may permit the hearings concerning each student to be conducted together or separately.
- (5) The Academic Honesty Panel must call all witnesses to testify at the hearing.
- (6) All hearings will be closed. Only the complainant, panel, respondent, and advisors will be permitted.
- (7) In the case of online or distance education, administrative hearing may be conducted via electronic media such as telephone, web cam, or video conferencing.
- (8) Any persons, including the respondent, who either disrupt the hearing or fail to comply with its orderly proceedings may be excluded by the presiding officer and the hearing carried on without his/her being present.

- (9) There shall be a single official verbatim record, in the form of a tape recording, of all hearings before the Academic Honesty Panel. The record shall be the property of the college. Copies of the tapes will be provided to the student involved in a case at his/her expense.
- (10) The burden of proof resides with the complainant who must establish the guilt of the respondent by the preponderance of evidence.
- (11) The presiding officer shall not apply formal (legal) rules of evidence to the hearing proceedings. He/she shall admit all evidence a responsible person would accept as having value in ascertaining the truth of the allegation. Unnecessary repetitions or irrelevant evidence (presented by either party) may be excluded by the presiding officer.
- (12) Both parties shall be provided the opportunity to question all witnesses.
- (13) Written testimony or affidavits shall be admitted only if the witness cannot appear or if there is sufficient reason to warrant it (as determined by the presiding officer). Such testimony will be admitted only when it is signed and dated by the witness himself/herself and witnessed by a college faculty member or administrator, or supervisory professional.
- (14) Determination of guilt will be made in a closed session of the Academic Honesty Panel with full consideration of all written documentation and verbal testimony. Determination of guilt shall be by majority vote of the panel.
- (15) Determination of guilt by a majority vote of the panel will be followed by a supplementary proceeding in which each party may participate to provide evidence or make presentations concerning the appropriate sanction to be imposed. The past academic disciplinary record of the respondent must be provided for the panel at the time of the supplementary proceeding and not earlier. The recommendations of the panel shall be determined by majority vote.
- (16) The sanctions recommended by the panel are considered as strong guidelines to the Dean of Student Development who will communicate his/her decision to the student, complainant, and panel within ten (10) working days (excluding any academic holidays) after the hearing.

(D) Sanctions

- (1) One or more of the following sanctions may be imposed upon any student found to have violated the Academic Honesty Policy:
 - (a) Warning - a notice in writing to the student that the student is violating or has violated institutional regulations.
 - (b) Probation - a reprimand for a violation of specified regulations for a designated period of time. Probation includes the probability of more severe disciplinary sanctions if the student is found to be violating the Academic Honesty Policy and Procedure during the probationary period.
 - (c) Loss of Privileges - denial of specified privileges for a designated period of time, (i.e., testing center privileges).
 - (d) Discretionary sanctions - work assignments, service to the college or other related discretionary assignments (such assignments must have the prior approval of the Dean of Student Development.)
 - (e) College Suspension - separation of the student from the college for a definite period of time, after which the student is eligible to return. Conditions for re-admission may be specified.
 - (f) College Expulsion - permanent separation of the student from the college. This sanction will be made part of the student's permanent record and will be printed on the student's academic transcript.

- (2) More than one of the sanctions listed above may be imposed for any single violation.
- (3) Other than college expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the confidential record maintained by the college.

(E) Appeals

- (1) A decision and sanction recommended by the Academic Honesty Panel and imposed by the Dean of Student Development may be appealed by accused students or complainants to the Executive Vice President and Provost and Dean of Faculty within five (5) working days of the decision. Such appeals shall be in writing and shall be delivered to the Executive Vice President and Provost and Dean of Faculty with a copy to the Dean of Student Development or his/her designee.
- (2) An appeal shall be limited to review of the official record of the initial Academic Honesty Panel hearing and supporting documents for one or more of the following purposes:
 - (a) To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with the Academic Honesty Policy.
 - (b) To determine whether the decision reached regarding the accused student was based on the evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Academic Honesty Policy had occurred.
 - (c) To determine whether the sanction(s) imposed were appropriate for the violation of the Academic Honesty Policy, which the student was found to have committed.
 - (d) To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.
- (3) In cases where the sanctions were imposed immediately by the Dean of Student Development, the sanction(s) will not take effect until after the appeal is reviewed by the Executive Vice President and Provost and Dean of Faculty.
- (4) In cases involving appeals by students accused of violating the Academic Honesty Policy, the Executive Vice President and Provost and Dean of Faculty may, upon review of the case, reduce, but not increase, the sanctions imposed by the Dean of Student Development.
- (5) Any question of interpretation regarding the Academic Honesty Policy and Procedure shall be referred to the Executive Vice President and Provost and Dean of Faculty or his/her designee for final determination.
- (6) In all cases, the decision of the Executive Vice President and Provost and Dean of Faculty shall be final and copied to all parties involved, - - the complainant, respondent, and panel.

ACADEMIC STANDARDS PROCEDURE IS47-02

(Approved 3/21/00)

A. Academic Probation

- (1) A student will be placed on academic probation after attempting a minimum of 12 semester credits and both the semester GPA and cumulative GPA fall below 2.0

- (2) A student on academic probation is required to:
 - (a) Complete a Plan for Academic Success (PAS) form prior to enrolling in the first semester of probation;
 - (b) Meet with an academic reviewer prior to enrolling in each semester while on probation.
- (3) A student on academic probation may attempt a maximum of 18 additional semester credits. The student will be removed from academic probation during the 18 credit hour period when his/her cumulative GPA is 2.0 or higher. Repeated courses will be counted toward the 18 semester credit total.

B. Academic Dismissal

- (1) The student will be dismissed after the 18 semester credit period of academic probation if the cumulative GPA is below 2.0. The dismissal will be for the following semester.
- (2) A student dismissed at the end of fall semester will not be permitted to enroll in spring semester classes; a student dismissed at the end of spring semester will not be permitted to enroll in either summer or fall semester classes; a student dismissed at the end of summer sessions will not be permitted to enroll in fall semester classes.

C. Conditional Readmission

- (1) A student dismissed for academic reasons will be eligible to apply for conditional readmission after one semester.
- (2) Conditional readmission requires the student to:
 - (a) Complete a Plan for Academic Success (PAS) form;
 - (b) Submit the PAS to the Director of Admissions/Registrar at least six (6) weeks prior to the semester for which the student is seeking conditional readmission. If the PAS is not approved, the student may appeal to the Academic Appeals Committee.
- (3) A student who is conditionally readmitted will be permitted to enroll for up to 18 additional credit hours. Enrollment will be limited to a maximum of 9 credit hours per semester until the cumulative grade point average is 2.0 or above. If, after attempting the additional 18 credit hours his/her cumulative grade point average is still below 2.0, the student will be dismissed. Dismissal will be mandated for the following semester.
- (4) After a second dismissal the student must appear before the Academic Appeals Committee to apply for readmission. Appearing before the Academic Appeals Committee does not guarantee readmission.

NOTE: A minimum cumulative grade point average of 2.0 is required for graduation.
Some programs may have higher requirements.

D. Quarter to Semester Transition Students

- (1) Students on academic notice when quarters ended will remain on academic notice for their first semester of enrollment.
- (2) If the student's semester GPA and cumulative GPA are below 2.0 after the first semester of enrollment, the student will be placed on academic probation.
- (3) Students on academic probation when quarters ended will remain on academic probation for 18 semester credits. (Note: Quarter credits completed while on probation will be converted to semester credits and applied to the 18 semester credit total.)
- (4) If the student's cumulative GPA is below 2.0 after the 18 semester credits, the student will be dismissed for the next semester.

ADA COMPLAINT PROCEDURE FOR NON-INSTRUCTIONAL ISSUES SS64-01

(Approved 6/10/03)

A. Purpose

- (1) The non-educational complaint procedure provides a process for Lakeland students, employees and visitors to:
 - (a) resolve concerns arising in relation to issues on ADA, Section 504, accommodations at Lakeland;
 - (b) appeal the interpretation or application of a policy or procedure.

B. Operating Principles

- (1) The complainant must clearly and concisely cite a barrier or name a needed accommodation.
- (2) A complaint is best resolved informally among those parties directly involved. Every possible effort should be made to resolve the complaint in this manner.
- (3) If the complaint cannot be resolved informally, the complainant has the right to proceed as outlined in III. below.
- (4) All complaints will be handled in an objective and fair manner.
- (5) No one who files a complaint will be subject to any reprisals as a result of his/her action.

C. Appeal Procedure for an ADA Complaint

- (1) The complainant shall present in writing a detailed and signed statement of the nature of the complaint to the ADA Compliance Officer, in the office of the Vice President for Human Resources & Organizational Development, within ten (10) working days after the last attempt at informal resolution.
- (2) Upon receipt of the complaint, the ADA Compliance Officer shall send a copy of the complaint to the parties directly involved.
- (3) The ADA Compliance Officer shall meet with the complainant and the parties directly involved in the complaint within ten (10) working days from receipt of the complaint to review the informal attempt at resolution and to discuss appropriate actions to be taken to resolve the matter.
- (4) The ADA Compliance Officer will send the complainant and all appropriate parties a written proposed resolution of the complaint within ten (10) working days from the meeting.
- (5) If the complainant is dissatisfied with the proposed resolution, he/she may appeal in writing to the appropriate Vice President within ten (10) working days from receipt of the proposed resolution.
- (6) The Vice President will meet with the complainant and all individuals involved within ten (10) working days from receipt of the appeal.
- (7) After meeting with the parties involved in the complaint, the Vice President will render a decision and respond in writing to the complainant within ten (10) working days. The decision of the Vice President is final.

ALCOHOL-FREE CAMPUS POLICY 3354:2-10-11

(Approved 1/11/96)

It is the policy of Lakeland Community College to provide and maintain an alcohol-free academic environment. For all non-college functions, any possession, distribution, or use of alcohol is prohibited throughout college property unless expressly authorized by the Vice President for Administrative Services. In addition, such events must have a police officer in attendance.

COMMUNICABLE DISEASE POLICY 3354:2-20-73

(Approved 12/7/00)

- (A) An employee with a communicable disease, or who is a carrier of a communicable disease, shall be permitted to retain his/her position whenever, through reasonable accommodation, there is no significant risk of transmission of the disease to others. An employee who cannot retain his/her position shall remain subject to the Board's employment policies including but not limited to sick leave, personal leave, parental leave and unpaid leave.
- (B) A student who has a communicable disease, or who is a carrier of a communicable disease, will be allowed to participate in educational programs unless such a communicable disease constitutes a direct threat to the health and/or safety of the students or others or has a direct effect on the student's ability to perform so as to render the student not qualified for the program or course of study. No person who has a communicable disease or who is a carrier of a communicable disease shall be denied the use of college facilities or services whenever, through reasonable accommodation, there is no significant risk of transmission of the disease to others.
- (C) The President is authorized to establish rules and regulations designed to implement this policy.

CONFIDENTIALITY AND REVIEW OF STUDENT RECORDS POLICY 3354:2-63-01

(Approved 6/2/05)

The following statement is the college's policy on students' rights to review their educational records and the confidentiality of these records in accordance with the 1974 Family Privacy Act (Buckley Amendment).

- (A) Students attending Lakeland have the right to review their educational records which consist of official records, files, and data directly related to themselves which are maintained by the college or any college department/division.

Medical and counseling records maintained by professional or para-professional physicians or counselors which are used in treatment or counseling with a student are deemed confidential and the institution is not obligated to share with a student. Such records may be reviewed by a physician or other appropriate professional of the student's choice.

- (B) A student's educational records are confidential and may only be released with the student's written consent.
- The only exception are appropriate college officials (or a designated college representative) who may review the record for the educational interest of the student.
- (C) Students have the opportunity to challenge the content of their school records to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students. Students have an opportunity to correct any inaccurate, misleading, or otherwise inappropriate data contained in those records.
- Challenges by students regarding the validity of grades received are not covered by the Family Educational Right to Privacy Act.
- (D) The college classifies the following information on individual students as public information and may make it available to the public:
- Name
 - Verification of enrollment
 - Photograph
 - Dates of attendance
 - Verification of graduation and date of graduation
 - Degree and major earned
 - Special awards/honors earned
 - Hometown
 - High School
 - If a member of an athletic team, the student's height, weight, sports team and sports statistics
- (E) It is the policy of the college to deny requests for mailing lists of student names and addresses unless it is determined by the Dean of Student Development that the provision of such information is clearly in the best interests of students.

CONFIDENTIALITY AND REVIEW OF STUDENT RECORDS PROCEDURE SS63-01

(Approved 6/10/03)

The following procedures are in regard to the revised policy on the confidentiality and review of student records.

- (A) Review of Student Records
- (1) A student may request the opportunity to review his/her records. The request should be made to the college official in charge of the office in which the records are on file. The college office may require the request to be in writing.
 - (2) Approval of this request will be granted within a reasonable period of time.

- (3) Records will be inspected and reviewed by the student in the presence of the administrator in charge or his/her designee.
 - (a) Upon written request, a student may receive a copy of any portion of their student record that is generated by Lakeland, subject to a nominal fee to cover any copying cost.
 - (b) Records may not be altered during this process of inspection.
 - (c) A student has a right to challenge any portion of their school record using the procedure listed below.

(B) Hearing to Challenge Content of Records

- (1) Students shall have the opportunity for a hearing to challenge the content of their school records to insure the accuracy of the record and to provide a means in which the record can be corrected. Challenges by students regarding the validity of grades received are not covered by the Family Privacy Act and, therefore, are not covered by this procedure.
 - (a) A student makes his/her request in writing to the Assistant Vice President for Student Access and Services. The request must identify the portion of the record to be challenged and must state the reason(s) for challenging the record. The request should also state the remedy sought (i.e., the addition, alteration or deletion of specific information).
 - (b) The hearing will be conducted and scheduled by the Assistant Vice President for Student Access and Services (or his/her designee) within a reasonable amount of time.
 - (i) The record under challenge is represented by the college official who is responsible for the record while the student has the right to be assisted by an adviser of his/her choice. The burden of sustaining the challenge rests with the student.
 - (ii) Both the student and the college have the right to present evidence and witnesses directly related to the portion(s) of the record being challenged.
 - (iii) A taped record of the hearing shall be kept.
 - (c) The Assistant Vice President for Student Access and Services must provide the student written notification of the disposition of the challenge including reasons for the decision. Based on the disposition, the record may stand, may be corrected, or may be deleted.

CREDIT FOR PRIOR LEARNING POLICY 3354:2-47-16

(Approved 4/5/90)

- (A) Certain special credit options are available for work accomplished and skills developed outside of the Lakeland degree program:
 - (1) Course waiver
 - (2) Credit by examination
 - (3) Credit by college level examination
 - (4) Credit by advanced placement testing
 - (5) Credit by certification
 - (6) Credit by experience evaluation
- (B) When in-house evaluation or examination is involved, a fee may be charged.

CRIMES, PENALTIES, CRIMINAL CODE - SECTION 900

901. PROHIBITION AGAINST POSSESSION OF INTOXICATING BEVERAGE ON CAMPUS.

- (a) No person shall have or possess beer or other intoxicating beverage on or about any portion of the campus except at places designated by the administration, and in furtherance of a college-sponsored activity.
- (b) Whosoever violates this section is guilty of a minor misdemeanor. Punishment shall be as provided in Section 300.
Penalty - See Sections 300 and 301.

902. CONSUMPTION OF LIQUOR IN MOTOR VEHICLE PROHIBITED.

- (a) No person shall consume any beer or intoxicating liquor in a motor vehicle.
- (b) No person shall have any beer or intoxicating liquor in open package in a motor vehicle.

903. CRIMINAL TRESPASS.

- (a) No person, without privilege to do so, shall do any of the following:
 - (1) Knowingly enter or remain on the land or premises of another;
 - (2) Knowingly enter or remain on the land or premises of another, the use of which is lawfully restricted to certain persons, purposes, modes, or hours, when the offender knows he is in violation of such restriction or is reckless in that regard;
 - (3) Recklessly enter or remain on the land or premises of another, as to which notice against unauthorized access or presence is given by actual communication to the offender, or in a manner prescribed by law, or by posting in a manner reasonably calculated to come to the attention of potential intruders, or by fencing or other enclosure manifestly designed to restrict access;

- (4) Being on the land or premises of another, negligently fail or refuse to leave upon being notified to do so by the owner or occupant, or the agent or servant of either.
- (b) It is no defense to a charge under this section that the land or premises involved was owned, controlled, or in the custody of a public agency.
- (c) It is no defense to a charge under this section that the offender was authorized to remain on the land or premises involved, when such authorization was secured by deception.
- (d) Whoever violates this section is guilty of criminal trespass, a misdemeanor of the fourth degree.
- (e) As used in this section, "land or premises" includes any land, building, structure, or place belonging to, controlled by, or in the custody of another, and any separate enclosure or room, or portion thereof.

904. PROHIBITION AGAINST ALTERATION, DEFACING, OR REMOVAL.

Minor misdemeanor as of 4/84.

No person shall without lawful authority attempt to or wilfully alter, deface, injure, knock down, or remove any traffic control device, railroad sign or signal, any inscription shield or insignia thereon, or any part thereof. This prohibition includes the driving upon or over any freshly painted center line, lane line, letter number, or symbol on the surface of a roadway while the paint is in an undried condition and is marked by flags, markers, signs, or other devices intended to protect it.

908. DISORDERLY CONDUCT.

- (a) No person shall recklessly cause inconvenience, annoyance, or alarm to another by doing any of the following:
 - (1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
 - (2) Making unreasonable noise or offensively coarse utterance, gesture, or display, or communicating unwarranted and grossly abusive language to any person;
 - (3) Insulting, taunting, or challenging another, under circumstances in which such conduct is likely to provoke a violent response;
 - (4) Hindering or preventing the movement of persons on a public street, road, highway, or right-of-way, or to, from, within, or upon public or private property, so as to interfere with the rights of others, and by any act which serves no lawful and reasonable purpose of the offender;
 - (5) Creating a condition which is physically offensive to persons or which presents a risk of physical harm to persons or property, by any act which serves no lawful and reasonable purpose of the offender.
- (b) No person, while voluntarily intoxicated, shall do either of the following:
 - (1) In a public place or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance, or alarm to persons of ordinary sensibilities, which conduct the offender, if he were not intoxicated, should know is likely to have such effect on others;
 - (2) Engage in conduct or create a condition which presents a risk of physical harm to himself or another, or to the property of another.

- (c) Violation of any statute or ordinance of which an element is operating a motor vehicle, locomotive, watercraft, aircraft, or other vehicle while under the influence of alcohol or any drug of abuse, is not a violation of division (b) of this section.
- (d) When to an ordinary observer a person appears to be intoxicated, it is probable cause to believe such person is voluntarily intoxicated for purposes of division (b) of this section.
- (e) Whoever violates this section is guilty of disorderly conduct, a minor misdemeanor. If the offender persists in disorderly conduct after reasonable warning or request to desist, disorderly conduct is a misdemeanor of the fourth degree.

909. MAKING FALSE ALARMS.

- (a) No person shall do any of the following:
 - (1) Initiate or circulate a report or warning of an alleged or impending fire, explosion, crime, or other catastrophe, knowing that the report or warning is false and likely to cause public inconvenience or alarm;
 - (2) Knowingly cause a false alarm of fire or other emergency to be transmitted to or within any organization, public or private, for dealing with emergencies involving a risk of physical harm to persons or property;
 - (3) Report to any law enforcement agency an alleged offense or other incident within its concern, knowing that such offense did not occur.
- (b) This section does not apply to any person conducting an authorized fire or emergency drill.
- (c) Whoever violates this section is guilty of making false alarms, a minor misdemeanor.

910. PUBLIC INDECENCY.

- (a) No person shall recklessly do any of the following, under circumstances in which his or her conduct is likely to be viewed by and affront others, not members of his or her household:
 - (1) Expose his or her private parts, or engage in masturbation;
 - (2) Engage in sexual conduct;
 - (3) Engage in conduct which to an ordinary observer would appear to be sexual conduct or masturbation.
- (b) Whoever violates this section is guilty of public indecency, a misdemeanor of the fourth degree. Punishment shall be as provided in Section 300.

915. DRUG ABUSE: CERTAIN VIOLATIONS DO NOT CONSTITUTE CRIMINAL RECORD.

- (a) No person shall knowingly obtain, possess, or use a controlled substance.
- (b) This section does not apply to manufacturers, practitioners, pharmacists, owners of pharmacies, and other persons whose conduct was in accordance with Chapters 3719, 4715, 4729, 4731, and 4741 of the Ohio Revised Code. This section does not apply to any person who obtained the controlled substance pursuant to a prescription issued by a practitioner, where the drug is in the original container in which it was dispensed to such person.

- (c) Whoever violates this section is guilty of drug abuse:
 - (1) If the drug involved is a compound, mixture, preparation, or substance included in Schedule III, IV, or V, drug abuse is a misdemeanor of the third degree, and if the offender has previously been convicted of a drug abuse offense, drug abuse is a misdemeanor of the second degree;
 - (2) If the drug involved is marijuana, drug abuse is a misdemeanor of the fourth degree, unless the amount of marijuana involved is less than one hundred grams, the amount of such marijuana resin, or extraction or preparation of such resin, is less than five grams, and the amount of such resin in a liquid concentrate, liquid extract, or liquid distillate form, is less than one gram, in which case drug abuse is a minor misdemeanor.
- (d) Arrest or conviction for a minor misdemeanor violation if this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries about the person's criminal record, including any inquiries contained in any application for employment, license, or other right or privilege or made in connection with the person's appearance as a witness. Punishment shall be as provided in Section 300.

916. DISTURBING A LAWFUL MEETING, ASSEMBLY, OR CLASS.

- (a) No person shall, with purpose, prevent or disrupt any lawful meeting, procession, gathering, class, or assembly.
- (b) No person shall make any utterance, gesture, or display which outrages the sensibilities of any group participating in any meeting, procession, gathering, class, or assembly.
- (c) Violation is a minor misdemeanor.

917. COLLEGE TRESPASSING.

- (a) No person, without privilege to do so, shall enter onto, or remain upon, college property between the hours of 11 p.m. and 6 a.m. daily, while the college is officially closed.
- (b) Violation is a minor misdemeanor.

918. DOGS PROHIBITED.

- (a) No person shall, without privilege to do so, knowingly bring a dog or dogs onto college property.
- (b) No person shall recklessly allow a dog or dogs to run loose on or about college property.
- (c) Violation is a minor misdemeanor.

919. HUNTING, TRAPPING, FISHING PROHIBITED.

- (a) No person shall, without privilege to do so, hunt, fish, or trap wildlife on any college property.
- (b) No person shall, without privilege to do so, damage, destroy, cut, or remove any trees, plants, wood, soil, rocks, or any other college property or resources.
- (c) Violation is a minor misdemeanor, unless the amount of damage exceeds \$150.00, in which case, this will be a misdemeanor of the fourth degree.

920. SOLICITING PROHIBITED.

- (a) No person, without privilege to do so, shall sell, solicit, or offer for sale any product or service on college property.
- (b) No person, without privilege to do so, shall distribute or deliver handbills, tickets, notices, announcements, bulletins, or other written materials on college property, which materials sell, promote, sponsor, offer, or advertise any items of commerce, product, or service.
- (c) Violation is a minor misdemeanor.

921. SECURITY SERVICES AND POLICE.

- (a) No person, without privilege to do so, shall engage in the business of private investigation, security work, police services, or investigative activities upon the college campus or premises.
- (b) No person, without privilege to do so, shall wear any police uniform or carry or possess any police badge on the college grounds or premises.
- (c) In all such cases, the privileges mentioned above shall be administered by the college President, campus police chief, or dean of administrative services.
- (d) Violation is a minor misdemeanor.

922. CAMPING PROHIBITED.

- (a) No person, without privilege to do so, shall sleep or camp overnight upon the college grounds or in any college building.
- (b) In all such cases, the privileges mentioned above shall be administered by the college President, campus police chief, or dean of administrative services.
- (c) Violation is a minor misdemeanor.

923. OPEN BURNING PROHIBITED.

- (a) No person shall, without privilege or expressed authorization to do so, engage in the open burning of any material or substance on any part of the college property.
- (b) Violation is a minor misdemeanor.

924. SKATEBOARDING PROHIBITED.

- (a) No person shall ride on, or in any way operate a skateboard, roller skates, roller blades, or roller skis while on college property.
- (b) Violation is a minor misdemeanor.

925. PROHIBITION AGAINST POSSESSION OF FIREARMS.

- (a) No person shall, without privilege or expressed authorization to do so, possess a firearm, as defined by Section 2923.11 of the Ohio Revised Code, while on any part of the college campus.
- (b) Violation is a misdemeanor of the fourth degree.

926. PROHIBITION AGAINST POSSESSION OF FIREWORKS.

- (a) No person shall, without privilege or expressed authorization to do so, possess any firework, as defined by Section 3743.27 (A) of the Ohio Fire Code, while on any part of the college campus.
- (b) Violation is a minor misdemeanor.

927. SNOWMOBILES AND ALL-TERRAIN VEHICLES PROHIBITED.

- (a) No person shall, without privilege or expressed authorization to do so, operate a snowmobile, all terrain vehicle, or off -road motor cycle, on any part of the college property.
- (b) Violation is a minor misdemeanor.

DEMONSTRATIONS, MARCHES AND SPEAKERS POLICY 3354:2-61-05

(Approved 6/2/05)

- (A) The college recognizes the exercise of the rights of expression, conscience, affiliation, and peaceful assembly. The college is equally mindful that a reasonable assignment of college facilities, resources, and personnel consistent with the civil liberties expressed in the first amendment to the United States Constitution is necessary in order to assure the pursuit of educational programs, to accommodate the needs of all persons, and to respect the rights of all members of the college community.
- (B) In order to insure the accomplishment of these purposes and to insure the orderly conduct of classes and other functions of the college, specific administrative procedures are established.
- (C) In order to provide continuity of educational programs and to provide for a climate of safety, groups wishing to demonstrate or march on college property must have an endorsement for the demonstration or march from a college department or registered student organization, and must also receive a permit to demonstrate or march from the Dean of Student Development.
- (D) The college neither permits nor forbids demonstrations off campus by members of the college community. Persons demonstrating off campus are reminded that they are expected to act in a manner that will conform to all national, state, and municipal laws and ordinances. The college is particularly concerned that this responsibility be fulfilled when persons demonstrating off campus identify themselves as members of the college.

DRUG- AND ALCOHOL-FREE WORKPLACE POLICY 3354: 2-20-72

(Approved 3/6/03)

- (A) It is the policy of Lakeland Community College to provide and maintain a drug- and alcohol-free campus in recognition of the adverse effects of alcohol and illicit drugs on employee and student health, safety, and performance. The term "drug" refers generally to any controlled substance of which the sale or possession is prohibited by law.

- (B) Any unlawful possession, distribution, or use of drugs is prohibited throughout college property or as part of any of its activities. Violators are subject to criminal prosecution in accordance with all applicable statutes.
- (C) All employees and students must adhere strictly to the college's drug-and alcohol-free policy. Violation of this policy will result in appropriate disciplinary action consistent with local, state, and federal laws. As a condition of employment, an employee will notify the Vice President for Human Resources and Organizational Development in writing of any criminal drug statute conviction for violation occurring in the workplace no later than five calendar days after such conviction.
- (D) The Vice President for Human Resources and Organizational Development will annually distribute to all employees a written statement informing them of the college's drug- and alcohol-free policy and their responsibilities under this policy, and a description of health risks associated with the use of illicit drugs and the abuse of alcohol. The Vice President for Human Resources and Organizational Development will also provide information relative to local, state and federal laws pertaining to legal sanctions on alcohol or illicit drug use.
- (E) The Dean of Student Development will annually inform students that information concerning the college's Drug- and Alcohol-Free Policy is available in the Admissions Office, Health Services, and Student Services.
- (F) The Vice President for Human Resources and Organizational Development shall be designated as the college's compliance officer for the purpose of implementing and enforcing the provisions of this policy.
- (G) This policy has been promulgated and shall be maintained in accordance with the Drug-Free Schools and Communities Act Amendments of 1989 (PL101-226).

EMERGENCY CLASS CANCELLATIONS AND COLLEGE-CLOSING POLICY 3354:2-8-01

(Approved 1/11/96)

(A) Introduction

It shall be the policy of the college to maintain regularly scheduled activities and operations whenever possible. However, situations which threaten the safety of students and college employees such as severe weather conditions, utility failures, bomb threats, civil disorders and other emergencies may require that a timely decision be made to close the college.

(B) Decision Process*

- (1) Information regarding current or potential threats to the safety of students and employees shall be reported immediately to the President by the Chief of Police who shall consult with the Director for Facilities Management as appropriate.
- (2) The decision to close the college shall be made by the President. The decision shall be based upon information regarding conditions on campus, current weather reports, road conditions, closures by local school districts and employers, and the availability of current services.

*In the absence of the college official indicated, the official acting in his/her absence shall execute the responsibilities indicated.

EQUAL EMPLOYMENT OPPORTUNITY POLICY 3354:2-20-02

(Approved 3/6/03)

(A) Policy

- (1) Lakeland Community College continues its policy that in its educational and employment opportunities there shall be no discrimination against any person because of race, color, religion, sex, national origin, handicap, ancestry, disabled veteran or Vietnam-era veteran status, age, marital and/or parental status.
- (2) Lakeland Community College is committed to act affirmatively to promote equal employment opportunities and practices for employees.
- (3) Lakeland Community College will recruit, select, and employ the individual most likely to succeed in a position in accordance with equal employment opportunity. The skills, education, work experience established as requirements for employment in a position will be reasonable, bona fide occupational qualifications.
 - (a) All tenure-track faculty positions and continuing status administrative positions will be announced nationwide.

(B) Scope of Equal Employment Opportunity

- (1) Equal employment opportunity consists of all the procedures and cultural diversity activities of the college which contribute to nondiscrimination, and ensure equal employment opportunity for all.

(C) Dissemination

- (1) Lakeland's equal employment opportunity policy shall be widely disseminated within the college and the community. This is an official policy of the college and shall be considered a public document and distributed by the Human Resources department.

(D) Responsibility for Implementation

- (1) The President shall have the ultimate responsibility for achieving equal employment opportunity and related decisions.
- (2) The operating responsibility to implement and evaluate the equal employment opportunity program is assigned by the President to the Vice President for Human Resources and Organizational Development.
- (3) Supervisors
 - (a) All supervisory personnel are responsible for compliance with the equal employment opportunity policy within their area.

(E) Facilities

There shall be no discrimination in the provision or rental of facilities with the exception of the availability of segregated facilities where the traditional right of privacy dictates usage segregated by sex.

(F) Construction Contractors and Sub-Contractors

All construction contractors and sub-contractors shall be informed of the college's non-discrimination requirements of the equal employment opportunity policy and notified that the college expects them to conform to applicable federal and state guidelines.

(G) Purchasing

All contractors and suppliers shall be informed of the college's non-discrimination requirements of the equal employment opportunity policy and notified that the college expects them to conform to applicable federal and state guidelines.

(H) Definitions

- (1) Discrimination is action inimical to persons because of characteristics listed in paragraph (A) (1) of this rule.
- (2) Protected classes are groups defined by federal regulations.

FEDERAL COMPLIANCE POLICY STATEMENT 3354:2-70-25

(Approved 6/02/05)

- (A) The Board of Trustees of Lakeland Community College has promulgated and adopted administrative procedures designed to ensure compliance with applicable provisions of the Crime Awareness and Campus Security Act of 1990 (as amended).
- (B) Legislative compliance officers have been designated by the college President and copies of all required reports and documents are available, upon request, from the office of the Dean of Student Development and the Human Resources division.

GRADUATION REQUIREMENTS POLICY 3354:2-51-03

(Approved 3/6/03)

- (A) All Associate degrees (or Arts, Science, Applied Business, Applied Science, and Technical Studies) require successful completion of at least 64 semester hours with a 2.0 minimum grade point average (GPA). The student must have earned at least 20 credit hours at Lakeland Community College and must have been enrolled during the term in which he/she she completed the degree program.
- (B) Students earning an Associate of Applied Science Degree or Associate of Applied Business Degree are required to:
 - (1) Pass all applicable technical courses for the particular major with a "C" grade or better
 - (2) Enroll and earn no fewer than 20 technical credits at Lakeland Community College for the particular major;
 - (3) Maintain a 2.0 overall grade point average (GPA).
- (C) Some programs of study may have additional program and/or grade point average requirements based upon accreditation standards. The student must review and meet the requirements of the specific degree program to determine if there are additional requirements.
- (D) All students intending to graduate must file a petition to graduate.

PERSONA NON GRATA STATUS FOR NONSTUDENT VISITORS POLICY 3354:2-61-10

(Approved 3/6/03)

The Board of Trustees of Lakeland Community College requires that the conduct of non-student visitors to campus and those attending off-campus college sponsored events be of reasonable and appropriate nature so as to permit the college to properly pursue its educational objectives and programs and to permit college guests to enjoy a safe environment.

- (A) The President of the college shall implement a procedure that regulates the behavior of non-student visitors, consistent with Board policy and applicable federal, state, and local laws, when such behavior is deemed detrimental to the college community. The President shall also develop proper procedures for enforcement of this policy.
- (B) The President may delegate to appropriate college officials the responsibility to implement this procedure.
- (C) The President shall enforce this policy through the use of appropriate college officials and the campus police department.

PERSONA NON GRATA STATUS FOR NONSTUDENTS PROCEDURE SS61-10

(Approved 6/2/05)

(A) Definitions

- (1) For the purposes of this rule, "persona non grata" means a nonstudent who has exhibited behavior that has been deemed detrimental to the college community and thus is no longer permitted to frequent or be present on the college campus or in specified college locations.
- (2) The term "nonstudent" means any person who is not a student, nor an employee acting within the scope of his/her employment.
 - (a) As a general rule, persons who have been previously enrolled at the college but who are not enrolled for the current term and have not been enrolled for one term or longer, or who have graduated or transferred are classified as nonstudents. Persons who have been admitted to the college either for credit or noncredit courses and have yet to register for classes, are currently enrolled or who have previously been enrolled but have not taken classes for less than one term, are classified as students. Persons who were enrolled for classes during spring term and are enrolled for fall term classes are considered to be students over the summer.
 - (b) It is intended that this rule provide a means for regulating the behavior of all persons, except college employees acting within the scope of their employment, who are present on college property and who are not subject to the jurisdiction of the student conduct policy. Where doubt exists as to a person's status as a student, the individual may be charged under this rule and then later referred to student conduct if determined to be a student. In such instances, the warning notice noted herein shall be used as the student conduct incident report.
- (3) The term "organization" means an association or group of individuals, whether legal entities or otherwise, who use, rent or frequent the college premises.

- (4) "Behavior detrimental to the college community" includes, but is not necessarily limited to, any actions by an individual which results in an offense against persons or property, disruption of college processes or programs, violation of a previous order given by a college official, or falsification or misrepresentation of self or other information to a college office or official.
- (5) The term "hearing officer" means any person authorized by the Dean of Student Development to conduct a persona non grata hearing.
- (6) The term "college" means Lakeland Community College.
- (7) The term "faculty" means any person or group of persons hired by the college to conduct classroom activities.
- (8) The term "college official" includes any person employed by the college, performing assigned administrative or professional responsibilities.
- (9) The term "college community" includes any person who is a student, faculty member, college official, any other person employed by the college or any visitor to the college campus. When in question, the Dean of Student Development shall determine a person's status in a particular situation.
- (10) The term "college premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the college (including the main campus, off-site locations, adjacent streets and sidewalks).
- (11) The terms "group" and "organization" mean associations of nonstudent individuals who use Lakeland Community College property or facilities.
- (12) The term "shall" is used in the imperative sense.
- (13) The term "may" is used in the permissive sense.
- (14) The term "policy" is defined as the written regulations of the college as found in the student handbook, the college catalog and the college policy register.

(B) Procedural Authority

- (1) The Dean of Student Development is that person designated by the college President to be responsible for the administration of persona non grata for nonstudents policy.
- (2) This rule shall not be construed to limit the authority of administrative officials from taking any other action as may be warranted by the circumstance.
- (3) The Dean of Student Development shall develop policies for the administration of the persona non grata status for nonstudent policy and procedural rules for the conduct of administrative hearings consistent with the provisions of that policy.
- (4) The Dean of Student Development shall determine which hearing officer is authorized to hear each case. Only those college officials who have been appointed as college hearing officers have the authority to make a determination as to persona non grata status under this rule.
- (5) Decisions made by a hearing officer shall be final, unless appealed as provided for in Section (D) (5) of this procedure.

(C) Prescribed Conduct

- (1) Jurisdiction of the College
 - (a) College jurisdiction and discipline shall be limited to conduct which occurs on college premises, at college sponsored activities or which adversely affects the college community and/or the pursuit of its objectives whether on or off college premises.

(2) Conduct - Rules and Regulations

- (a) It is the intent of this procedure to create a learning environment that is based on honesty, civility and the freedom to pursue knowledge. Such an environment must be free of harassment and hostility in order to encourage each individual to attain his or her fullest potential.
- (b) Any nonstudent found to have committed behavior detrimental to the college community is subject to being placed on persona non grata status. Examples of behavior detrimental to the college community include, but are not limited to:
 - (i) Any action by an individual, which results in an offense against persons or property.
 - (ii) Any disruption of college processes or programs.
 - (iii) Violation of a previous order given by a college official.
 - (iv) Violation of published college policies, rules or regulations.
 - (v) Acts of dishonesty, including but not limited to the following: (1) furnishing false information to any college official, faculty member or office; (2) forgery, alteration or misuse of any college document, record or instrument.
 - (vi) Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct that threatens or endangers the mental or physical health or safety of any person.
 - (vii) Failure to comply with directions of college officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
 - (viii) Unauthorized possession, duplication of or use of keys to any college premises or property or unauthorized entry to or use of college premises.

(D) Procedures

(1) Charges and Administrative Hearings

- (a) Any member of the college community, in cooperation with the campus police and/or college prosecutor, may file charges against any nonstudent for behavior detrimental to the college community. Charges shall be prepared in writing and directed to the Dean of Student Development. A charge should be submitted as soon as possible, preferably within fourteen working days after the event takes place, or after such violation becomes known to a college official.
- (b) The Dean of Student Development will appoint a hearing officer to conduct a hearing to decide the charges.
- (c) All charges shall be presented to the accused nonstudent in written form. Included in the written notification will be the name and title of complaining party, notice of the charge, a summary statement of the alleged unacceptable behavior and the date thereof, if known, and a warning that failure to appear will result in a determination as to persona non grata status being made without the accused present. A time shall be set for an administrative hearing, not less than five nor more than fifteen calendar days after the nonstudent has been notified. Time limits for scheduling of administrative hearings may be extended at the discretion of the Dean of Student Development, or a designee.

- (d) Hearing officers shall conduct administrative hearings according to the following guidelines:
 - (i) Administrative hearings normally shall be conducted in private.
 - (ii) Admission of any person, not a party or a witness, to the administrative hearing shall be at the discretion of the hearing officer. The campus police chief and the college prosecutor, or their designees, will be present at all hearings.
 - (iii) In administrative hearings involving more than one accused nonstudent, the hearing officer, at his or her discretion, may permit the administrative hearings concerning each nonstudent to be conducted separately.
 - (iv) The complainant and the accused have the right to be assisted by an advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused are responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or participate directly in any administrative hearing before a hearing officer.
 - (v) The complainant, the accused and the hearing officer shall have the right to present witnesses, subject to the right of cross examination by the hearing officer and opposing party.
 - (vi) The hearing officer may accept pertinent records, exhibits and written statements as evidence for consideration, at the discretion of the hearing officer.
 - (vii) All procedural questions are subject to the final decision of the hearing officer.
 - (viii) At the conclusion of the administrative hearing, the hearing officer shall determine whether the nonstudent has exhibited behavior detrimental to the college community.
 - (ix) The hearing officer's determination shall be made on the basis of whether it is more likely than not that the accused nonstudent exhibited behavior detrimental to the college community.
 - (e) There shall be a single verbatim record, in the form of a tape recording, of all administrative hearings before the hearing officer. The record shall be the property of the college. Copies of the tapes will be provided to the nonstudent involved in a case at his/her expense.
 - (f) No nonstudent may be found to have committed behavior detrimental to the college community solely because the nonstudent failed to appear before a hearing officer. In all cases, the evidence in support of the charges shall be presented and considered.
- (2) Sanction of Persona Non Grata Status
- (a) Persona Non Grata Status is the denial of permission to frequent or be present in specified campus locations, including total banishment from campus, indefinitely or for a specified time period.

- (b) In each case in which a hearing officer determines that a nonstudent has committed behavior detrimental to the college community, the hearing officer shall recommend the sanction of persona non grata to the Dean of Student Development or designee. The Dean of Student Development or designee, will then impose the sanction. Following the administrative hearing, the Dean of Student Development or designee, shall advise the accused in writing of the determination and of the sanction imposed, if any.
 - (c) The college police are authorized to enforce the sanction of persona non grata.
- (3) Interim Suspension
 - (a) In certain circumstances, the Dean of Student Development or designee may impose a college suspension prior to the administrative hearing before a hearing officer.
 - (i) Interim suspension may be imposed: (1) to ensure the safety or well-being of members of the college community or preservation of college property; (2) to ensure the nonstudent's own physical or emotional safety or well-being; or (3) if the nonstudent poses a threat involving disruption of or interference with the normal operations of the college.
 - (ii) During the interim suspension, nonstudents shall be denied access to the campus and/or all other college activities or privileges for which the nonstudent might otherwise be eligible, as the Dean of Student Development or designee may determine to be appropriate.
- (4) Notification of Persona Non Grata Status
 - (a) Notification shall occur, when possible, at the time of determination of such status. If not given at the time of determination of persona non grata status, notification should occur at the first opportunity by the best means available. The campus police are authorized to provide this notification.
 - (b) The person being placed on persona non grata status should acknowledge, when possible, by signing the notification. If not acknowledged by such individual's signature, the signature of the official accomplishing such notification must appear on the form.
 - (c) The restrictions imposed on an individual given persona non grata status shall take effect upon receipt of the above notification.
 - (d) During the time that the persona non grata status is in effect, permission may be granted by the Dean of Student Development, in consultation with the campus police chief and the college prosecutor, or their designees, for entrance of the person on such status to the specified college locations for a specified purpose and time.
- (5) Appeals
 - (a) A decision delivered by the hearing officer and/or sanction imposed by the Dean of Student Development or designee may be appealed by accused nonstudents or complainants to the Executive Vice President and Provost and Dean of Faculty within five (5) working days of the decision. Such appeals shall be in writing and shall be delivered to the Executive Vice President with a copy to the Dean of Student Development or designee.
 - (b) An appeal shall be limited to review of the verbatim record of the initial administrative hearing and supporting documents for one or more of the following purposes:
 - (i) To determine whether the original administrative hearing afforded the

parties a fair opportunity to be heard and present their evidence in light of the charges and evidence presented, and in conformity with the persona non grata status for nonstudents policy.

- (ii) To determine whether the decision reached regarding the accused nonstudent was based on the evidence, that is, whether the facts in the case were sufficient to establish that the nonstudent exhibited behavior detrimental to the college community.
 - (iii) To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original administrative hearing, because the person appealing did not know such evidence and/or facts existed and the evidence and/or facts were not reasonably discoverable at the time of the original administrative hearing.
 - (c) The persona non grata status shall remain in effect pending the Executive Vice President's decision on the review. The Executive Vice President shall render his/her decision within ten (10) working days of receipt of the appeal. The Executive Vice President's decision shall be final.
 - (d) Any question of interpretation regarding this policy shall be referred to the Dean of Student Development or designee for final determination.
- (E) Any person determined to be a persona non grata who violates the sanction imposed, including interim suspension, shall be deemed a trespasser and prosecuted accordingly

PROCEDURE FOR RESOLVING INSTRUCTIONAL DISPUTES INVOLVING STUDENTS WITH DISABILITIES IS59-03

(Approved 6/10/03)

A. General

- (1) One week before the beginning of each term the Counselor for Students with Disabilities (CSD) will send instructors a description of the recommended accommodation(s) for each such student. The CSD arrives upon such recommended academic accommodations through a case-by-case analysis of the documentation which the student has presented to the institution, the applicable law, and the student's expressed choice during an interview. If the student is a late registrant, the CSD will make every effort to notify the instructor as to the student's anticipated presence in his/her classroom. For purposes of this procedure, the ADA Compliance Officer shall be the Assistant Vice President for Student Access and Services.
- (2) Each term the students with disabilities registered with the CSD are expected to obtain a letter of accommodation in the Learning Center and present it to each of their instructors from whom they are requesting accommodations. This is to be completed and signed by the second week of the term. The instructors will be asked to sign and date the letter indicating an understanding of the requested accommodations.

Note: A student with a disability may choose to attend certain courses without utilizing his/her accommodations. He/she will simply not present the accommodation letter to the instructor of those courses.

B. Procedure

- (1) How the Faculty Indicate They Have A Problem With A Proposed Adjustment
 - (a) If the instructor believes that the accommodation requires a fundamental alteration in his/her classroom practice, or has any other reason for objecting to its implementation, he/she must contact the CSD within five (5) working days of the receipt of notice.

- (2) Attempt at Informal Resolution of Problem
 - (a) Upon receipt of an instructor's indication of a disagreement with the recommended accommodations, the CSD shall contact the instructor within two (2) days of receipt to initiate an informal discussion. Lakeland Community College believes that it is at this stage that the greatest efforts should be expended to arrive at resolution; past history supports this view because very often the differences hinge on a better understanding of the problem.
 - (b) The purposes of this initial information step are to allow the instructor to explain the reason for disagreement, to allow the instructor to suggest an alternative accommodation, to allow the CSD to provide additional information if appropriate, and to afford the parties an opportunity for disagreement to be amicably resolved. After these discussions, the CSD shall contact the involved student to determine whether the proposed resolution reached is acceptable to him/her. Any agreed upon adjustment(s) to the accommodations must be noted on the student's accommodation letter.
 - (c) If the discussion in (2) above does not resolve the problem to the instructor's or student's satisfaction, then the CSD will contact the appropriate Divisional Dean who shall, in turn, facilitate further informal discussion following the procedures in (2) above.
 - (d) The informal discussion shall be completed by the end of the first calendar week of classes (a calendar week running from Saturday - Friday).
- (3) Preparation of a Written Statement Setting Forth Specifics of Unresolved Classroom Adjustment Problem
 - (a) If the discussion in (B) above does not resolve the problem to the instructor's or student's satisfaction, the instructor or student shall prepare a short statement explaining the grounds for the unresolved dispute and deliver it to the ADA Compliance Officer on the next day. The requested accommodations must be implemented and maintained, however, during the formal process of resolution of the dispute and at all steps preceding this one.
- (4) Convening of a Review Panel to Hear the Problem
 - (a) Upon receipt of a statement from a faculty member or student detailing the grounds of an unresolved dispute pertaining to requested accommodations for a disabled student in the faculty member's classroom, the ADA Compliance Officer's administrative assistant shall stamp the date and time of receipt on the face of the statement and shall convene a meeting of a panel of the review committee within seventy-two (72) hours.
 - (b) With respect to the composition of the review committee, the Lakeland Faculty Association shall appoint a pool from which panel members will be drawn, on an ad hoc basis. When an unresolved instructional concern involving a disabled student arises, the President of the Lakeland Faculty Association shall select two such appointees from the division in which the problem arises and one appointee outside the division to serve on the committee. The President of the College shall appoint the CSD and the Dean of Division from which the concern arises to work with the three faculty according to the guidelines set forth in the following paragraphs. The committee's goal is to arrive at a resolution of the matter which takes into consideration sound pedagogical principles, the expressed learning style preferences of the student, the accommodations the student has had in the past, applicable law, and other relevant factors.

- (5) The Conduct of Hearings
- (a) The faculty member and/or the disabled student who has an unresolved dispute shall be non-voting participants at the ad hoc review committee hearing and each shall be entitled to bring a person of his/her own choosing as moral support, although that person shall function as an observer rather than a participant. An inquiry, as may be appropriate, shall be conducted with respect to the positions maintained by the respective parties and how these positions can be reconciled with the needs of the disabled student. The review committee, subject to the approval of the ADA Compliance Officer, reserves the right to bring in an expert in the particular area of disability that is reflected in the student whose accommodations are at issue, or an individual with special knowledge and training in methods of learning indigenous to the discipline under study. This individual shall serve as an information resource for the panel as a whole.
- (6) The Issuance of a Written Finding of Fact and Recommendation as to Resolution of the Matter by the Panel
- (a) A written finding of fact and recommendation as to resolution of the matter shall be issued by the panel within twenty-four (24) hours of its convening for the purpose of conducting a hearing as detailed in the preceding paragraph. A copy of the finding of fact and recommendation issued by the panel shall immediately be mailed to the home of the faculty member and of the student.
- (7) Option of Further Review
- (a) Upon receipt of the panel's written finding of fact and recommendation, the faculty member and the student shall review the document and determine whether they are satisfied with the proposed resolution of the matter. If they are not, the dissatisfied party shall notify the ADA Compliance Officer in writing within two days of receipt of the finding of fact and recommendation of his/her intention to appeal the matter further (the next step being to the ADA Compliance Officer).
- (8) The Compliance Officer May Review the Matter
- (a) If the outcome of (8) is that either the faculty member or the student formally requests a review of the matter by the ADA Compliance Officer, then the ADA Compliance Officer shall immediately proceed to contact the necessary parties to obtain additional evidence as appropriate. The ADA Compliance Officer shall complete the review and issue the opinion either accepting or rejecting the recommendation of the review committee within 48 hours of receipt of the letter requesting review from the faculty member or the student. The decision of the ADA Compliance Officer shall be final.

NOTE: The privacy/confidentiality needs of the student may prevent disclosure of the details of his/her specific condition to the faculty.

SELECTIVE SERVICE REGISTRATION STATEMENT

Ohio statute requires that all male students who fall under the Selective Service registration requirements must have registered with the Selective Service. Failure to do so will affect certain grants to which students may be entitled as well as cause out-of-state fees to be charged regardless of place of residence.

SEXUAL HARASSMENT OR HARASSMENT POLICY

3354:2-20-74

(Approved 3/6/03)

- (A) It is the policy of Lakeland Community College, in compliance with Title VII of the Civil Rights Act, State law, and the Campus Safety Act, as amended, to provide an educational environment and workplace free of harassment of all kinds, including, but not limited to, sexual harassment.
- (1) Sexual harassment is defined as unwelcome or unsolicited sexual advances, requests or demands for sexual favors or other verbal or physical conduct of a sexual nature when:
 - (a) Submission to such conduct is made either explicit or implicitly a term or condition of an individual's employment (including hiring or retention) or student status.
 - (b) Submission to or rejection of such conduct is used as the basis for decisions affecting that individual in regard to employment (raises, job or work assignments, discipline, etc.) or to student status (grading, references, assignments, etc.).
 - (c) Sexual harassment or harassment has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience or creates an intimidating, hostile, or offensive work and/or educational environment.
 - (2) Sexual harassment or harassment is considered a misconduct and will subject an employee or student to disciplinary action consistent with Board policy, administrative procedures, and appropriate law.
 - (3) Consistent with the Campus Safety Act, the college will provide for proactive educational programming, assistance to victims of sex offenses, and procedures for notification of appropriate administrators when an offense occurs.

SEXUAL HARASSMENT OR HARASSMENT PROCEDURE

HR20-74

(Approved 6/10/03)

- (A) General Procedures
- (1) Guidelines
 - (a) In accordance with the provisions of Lakeland Community College's Sexual Harassment or Harassment Policy (3354:2-20-74), the following procedural guidelines are officially adopted to govern such matters within the institution relating to students, employees and visitors. The procedures herein set forth are designed to enable the institution to arrive at a fair and equitable determination while providing flexibility in dealing with the wide range of incidents which might fall under the terms "sexual harassment" or "harassment." They are intended to be responsive to the particular situation at hand and are informal or formal as the allegations under review dictate.

(2) Principles

- (a) The following principles will be used in addressing any sexual harassment complaints:
- (i) The accused is presumed innocent until proven guilty;
 - (ii) Whenever possible, individuals are encouraged to address sexual harassment complaints as soon after the incident as possible;
 - (iii) Many disputes or grievances are best resolved informally with an effort by each party involved to listen carefully and respectfully to the others involved;
 - (iv) Each complaint will be handled on an individual, case-by-case basis;
 - (v) The investigation will be conducted as fairly and expeditiously as possible;
 - (vi) In all such cases, confidentiality will be accorded the utmost respect for the complainant, the accused, and witnesses in keeping with the provisions of the Ohio Revised Code;
 - (vii) Any person bringing forth a complaint of sexual harassment or harassment will not be subject to retaliation;
 - (viii) The complaint will be resolved in a manner which is consistent with these procedures and with college policy and in a fashion that is fair and equitable to all parties involved;
 - (ix) To the extent possible, all meetings and hearings will be scheduled at mutually convenient times.

(3) Responsibility

(a) Responsible Person

- (i) The Vice President for Human Resources & Organizational Development shall act as the administrative coordinator of the college's sexual harassment or harassment policy and procedures set forth herein. The Vice President shall have the following specific responsibilities:
- (a) To schedule and coordinate training sessions for staff and other segments of the campus community regarding the college's sexual harassment or harassment policy and procedures;
 - (b) To provide information and referrals to those requesting assistance in matters relating to the college's sexual harassment or harassment policy and procedures and to work with the campus police to provide educational programs promoting the awareness of rape, acquaintance rape and other forcible and nonforcible sex offenses;
 - (c) To inform students and employees about the correct procedures to follow if a sex offense occurs and of the option to notify the local law enforcement authority having jurisdiction in such matters (campus police);
 - (d) To keep students apprised of existing on- and off-campus counseling, mental health services and student services for victims of sex offenses;
 - (e) To respond to complaints regarding the sexual harassment or harassment policy and procedures;

- (f) To maintain all records of formal complaints for three (3) years from the date of filing if there has been no substantiation of the allegation and subsequently no disciplinary action taken. In the event the allegation is verified through investigation, and if disciplinary action is taken, the formal records will be maintained for employees throughout employment plus six (6) years and, for students, through the duration of attendance plus three (3) years.
 - (ii) Student Contact Person
 - (a) The Director of Student Development & Dean of Students will designate two individuals, one female and one male, to assist students with sexual harassment concerns. These individuals will be available to informally discuss issues with students who may be initially uncomfortable approaching the Vice President for Human Resources & Organizational Development.
- (4) Examples
 - (a) Sexual harassment or harassment may include, but is not limited to, the following types of behavior:
 - (i) Sexual advance(s) or advance(s) with the threat of punishment for non-compliance or with promise of reward for compliance;
 - (ii) Sexually oriented verbal "kidding" or use of nicknames, insults or explicit remarks or "jokes" of a sexual nature;
 - (iii) Use of sexually intimidating teaching techniques such as required role playing about sexually implicit or explicit situations;
 - (iv) Physical contact(s) such as pinching, touching, kissing or brushing against another's body;
 - (v) Posting or displaying sexually offensive materials; or
 - (vi) Repeated sexually related comments about another's body or appearance or any other communications that create a demeaning, offensive or hostile work or educational environment.
- (5) Consensual Relationships
 - (a) Dating relationships between faculty or employees and students, or between supervisors and staff or student workers is extremely unwise and is not encouraged by the college. Such consensual relationships may unfairly exploit power status, violate the respect and trust given someone in authority, or subtly, and even inadvertently, pressure those in the more vulnerable position. Mutual consent relationships, therefore, will not automatically provide immunity if a complaint of sexual harassment or harassment is filed.
- (6) Retaliatory Actions
 - (a) Attempts to take retaliatory action against the individual(s) involved or to influence the normal conduct of the complaint or grievance procedure will be considered a serious offense and subject to disciplinary and/or other action up to and including discharge for an employee and up to and including expulsion for a student.
- (7) False Allegations
 - (a) Any employee, student or visitor who knowingly or maliciously files a false allegation of sexual harassment or harassment will be subject to disciplinary, administrative or criminal sanctions through the appropriate procedures.

(8) Criminality

- (a) Some incidents of sexual harassment may involve criminal behavior. In light of this, the Vice President for Human Resources & Organizational Development may call upon the campus police chief and/or college prosecutor at any time to assist in the development of sexual harassment or harassment investigations. It is important that the investigator handling such complaint(s) treat all physical and testimonial evidence in a confidential manner that will maintain the integrity of the evidence.

(9) Dissemination

- (a) The sexual harassment or harassment policy and procedure will be made available to all students, employees and visitors by way of student and employee handbooks.

(B) Process for Handling a Sexual Harassment or Harassment Complaint

(1) Informal Actions

- (a) If an individual believes that s/he may have been a victim of sexual harassment or harassment, there are a number of ways to seek assistance.
- (i) The individual may talk with the person whose actions s/he finds offensive; with the person's supervisor if s/he is an employee; or with the administrative head of the department with which the alleged harasser is affiliated.
- (ii) Any individual seeking information about sexual harassment or harassment should contact the Vice President for Human Resources & Organizational Development or a member of his/her staff who will informally provide information and options available. Students also have the option of contacting one of the persons designated in Section I.(C)(1) of these procedures.

(2) Formal Actions

(a) Time Frame

- (i) Any student or employee who feels s/he has been subjected to sexual harassment or harassment must file a complaint within 180 days of the date of the incident.
- (ii) The time limits provided in these procedures may be extended by mutual agreement of the parties. Otherwise, if the complainant fails to observe any of the time limits set forth in these procedures, the complainant shall have waived his/her claim and no subsequent steps in these procedures shall occur. If the college fails to meet a deadline set by these procedures, the complaint shall automatically advance to the next step.

(b) Initial Steps

- (i) Should any person wish to file a sexual harassment or harassment complaint, the allegations must be submitted in writing to the Vice President for Human Resources & Organizational Development who will initially discuss the matter with the complainant to ascertain, as fully as possible, the validity of the charges and the scope of the problem. Until these preliminary steps are completed, the matter will not be discussed with anyone other than the complainant and/or college legal counsel. If at this point any potential criminality is suspected, the Vice President will consult with the college police chief and/or college prosecutor to determine an appropriate course of action.

(c) Special Cases

- (i) If the complaint is against the Director of Human Resources & Affirmative Action, the complainant should file with the Vice President for Administrative Services.
- (ii) If the complaint is against a college Vice President, the complainant should file with the college President.
- (iii) If the complaint is against the College President, the complainant should file with the chairperson of the Board of Trustees. The Board of Trustees' decision in such matters is final.
- (iv) If the complaint is against a student employee acting in his/her employee capacity, these procedures will apply. If the complaint is against a student, the complainant should follow the procedures outlined in the college's Student Conduct Code Policy (3354:2-61-02).
- (v) If the complaint is against a visitor to the campus, the complainant should follow the procedures outlined in the College's Policy entitled Persona Non Grata for Nonstudent Visitors (3354:2-61-10).

(d) Investigation

(i) Procedures

- (a) Once the official written complaint has been filed and the initial meeting held, the Vice President for Human Resources & Organizational Development will:
 - (i) advise the appropriate administrator and supervisor of record;
 - (ii) consult with the complainant as necessary;
 - (iii) interview witnesses;
 - (iv) collect and preserve physical evidence;
 - (v) interview others who may have knowledge of the situation and may be of assistance in establishing the facts;
 - (vi) interview the accused;
 - (vii) prepare an investigation report within thirty (30) days of receipt of the written complaint.
- (b) The final investigative report will include a recommendation for or against official sanctions against the accused based on a preponderance of the evidence.

(ii) Criminal Investigation

- (a) Pursuant to the provisions of the Federal Campus Safety Act, college employees becoming aware of a possible sexual harassment or harassment complaint must inform students of their option to notify the campus police in addition to college officials, and employees must assist the student in notifying the police if the student so requests.
- (b) In the event that a police investigation is initiated, all administrative processes will be coordinated with the police investigation.
- (c) In any case where potential criminal behavior is determined to exist, the cognizant college administrator will immediately notify the campus police so that a criminal investigation can be initiated and reviewed by the prosecutor. It is important to remember in such cases that failure to report a crime is a crime and failure to report a suspected sexual offense to the police may also be a violation of the Campus Safety Act.

- (d) Pursuant to the provisions of the Federal Campus Safety Act, in cases of alleged sex offenses the case investigator will:
 - (A) inform the complainant and the accused that they are entitled to the same opportunities to have others present during an institutional disciplinary proceeding and that both the accuser and the accused will be informed of the outcome of any institutional disciplinary proceeding in such a matter;
 - (B) notify the complainant that the college will change his/her work, academic or living situation, if appropriate, after an alleged sex offense and the options for such changes, if such changes are requested by the victim are reasonably available; and
 - (C) keep the complainant apprised of the status and final determination of his/her complaint and, if applicable, the specific nature of the discipline and/or sanctions imposed by the college upon the alleged perpetrator.
- (e) Report
 - (i) The investigative report will be submitted to the appropriate Vice President with copies to the college's legal counsel, the appropriate administrator and supervisor of record as well as to the complainant and the accused. All parties are expected to treat said reports in a highly confidential manner in accordance with the provisions of the Ohio Revised Code.
 - (ii) Within ten (10) working days the appropriate Vice President shall review the investigative report and endorse and/or modify the recommendation for or against official sanctions. All parties involved will be notified in writing of the Vice President's determination in this matter.
- (f) Disciplinary Actions
 - (i) Sanctions will be initiated by the appropriate Vice President on individuals who were found to have engaged in sexual harassment or harassment; to have filed false allegations; or to have engaged in any type of forcible or nonforcible sexual offense. The possible sanctions are up to and including discharge for an employee or up to and including expulsion for a student. Nonstudent visitors shall be treated in accordance with the provisions set forth in the Persona Non Grata Status for Nonstudent Visitors policy (3354:2-61-10).
- (g) Appeals Process
 - (i) If the complainant and/or the accused is not satisfied with the decision made by the Vice President, s/he may appeal in writing to the President. The appeal must be filed with the President's Office within seven (7) work days of receipt of the initial notification of determination from the Vice President. In case of appeal, all sanctions will be stayed until the President makes a final determination in the case.
 - (a) The President will review the appeal and respond in writing and within ten (10) work days to all parties officially involved concerning his/her final determination in the matter.
 - (b) The determination of the President in such matters is final.

SMOKE-FREE ENVIRONMENT POLICY 3354:2-10-10

(Approved 9/5/91)

Lakeland Community College is dedicated to providing a healthy, comfortable and productive work environment for all members of the college community. This goal can be achieved only through ongoing efforts to protect nonsmokers and to help affected persons adjust to restrictions on smoking. Smoking is therefore prohibited throughout college-owned or leased buildings and/or vehicles.

SOLICITATION AND SALES POLICY 3354:2-39-01

(Approved 1/15/98)

- (A) To insure the orderly functioning of the college and to permit registered student and college organizations as well as college departments an opportunity to supplement their allocated resources, the college permits only these organizations and departments described below to engage in sales and/or solicitations as a part of their legitimate service, educational or fundraising activities.
- (B) Therefore, no person shall sell, solicit, or offer for sale any product or service on college property unless the activity is sponsored by a registered student organization, college organization, or college department and approved by the appropriate Vice President. No person or persons shall distribute or deliver handbills, tickets, notices, announcements, bulletins, or other written materials on college property when said materials sell, promote, sponsor, offer, or advertise any items of commerce, products, or service unless the activity is sponsored by a registered student organization or college department and approved by the appropriate Vice President. Door-to-door solicitation and/or sales is expressly prohibited.

STUDENT CONDUCT CODE POLICY 3354:2-61-02

(Approved 9/12/96)

The Board of Trustees of Lakeland Community College requires that the conduct of students be of a responsible and appropriate nature so as to permit the college to properly pursue its educational objectives and programs. This policy applies to both on-campus and off-campus college related activities.

- (A) The President of the college shall develop and implement a student conduct code which sets forth standards of conduct for students, consistent with Board policy, and proper procedures for enforcement thereof.
- (B) The President may delegate to appropriate college officials the responsibility to implement the student conduct code. Disciplinary action may be taken against a person who has been admitted as a student to the college, whether or not the individual is registered for classes. Disciplinary action may also be taken against student organizations.
- (C) The President shall provide for the enforcement of the student conduct code through the use of college officials and college law enforcement officers.

STUDENT CONDUCT CODE PROCEDURE SS61-02A

(Approved 5/9/06)

(A) Definitions

- (1) The term "college" means Lakeland Community College.
- (2) The term "student" includes all persons taking courses at the college, both full-time and part-time, for credit and noncredit and persons who have been admitted to the college but are not officially enrolled for a particular term.
- (3) The term "faculty" means any person or group of persons hired by the college to conduct classroom activities.
- (4) The term "college official" includes any person employed by the college, performing assigned administrative or professional responsibilities.
- (5) The term "college community" includes any person who is a student, faculty member, college official, any other person employed by the college or any visitor to the college campus. A person's status in a particular situation shall be determined by the Dean of Student Development.
- (6) The term "college premises" includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the college (including adjacent streets and sidewalks).
- (7) The term "misconduct" is defined as any behavior which compromises the health, safety, peace, or property of any other student, any member of the college community, guests or invitees of the college on property of the college, or in any manner interferes with the operation of the college.
- (8) The term "organization" means an association of individuals who have complied with the formal requirements for college registration of an organization.
- (9) The term "hearing officer" means any person authorized by the Dean of Student Development to determine whether a student has violated the student conduct code and to recommend to the conduct administrator the imposition of sanctions.
- (10) The term "hearing panel" means any group of persons authorized by the Dean of Student Development to determine whether a student has violated the student conduct code and to recommend to the conduct administrator the imposition of sanctions.
- (11) The term "conduct administrator" means a college official authorized on a case-by-case basis by the Dean of Student Development to impose sanctions upon students found to have violated the student conduct code. The Dean of Student Development may serve as a conduct administrator. The Dean of Student Development may authorize a conduct administrator to serve simultaneously as a conduct administrator and as a member of a hearing panel.
- (12) The term "shall" is used in the imperative sense.
- (13) The term "may" is used in the permissive sense.
- (14) The term "policy" is defined as the written regulations of the college as found in the student handbook, the college catalog and the college policy register.
- (15) The Dean of Student Development is that person designated by the college President to be responsible for the administration of the student conduct code.

(B) Procedural Authority

- (1) The Dean of Student Development shall determine the composition of hearing boards and determine which hearing officer is authorized to hear each case.
- (2) The Dean of Student Development shall develop policies for the administration of the student conduct code and procedural rules for the conduct of administrative hearings consistent with the provisions of the student conduct code.
- (3) Decisions made by a hearing officer or panel and/or conduct administrator shall be final, unless appealed as provided for in the section of the student conduct code titled "appeals".
- (4) A hearing officer or panel may be designated as an arbiter of disputes within the student community in cases which do not involve a violation of the student conduct code. All parties must agree to arbitration, and to be bound by the decision with no right of appeal.

(C) Proscribed Conduct

(1) Jurisdiction of the College

- (a) College jurisdiction and discipline shall be limited to conduct which occurs on college premises, at college sponsored activities or which adversely affects the college community and/or the pursuit of its objectives whether on or off college premises.

(2) Conduct - Rules and Regulations

- (a) It is the intent of this procedure to create a campus environment that is based on honesty, civility and the freedom to pursue knowledge. Such an environment must be free of harassment and hostility in order to encourage each individual to attain his or her fullest potential. Any student found to have committed the following misconduct is subject to disciplinary sanctions outlined in Article IV. Examples of misconduct include:
 - (i) Violation of published college policies, rules or regulations.
 - (ii) Acts of dishonesty, including but not limited to the following: (1) furnishing false information to any college official, faculty member or office; (2) forgery, alteration or misuse of any college document, record or instrument; (3) tampering with the election process of any recognized student organization. Acts of academic dishonesty are to be handled through a separate college policy titled "academic honesty".
 - (iii) Disruption or obstruction of teaching, research, administration, disciplinary proceedings or other college activities on or off college premises; or other authorized non-college activities occurring on college premises.
 - (iv) Physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or other conduct which threatens or endangers the mental or physical health or safety of any person.
 - (v) Attempted or actual theft of and/or damage to property of the college or property of a member of the college community or personal or public property.
 - (vi) Hazing, defined as an act which may endanger the mental or physical health or safety of a student, or which may destroy or remove public or private property, for the purpose of initiation, admission to, affiliation with, or as a condition for continued membership in, a group or organization.
 - (vii) Failure to comply with directions of college officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

- (viii) Unauthorized possession, duplication of or use of keys to any college premises or property or unauthorized entry to or use of college premises.
- (ix) Violation of federal, state or local laws on college premises or at college sponsored activities.
- (x) Use, possession or distribution of alcoholic beverages on college premises or at any college sponsored activity off the college premises except as expressly permitted by law and college regulations.
- (xi) Use, possession or distribution of narcotic or other controlled substances on premises or at any college sponsored activity off the college premises, except as expressly permitted by law.
- (xii) Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on college premises or at college sanctioned or sponsored activities.
- (xiii) Participation in a campus demonstration which disrupts the normal operations of the college and infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled and/or normal activities; obstruction which unreasonably interferes with freedom of movement on campus, either pedestrian or vehicular.
- (xiv) Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college sponsored or supervised functions.
- (xv) Conduct which is disorderly, lewd, indecent; or a breach of the 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.
- (xvi) Abuse or inappropriate use of college computers, computer equipment or facilities including but not limited to: (1) unauthorized entry into a file to use, read, or change the contents, or for any other purpose; (2) unauthorized transfer of a file; (3) unauthorized use of another individual's identification and password; (4) use of computing facilities to interfere with the work of another student, faculty member or college official; (5) use of computing facilities to create, send or receive obscene, harassing or abusive message; (6) use of computing facilities to interfere with normal operation of the college computing system; (7) use of computing facilities to create, view, disseminate, receive, download or possess pornographic, obscene or illegal documents or images (based on local standards of Kirtland and Lake County); (8) use of computing facilities to download, install, copy or alter software without permission of the appropriate college official; (9) use of computing facilities for any commercial use or for personal financial gain; and (10) any other unauthorized use of computing time.
- (xvii) Tobacco use in prohibited areas.
- (xviii) Allowing or keeping pets in college facilities unless authorized in writing by college officials.
- (xix) Misuse or alteration of firefighting equipment, alarms or any other health and safety devices.
- (xx) Touching or sexual advances in which one of the participants has not knowingly consented, or engaging in sexual activities that are disruptive to the good order of the college.

- (xxi) Using language that is degrading or abusive to any person.
- (xxii) Operating a motor vehicle on campus while under the influence of alcohol and/or drugs.
- (xxiii) Use of cellular phones, pagers and other electronic devices in a manner that causes disruption in the classroom, library or within any college owned or college operated facility; abuse of cellular devices with photographic capabilities, use of devices for purposes of photographing test questions or other notes and material; photographing individuals in secured areas such as bathrooms, locker rooms or other areas where there is a reasonable expectation of privacy, and/or taking photographs of an individual against his or her will; electronic transmission of photographs of any person without express permission.
- (xxiv) Abuse of the student conduct system, including but not limited to: (1) failure to obey the summons of a hearing officer or other college official; (2) falsification, distortion, or misrepresentation of information before a hearing officer/panel; (3) disruption or interference with the orderly conduct of a conduct proceeding; (4) institution of a conduct proceeding without good cause; (5) attempting to discourage an individual's proper participation in, or use of, the conduct system; (6) attempting to influence the impartiality of a hearing officer or member of a hearing panel prior to, and/or during the course of, the conduct proceeding; (7) harassment (verbal or physical) and/or intimidation of a hearing officer or member of a hearing panel prior to, during and/or after a conduct proceeding; (8) failure to comply with the sanction(s) imposed under the student conduct code; (9) influencing or attempting to influence another person to commit an abuse of the student conduct code process.

(3) Violation of Law and College Discipline

- (a) If a student is charged with an off-campus violation of federal, state, or local laws, disciplinary action may be taken and sanctions imposed for misconduct which demonstrates disregard for the college community.
- (b) College disciplinary proceedings may be instituted against a student charged with violation of a law which is also a violation of this student conduct code, for example, if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this student conduct 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 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 a hearing officer or panel under the student conduct code, the college may advise off-campus authorities of the existence of the student conduct code and of how such matters will be handled internally within the college community. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

(D) Procedures

(1) Charges and Administrative Hearings

- (a) Any member of the college community may file charges against any student for misconduct. Charges shall be prepared in writing and directed to the Dean of Student Development. A charge should be submitted as soon as possible, preferably within seven working days after the event takes place, or after such violation becomes known to a college official.

- (b) The Dean of Student Development will appoint a conduct administrator to investigate the charges. The Dean of Student Development may serve as the conduct administrator.
- (c) The conduct administrator may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of all parties involved (including the conduct administrator). Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the conduct administrator may later serve in the same matter as a member of the hearing panel.
- (d) All charges shall be presented to the accused student in written form. A time shall be set for an administrative hearing, not less than five days after the student has been notified. Time limits for scheduling of administrative hearings may be extended at the discretion of the conduct administrator.
- (e) Administrative hearings shall be conducted by a hearing officer or panel according to the following guidelines:
 - (i) Administrative hearings normally shall be conducted in private. At the request of the accused student, and subject to the discretion of the conduct administrator, a representative of the student press may be admitted, but shall not participate in the hearing.
 - (ii) In the case of online or distance education, administrative hearing may be conducted via electronic media such as telephone, web cam, or video conferencing.
 - (iii) Admission of any person to the administrative hearing shall be at the discretion of the hearing officer or panel and/or its conduct administrator.
 - (iv) In administrative hearings involving more than one accused student, the hearing officer or chairperson of the hearing panel, at his or her discretion, may permit the administrative hearings concerning each student to be conducted separately.
 - (v) The complainant and the accused have the right to be assisted by an advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the accused are responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or participate directly in any administrative hearing before a hearing officer or panel.
 - (vi) The complainant, the accused and the hearing officer or panel shall have the right to present witnesses, subject to the right of cross examination by the hearing officer, panel or opposing party.
 - (vii) Pertinent records, exhibits and written statements may be accepted as evidence for consideration by a hearing officer or panel at the discretion of the hearing officer or panel chairperson.
 - (viii) All procedural questions are subject to the final decision of the hearing officer or chairperson of the hearing panel.
 - (ix) After the administrative hearing, the hearing officer or panel shall determine (by majority vote for a hearing panel) whether the student has violated the student conduct code.
 - (x) The hearing officer or panel's determination shall be made on the basis of whether it is more likely than not that the accused student violated the student conduct code.

- (f) There shall be a single verbatim record, in the form of a tape recording, of all administrative hearings before the hearing officer or panel. The record shall be the property of the college. Copies of the tapes will be provided to the student involved in a case at his/her expense.
- (g) Except in the case of a student charged with failing to obey a summons of a conduct administrator, hearing officer or panel, no student may be found to have violated the student conduct code solely because the student failed to appear before a hearing officer or panel. In all cases, the evidence in support of the charges shall be presented and considered.

(2) Sanctions

- (a) One or more of the following sanctions may be imposed upon any student found to have violated the student conduct code:
 - (i) Warning - a notice in writing to the student that the student is violating or has violated institutional regulations.
 - (ii) Probation - a reprimand for a violation of specified regulations for a designated period of time. Probation includes the probability of more severe disciplinary sanctions if the student is found to be violating the student conduct code during the probationary period.
 - (iii) Loss of Privileges - denial of specified privileges for a designated period of time.
 - (iv) Fines - previously established and published fines may be imposed.
 - (v) Restitution - compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - (vi) Discretionary sanctions - work assignments, service to the college or other related discretionary assignments.
 - (vii) College Suspension - separation of the student from the college for a definite period of time, after which the student is eligible to return. Conditions for re-admission may be specified.
 - (viii) College Expulsion - permanent separation of the student from the college. This sanction will be made part of the student's permanent record and will be printed on the student's academic transcript.
 - (ix) Persona Non Grata - denial of permission to frequent or be present in specified campus locations, including total banishment from campus, for a specified time period.
- (b) More than one of the sanctions listed above may be imposed for any single violation.
- (c) Other than college expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the confidential record maintained by the college.
- (d) The following sanctions may be imposed upon groups or organizations:
 - (i) Those sanctions listed above in Section 2 (a), (i) through (vi) above.
 - (ii) Deactivation - loss of all privileges, including college recognition, for a specified period of time.

- (e) In each case in which a hearing officer or panel determines that a student has violated the student conduct code, the hearing officer or panel shall recommend sanction(s) to the conduct administrator. The conduct administrator will then impose the sanction(s). Following the administrative hearing, the conduct administrator shall advise the accused in writing of the determination and of the sanction(s) imposed, if any.
- (3) Interim Suspension
- (a) In certain circumstances, the Dean of Student Development or a designee may impose a college suspension prior to the administrative hearing before a hearing officer or panel.
 - (i) Interim suspension may be imposed: (1) to ensure the safety or well-being of members of the college community or preservation of college property; (2) to ensure the student's own physical or emotional safety or well-being; or (3) if the student poses a threat involving disruption of or interference with the normal operations of the college.
 - (ii) During the interim suspension, students shall be denied access to the campus (including classes) and/or all other college activities or privileges for which the student might otherwise be eligible, as the Dean of Student Development or designee may determine to be appropriate.
- (4) Appeals
- (a) A decision delivered by the hearing officer or panel and/or sanction imposed by the conduct administrator may be appealed by accused students or complainants to the Dean of Student Development within five (5) working days of the decision. Such appeals shall be in writing and shall be delivered to the Dean of Student Development with a copy to the conduct administrator or his/her designee. In cases of where the Dean of Student Development serves as the conduct administrator, appeals shall be made to the Executive Vice President and Provost and Dean of Faculty following these same guidelines.
 - (b) An appeal shall be limited to review of the verbatim record of the initial administrative hearing and supporting documents for one or more of the following purposes:
 - (i) To determine whether the original administrative hearing was conducted fairly in light of the charges and evidence presented, and in conformity with the student conduct code.
 - (ii) To determine whether the decision reached regarding the accused student was based on the evidence, that is, whether the facts in the case were sufficient to establish that a violation of the student conduct code occurred.
 - (iii) To determine whether the sanction(s) imposed were appropriate for the violation of the student conduct code which the student was found to have committed.
 - (iv) To consider new evidence, sufficient to alter a decision, or other relevant facts not brought out in the original administrative hearing, because such evidence and/or facts were not known to the person appealing at the time of the original administrative hearing.
 - (c) In cases where the sanctions were imposed immediately by the conduct administrator, the sanction(s) will not take effect until after the appeal is reviewed by the Dean of Student Development. In all cases, the decision of the Dean of Student Development shall be final.

- (d) In cases involving appeals by students accused of violating the student conduct code, the Dean of Student Development may, upon review of the case, reduce, but not increase, the sanctions imposed by the conduct administrator.
- (e) Any question of interpretation regarding the student conduct code shall be referred to the Dean of Student Development or his/her designee for final determination.

STUDENT EMPLOYMENT PROCEDURE SS62-02

(Approved 10/10/05)

(A) Procedures

(1) Eligibility

The hiring cost center/department supervisor should verify the student's eligibility prior to offering the student the job and immediately after the end of each semester. Centrally, Career Services will recheck the student's eligibility to work by the second week of each semester. Career Services will notify the student's supervisor if the student does not meet eligibility requirements. The supervisor should immediately inform the student worker that he/she is not eligible to work.

- (a) Eligibility Requirements for On-Campus Student Employment: A student must be:
 - (i) Currently enrolled at Lakeland Community College in a minimum of six (6) credit hours;
 - (ii) In academic good standing. (For academic good standing, the student must have a 2.0 accumulative GPA to begin working and maintain a 2.0 accumulative GPA to continue to work. New students do not have a GPA requirement.)
- (b) Summer Session student workers are not required to be enrolled in a minimum of 6.0 credit hours during the summer if:
 - (i) They were enrolled (registered and paid) for at least six (6) credit hours during the previous Spring Semester AND
 - (ii) They are registered for at least six (6) credit hours for the upcoming Fall Semester AND
 - (iii) They have a minimum 2.0 accumulative GPA.
- (c) Request for Exception to Eligibility Requirements:
 - (i) If the student has mitigating circumstances for not meeting the minimum credit or the GPA requirements, the supervisor has the option to request that an exception be made to the policy. The supervisor must submit written rationale for the student's failure to meet the eligibility requirements directly to the Director of Career Services.

(2) Procurement

- (a) The department supervisor initiates job posting by posting the open position on the Career Services Career Connect online job board under On-Campus Employment. A flyer of available on-campus student worker positions is created from the online job postings. The flyers are posted throughout the campus for easy access to students. Students apply directly to the hiring department.

(3) Selection

- (a) The hiring department conducts their own interviews/selection process. After a candidate has been selected for their position, a Personnel Action Report (PAR) (completed by the hiring supervisor), employment eligibility (I-9), and tax packet forms (completed by the student worker) must be forwarded to Career Services for verification and data entry into the Banner (Personnel/Payroll) System which activates their employment and generates payroll. A student worker should not begin working until five days AFTER the PAR is received by Career Services to ensure that the student has been approved and processed for student employment.

(B) General Guidelines

- (1) Employment of College-paid student employees will conform generally to federal guidelines for the federal work-study program.
- (2) Career Services administers the on-campus student employment and Banner process. All on-going student help is processed through the Career Services Office. All short-term employment (i.e., someone selling tickets for a single performance) is processed through the Human Resources Division.
- (3) Supervisors are expected to give student employees adequate training to fulfill their positions in a proper way. They are encouraged but not required to complete performance evaluations in conjunction with their training.
- (4) During the academic year, a student worker may work 25 hours per week. During academic recess or summer sessions, students may work up to 40 hours per week if they are not enrolled in classes.

STUDENT INITIATED COMPLAINT PROCEDURE SS61-02B

(Approved 3/16/04)

- (A) If a student has been unable to resolve a concern or disagreement with the college, a Lakeland faculty member, administrator, or staff employee, the student may appeal the matter orally to that individual's immediate supervisor.
- (B) When discussing the matter with the supervisor, the student should be prepared to describe (a) what exactly is the basis for the student's concern, (b) what evidence or facts are available to support the student's appeal, and (c) what resolution or remedy would satisfy the student.
- (C) If initial discussion with the student does not resolve the matter, then the supervisor will attempt to gather relevant information and discuss the matter with the faculty or staff member involved.
- (D) The student must submit the appeal in writing. The written appeal must describe (a) the problem as perceived by the student and (b) the outcome the student believes would be satisfactory.
- (E) The supervisor will meet with the student and attempt to resolve the matter within ten (10) business days after receipt of the written appeal.
- (F) If the student is dissatisfied with the supervisor's decision, the student may, within five (5) business days, submit a written appeal to the Dean of Student Development except in the case of an academic matter which must be submitted to the Executive Vice President and Provost and Dean of Faculty.
- (G) The Dean of Student Development shall issue a written decision to the student.
- (H) For an academic matter, the Executive Vice President and Provost and Dean of Faculty's decision will be considered final and will terminate the process within the college.

- (I) For a non-academic matter, the Dean of Student Development's decision will be considered final and will terminate the process within the college.
- (J) In order to comply with federal regulations, the college is required to maintain records of written student complaints filed with the President, Executive Vice President and Provost and Dean of Faculty and the Dean of Student Development. Additionally, the college must share these complaints with the North Central Accreditation Association but the individual identities will be omitted to ensure confidentiality.

STUDENT INITIATED COURSE GRADE CHANGE PROCEDURE IS47-03

(Approved 6/14/05)

- A. Students with a dispute regarding a grade on an assignment should contact the instructor as soon as possible regarding the assignment grade.
- B. If the student is not satisfied with the result, he/she can use this procedure if the grade impacts the final grade he/she has received for the class.
- C. If a student has been unable to resolve a course grade with an instructor, the student may appeal the matter in writing to that individual's department chair. The student must use the *Student Initiated Course Grade Change Appeal Form*. The student should first submit the *Student Initiated Course Grade Change Appeal Form* to the instructor. The appeal to the department chair must be made during the term immediately following the one in which the grade was assigned, an exception being that grades assigned during the spring semester may be appealed during either the following summer or fall term.
- D. The student should include: (a) the exact basis for the student's grade appeal, (b) evidence or facts to support the student's grade appeal, and (c) a statement indicating what he/she believes to be the appropriate grade for the course.
- E. The department chair will review the material, (including any supporting material the instructor may wish to submit), and will discuss the issue with the instructor. The department chair will attempt to assist the instructor in resolving the issue within ten (10) business days after receipt of the written appeal.
- F. If the student is still dissatisfied, the student may, within ten (10) business days, submit the *Student Initiated Course Grade Change Appeal Form* to the division dean.
- G. The dean will consult with the instructor and make a decision about the appropriate grade. (At the dean's discretion, he/she may convene an ad hoc committee to advise on the matter.) A decision will be forwarded to the instructor, student, and department chair. The dean will attempt to resolve the issue in ten (10) business days after receipt of the written appeal.
- H. If the student or instructor is not satisfied with the dean's recommendation, the individual may, within ten (10) business days, submit the appeal in writing to the Executive Vice President and Provost.
- I. The Executive Vice President and Provost will review the information, consult with the instructor, and issue a decision. The Executive Vice President and Provost will attempt to resolve the issue within ten (10) business days after receipt of the written appeal. This decision will be forwarded to the instructor, department chair, dean, student, and the Admissions Office to become part of the student's record. This decision will be considered final and will terminate the process within the college.

- J. In order to comply with federal regulations, the college is required to maintain records of written student complaints filed with the President, Executive Vice President and Provost, and the Dean of Student Development. Additionally, the college must share these complaints with the Higher Learning Commission of the North Central Association of Colleges and Schools, but the individual identities will be omitted to ensure confidentiality.

TRAFFIC REGULATIONS - SECTION 800

LICENSING; ACCIDENTS

800. OPERATOR OR CHAUFFEUR LICENSE REQUIRED.

- (a) No person, except those expressly exempted under Ohio Revised Code (O.R.C.) 4507.03 to 4507.05, inclusive, shall operate any motor vehicle upon a street or highway or any public or private property used by the public for purposes of vehicular travel or parking in this District unless such person, upon application, has been licensed as an operator or chauffeur by the Ohio Registrar of Motor Vehicles under O.R.C. Chapter 4507 (Driver's License Law).

No person shall permit the operation of a motor vehicle upon any public or private property used by the public for purposes of vehicular travel or parking knowing such operator does not have a valid license, as an operator or chauffeur, issued to such operator by the Ohio Registrar of Motor Vehicles under O.R.C. Chapter 4507 (Driver's License Law). No person, except those expressly exempted under O.R.C. 4507.03 to 4507.05, inclusive, shall operate any motorcycle upon a street or highway or any public or private property used by the public for purposes of vehicular travel or parking in the District unless such person, upon application, has been licensed as a motorcycle operator by the Ohio Registrar of Motor Vehicles under O.R.C. Chapter 4507. Such license shall be in the form of an endorsement, as determined by the Registrar, upon an operator's or chauffeur's license, if the person has been licensed to operate a motor vehicle, or in the form of a restricted license as provided in O. R.C. 4507.14, if the person has not been licensed to operate a motor vehicle. (O.R.C. 4507.02)

- (b) No nonresident of Ohio shall drive any motor vehicle upon a street or highway of this District unless he has in his possession a valid and current operator's or chauffeur's license issued to him by another jurisdiction recognized by the State of Ohio.

No nonresident of Ohio, upon demand of any police officer at any time or place, shall fail to prove lawful possession or his right to operate such motor vehicle, or fail to establish proper identity. (O.R.C. 4507.04)

- (c) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the third degree. Punishment shall be as provided in Section 300.

801. DRIVING UNDER SUSPENSION OR REVOCATION.

- (a) No person, whose operator's or chauffeur's license, right or permit to operate a motor vehicle, registration, or nonresident's operating privilege has been suspended or revoked under the provisions of O.R.C. Chapter 4507 (Driver's License Law), or under the provisions of O.R.C. Chapter 4509 (Financial Responsibility Law), or under applicable law in any other jurisdiction where such license was issued, shall, during the effective dates of such suspension or revocation, apply for and receive a new license or drive any motor vehicle upon the streets or highways of this District under a license, permit or registration certificate issued by any other jurisdiction or otherwise drive any motor vehicle upon the streets or highways in this District.

- (b) Whoever violates this section is guilty of a misdemeanor of the second degree, unless the suspension or revocation is pursuant to O.R.C. 4507.40 as a repeat traffic offender, in which case the offender is guilty of a misdemeanor of the first degree, and no court shall suspend the first three days of any such sentence. Punishment shall be as provided in Section 300.

802. USE OF ILLEGAL LICENSE PLATES.

- (a) No person shall operate or drive a motor vehicle upon the streets of this District if it displays a distinctive number or identification mark which:
1. is fictitious;
 2. is a counterfeit or an unlawfully made copy of any distinctive number or identification mark;
 3. belongs to another motor vehicle, provided that this section does not apply to a person who fails to comply with the transfer of registration provisions of Ohio R.C. 4503.12. (O.R.C. 4549.08)
- (b) Whoever violates this section is guilty of a misdemeanor of the fourth degree on a first offense; on each subsequent offense such person is guilty of a misdemeanor of the third degree. Punishment shall be as provided in Section 300. (O.R.C. 4549.99(D))

803. STOPPING AFTER ACCIDENT UPON STREETS; COLLISION WITH UNATTENDED VEHICLE.

- (a) In case of accident to or collision with persons or property upon any of the public streets or highways, due to the driving or operation thereon of any motor vehicle, the person so driving or operating such motor vehicle, having knowledge of such accident or collision, shall immediately stop his motor vehicle at the scene of the accident or collision and shall remain at the scene of such accident or collision until he has given his name and address and, if he is not the owner, the name and address of the owner of such motor vehicle, together with the registered number of such motor vehicle, to any person injured in such accident or collision or to the operator, occupant, owner or attendant of any motor vehicle damaged in such accident or collision.

In the event the injured person is unable to comprehend and record the information required to be given by this section, the other driver involved in such accident or collision shall forthwith notify the nearest police authority concerning the location of the accident or collision, and his name, address, and the registered number of the motor vehicle he was operating, and then remain at the scene of the accident or collision until a police officer arrives, unless removed from the scene by an emergency vehicle operated by a political subdivision or an ambulance. If such accident or collision is with an unoccupied or unattended motor vehicle, the operator so colliding with such motor vehicle shall securely attach the information required to be given in this section, in writing, to a conspicuous place in or on such unoccupied or unattended motor vehicle. (O.R.C. 4549.02)

- (b) Whoever violates this section is guilty of a misdemeanor of the first degree. Punishment shall be as provided in Section 300. (O.R.C. 4549.99(B))

804. STOPPING AFTER ACCIDENT UPON PROPERTY OTHER THAN STREETS.

- (a) In case of accident or collision resulting in injury or damage to persons or property upon any public or private property other than public streets or highways, due to the driving or operation thereon of any motor vehicle, the person so driving or operating such motor vehicle, having knowledge of such accident or collision, shall stop, and, upon request of the person injured or damaged, or any other person, shall give such person his name and address, and, if he is not the owner, the name and address of the owner of such motor vehicle, together with the registered number of such motor vehicle, and if available, exhibit his operator's or chauffeur's license. If the owner or person in charge of such damaged property is not furnished such information, the driver of the motor vehicle involved in the accident or collision shall, within twenty-four hours after the accident or collision, forward to the Police Department the same information required to be given to the owner or person in control of such damaged property and give the date, time, and location of the accident or collision. If such accident or collision is with an unoccupied or unattended motor vehicle, the operator so colliding with such motor vehicle shall securely attach the information required to be given in this section, in writing, to a conspicuous place in or on such unoccupied or unattended motor vehicle. (O.R.C. 4549.021)
- (b) Whoever violates this section is guilty of a misdemeanor of the first degree. Punishment shall be as provided in Section 300. (O.R.C. 4549.99(B))

805. VEHICLE ACCIDENT RESULTING IN DAMAGE TO REALTY.

- (a) The driver of any vehicle involved in an accident resulting in damage to real property, or personal property attached to such real property, legally upon or adjacent to a public street or highway, shall immediately stop and take reasonable steps to locate and notify the owner or person in charge of such property of such fact, of his name and address, and of the registration number of the vehicle he is driving and shall, upon request and if available, exhibit his operator's or chauffeur's license. If the owner or person in charge of such property cannot be located after a reasonable search, the driver of the vehicle involved in the accident resulting in damage to such property shall, within twenty-four hours after such accident, forward to the Police Department the same information required to be given to the owner or person in control of such property and give the location of the accident and a description of the damage insofar as it is known. (O.R.C. 4549.03)
- (b) Whoever violates this section is guilty of a misdemeanor of the first degree. Punishment shall be as provided in Section 300. (O.R.C. 4549.99(B))

806. DRIVING UNSAFE VEHICLES; APPLICATION.

- (a) No person shall drive or move, or cause or knowingly permit to be driven or moved, on any street any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person or property.
- (b) The provisions of this chapter with respect to equipment on vehicles do not apply to implements of husbandry, road machinery, road rollers or agricultural tractors except as made applicable to such articles of machinery. (O.R.C. 4513.02)
- (c) Whoever violates this section is guilty of a minor misdemeanor on the first offense; on each subsequent offense such person, is guilty of a misdemeanor of the third degree. Punishment shall be as provided in Section 301. (O.R.C. 4513.99(B))

807. HEADLIGHTS ON MOTOR VEHICLES AND MOTORCYCLES.

- (a) Every motor vehicle, other than a motorcycle, shall be equipped with at least two headlights with at least one near each side of the front of the motor vehicle.
- (b) Every motorcycle shall be equipped with at least one and not more than two headlights. (O.R.C. 4513.04)

Penalty - See Sections 300 and 301.

- (c) Every motor vehicle or combination of motor-drawn vehicles shall be capable at all times and under all conditions of loading of being stopped on a dry, smooth, level road free from loose material, upon application of the service of foot brake, within the following specified distance, or shall be capable of being decelerated at a sustained rate corresponding to these distances:

	From a speed of 20 miles per hour	
	Stopping Distance in feet	Deceleration feet per second
Brakes on all wheels	30	14
Brakes on all four wheels	40	10.7

- (d) All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. (O.R.C. 4513.20)

Penalty - See Sections 300 and 301.

808. HORN, SIREN, AND THEFT ALARM SIGNAL.

- (a) Every motor vehicle when operated upon a street shall be equipped with a horn which is in good working order and capable of emitting sound audible, under normal conditions, from a distance of not less than 200 feet.
- (b) No motor vehicle shall be equipped with, nor shall any person use upon a vehicle, any siren, whistle or bell. Any vehicle may be equipped with a theft alarm signal device which shall be so arranged that it cannot be used as an ordinary warning signal. Every emergency or public safety vehicle shall be equipped with a state approved siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet. Such equipment shall not be used except when such vehicle is operated in response to an emergency call or is the immediate pursuit of an actual or suspected violator of the law, in which case the driver of the emergency or public safety vehicle shall sound such equipment when it is necessary to warn pedestrians and other drivers of the approach thereof. (O.R.C. 4513.21)

809. MUFFLER; MUFFLER CUTOUT; EXCESSIVE SMOKE, GAS, OR NOISE.

- (a) Every motor vehicle and motorcycle with an internal combustion engine shall at all times be equipped with a muffler which is in good working order and in constant operation to prevent excessive or unusual noise, and no person shall use a muffler cutout, by-pass or similar device upon a motor vehicle on a highway. Every motorcycle muffler shall be equipped with baffle plates.

- (b) No person shall own, operate, or have in his possession any motor vehicle or motorcycle equipped with a device for producing excessive smoke or gas, or so equipped as to permit oil or any other chemical to flow into or upon the exhaust pipe or muffler of such vehicle, or equipped in any other way to produce or emit smoke or dangerous or annoying gases from any portion of such vehicle, other than the ordinary gases emitted by the exhaust of an internal combustion engine under normal operation. (O.R.C. 4513.22)

Penalty - See Sections 300 and 301.

810. POLICE MAY REMOVE ILLEGALLY PARKED VEHICLE.

- (a) Whenever any police officer finds a vehicle standing upon a street or highway in violation of Section 809, he may move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or improved or main traveled part of such street or highway.
- (b) Whenever any police officer finds a vehicle unattended upon any street, bridge, or causeway, or in any tunnel, where such vehicle constitutes an obstruction to traffic, such officer may provide for the removal of such vehicle to the nearest garage or other place of safety. (O.R.C. 4511. 67)

811. PROHIBITED STANDING OR PARKING PLACES.

No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this Traffic Code, or while obeying the directions of a police officer or a traffic control device, in any of the following places:

- (a) on a sidewalk, except a bicycle
- (b) in front of a public or private driveway
- (c) within an intersection
- (d) within 10 feet of a fire hydrant
- (e) on a crosswalk
- (f) within 20 feet of a crosswalk at an intersection
- (g) within 30 feet of, and upon the approach to, any flashing beacon, stop sign, or traffic control device
- (h) between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the end of a safety zone, unless a different length is indicated by a traffic control device
- (i) alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic
- (j) alongside any vehicle stopped or parked at the edge or curb of a street
- (k) at any place where signs prohibit stopping, standing, or parking, or where the curbing is painted yellow or at any place in excess of the maximum time limited by signs
- (l) within one (1) foot of another parked vehicle

(O.R.C. 4511.68)

Penalty - See Sections 300 and 301.

**812. MANNER OF PARALLEL AND ANGLE PARKING;
HANDICAPPED PERSONS.**

- (a) Every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be stopped or parked with the curb side wheels of such vehicle parallel with and not more than twelve inches from the curb, unless it is impossible to approach so close to the curb; in such case the stop shall be as close to the curb as possible and only for the time necessary to discharge and receive passengers or to load or unload merchandise.
- (b) No vehicle shall be stopped or parked on a road or street with the vehicle facing in a direction other than the direction of travel on that side of the road or street.
- (c) Notwithstanding any provision of this Code, air compressors, tractors, trucks and other equipment, while being used in the construction, reconstruction, installation, repair, or removal of facilities near, on, over, or under a street, may stop, stand or park where necessary in order to perform such work, provided a flagman is on duty, or warning signs or lights are displayed as may be prescribed by the state.
- (d) Special parking locations and privileges for the handicapped shall be provided and designated by the college. Such locations shall be reasonably close to exits, entrances, elevators, and ramps.

When a motor vehicle bearing a special handicapped license plate or placard as provided in the Ohio Revised Code is being operated by or for the transport of a handicapped person, the motor vehicle shall be permitted to be parked for a period of two hours in excess of the legal parking period permitted except where the vehicle is parked in such a manner as to be clearly a traffic hazard. As used in this section, "handicapped" means having lost the use of one or both legs, one or both arms, or any combination thereof, or being blind or deaf or so severely disabled as to be unable to move about without the aid of crutches or a wheelchair. (O.R.C. 4511.69)

Penalty - See Sections 300 and 301.

813. PARKING REGULATIONS.

- (a) Students shall park in designated student parking areas only.
- (b) No vehicle shall be parked outside of a designated parking lot, parking space, or posted parking area.
- (c) No vehicle shall be left anywhere on campus unattended and with the engine running, or with unattended animals or children inside.
- (d) No vehicle shall be parked on the grass anywhere on campus. (Ord. 71-01-05. Passed 10-11-71)

Penalty See Sections 300, 301, and 813.

814. PENALTY.

- (a) Whoever is convicted of, pleads guilty to, or pays a ticket associated with any violation of any section of this chapter relating to parking, shall be fined or pay the sum of Five Dollars (\$5.00) for each separate violation, plus court costs and fees assessed by the court.
- (b) The fine or payment for any violation relating to HANDICAP, FIRE ZONE, BUS STOP, or POLICE parking shall be Ten Dollars (\$10.00) for each separate violation, plus court costs and fees assessed by the court.
- (c) Fines payable under Section (a) or (b) above shall be paid at the college Cashier's Office.

- (d) After thirty (30) days, unpaid tickets will be forwarded to the college Business Office for collection.
- (e) Persons cited under the provisions of this chapter and section may appeal the citation to the Willoughby Municipal Court.

TRANSFER APPEAL POLICY 3354:2-46-16

(Approved 12/5/91)

Lakeland Community College is in compliance with the Ohio Articulation and Transfer Policy which was established by the State of Ohio through the Ohio Board of Regents to expedite the transfer of credits between and among public institutions of higher education. All students who believe they have a legitimate reason for protesting the award of transfer credit may appeal the decision internally according to college procedures and externally according to state guidelines.

TRANSFER APPEALS PROCEDURE IS46-16

(Approved 6/10/03, 10/10/05, 4/5/07)

Related policy: 3345:2-46-16

- (A) Purpose
 - (1) To promote prompt resolution of perceived wrongs and/or injustice that may arise between students and the transfer evaluator in the transfer of credits.
 - (2) To comply with the Ohio Articulation and Transfer Policy mandate of a multi-level appeals process for students who disagree with the application of transfer credit by Lakeland Community College.
- (B) Complaint Resolution Process Transfer of Credits to Lakeland Community College
 - (1) Occasions may arise when a student thinks that he/she has a legitimate basis for complaint. It is the policy of the college to promptly resolve these complaints. The normal process is as follows:
 - (a) When a student thinks that he/she has a complaint, it should be taken by the student directly to the transfer evaluator who has completed the transfer evaluation. The transfer evaluator should attempt to resolve the matter informally and without the need to establish a record.
 - (b) If the student and transfer evaluator are unable to resolve the matter, the student may go to the Associate Provost for Student and Learning Support Services requesting a review of the transfer evaluation. The Associate Provost for Student and Learning Support Services will review the transfer evaluation and will respond to the student in writing within ten (10) business days of the request.
 - (c) If the student is not satisfied with the decision of the Associate Provost for Student and Learning Support Services, the student may choose to continue the appeals process by submitting a written appeal to the Executive Vice President and Provost within five (5) business days requesting a review of the transfer evaluation process. The Executive Vice President and Provost will convene an ad hoc panel of three (3) faculty members representing three (3) of the College's academic divisions to review the student request.

- (d) A written decision will be provided to the student within thirty (30) days and the panel's decision will be final.
- (2) To promote prompt and equitable resolutions of student complaints, appeals must be initiated by the student within ninety (90) days after the student has received a written copy of the transfer evaluation.

TRANSFER OF CREDIT POLICY 3354:2-46-15

(Approved 3/6/03)

Lakeland Community College will grant students transfer credit for courses completed at other colleges and universities according to criteria specified by administrative academic procedures. To be recognized, transfer credit for courses must be earned at an institution which is accredited by an accrediting agency that is recognized by the Council for Higher Education Accreditation (CHEA) or by the U.S. Department of Education. For a foreign institution, the institution is recognized by CHEA or a government or nongovernmental agency which is responsible for quality review of higher education institutions in that country.

TRANSFER OF CREDIT PROCEDURE IS46-15

(Approved 3/7/00)

Lakeland Community College will grant transfer credit for courses completed at other colleges and universities according to the following guidelines:

- (A) Only official transcripts will be used in the evaluation process. Official transcripts must be forwarded directly from the sending institution to the Admissions Office of Lakeland Community College.
- (B) Credits must have been earned at an institution which is accredited by one of the regional associations listed below:
 - Middle States Association of Colleges and Schools
 - New England Association of Schools and Colleges
 - North Central Association of Colleges and Schools
 - Northwest Association of Colleges and Schools
 - Southern Association of Colleges and Schools
 - Western Association of Schools and Colleges
- (C) Only non-remedial courses with a grade of "C" or higher will be accepted in transfer.
- (D) Courses with a grade of "D" will be accepted in transfer only if the student has completed the requirements of the Transfer Module of the sending institution and has completed the associate of arts or associate of science degree from an Ohio public college or university with an overall grade point average of "C" or better. Grades of "pass" and "satisfactory" are accepted for transfer.
- (E) Only course credits and credit hours are transferable; previous grade point averages do not transfer.

- (F) Course work completed at schools which are not regionally accredited or which are not candidates for accreditation will not be transferable; however, Lakeland's division dean of the academic division in which the course is offered may grant credit at his/her discretion, when appropriate.
- (G) In most instances, transcripts from institutions outside the United States will need to be evaluated by an independent credit evaluation organization.

Transfer students may be required to provide the Transfer Student Center with college catalog(s) and/or course syllabi and names of textbooks used in courses to produce thorough transfer credit evaluations.

TRANSIENT STUDENTS PROCEDURE SS62-03

(Approved 3/7/00)

A student who is enrolled at a properly accredited college or university (as determined by Lakeland policy) and who wishes to enroll for one term only at Lakeland Community College and who expects to return to his/her former school for continued study, may be admitted as a transient student. The student is encouraged to submit a transcript or a statement of approval from the home institution; otherwise, the student may be required to participate in Lakeland's placement testing.

TRANSIENT STUDENTS AUTHORIZATION (AT LAKELAND) PROCEDURE SS62-04

(Approved 3/7/00)

If a Lakeland student plans to take a course for Lakeland credit at another college/university while completing a certificate or degree program at Lakeland Community College, the student should obtain approval from Lakeland prior to enrolling at the other institution. Failure to obtain approval may risk the transfer of credit. Steps in the Transient Student process include:

- (1) Obtain a Transient Student Form from Lakeland Office of Admissions or Counseling Office.
- (2) Obtain written approval from one of the following:
 - (a) Students who intend to enroll in **technical** courses required in the Associate of Applied Business, Associate of Applied Science, or Associate of Technical Studies degree or certificate programs should seek approval from the Lakeland program chair or dean of the appropriate division.*
 - (b) Students who intend to enroll in **non-technical** courses should seek approval from a Lakeland counselor, department chair, registrar, or dean of the appropriate division.*
- (3) Follow the admissions and registration procedures established by the other institution.
- (4) Have official transcript(s) sent to Lakeland's Office of Admissions upon completion of the course(s). It is the student's responsibility to ensure that transcript(s) are received.

*A student may be required to provide a college catalog, course syllabus, and/or names of textbooks to determine course equivalencies.

TUITION REFUND PROCEDURE SS62-01

(Approved 3/20/01)

(A) For 16-week or 8-week classes (>14 days):

100% refund - withdrawal within 1st week of semester
(through 7th calendar day)

50% refund - withdrawal within 2nd week of semester
(between 8th and 14th calendar day)

Saturday and Sunday classes:

100% refund - withdrawal through the end of the first business day
of the 2nd week of semester

50% refund - withdrawal through the end of the first business day
of the 3rd week of semester

(B) Intersession or Short Summer (<14 calendar days):

100% refund - withdrawal first day only

50% refund - none

(C) One-or Two-day classes:

100% refund - withdrawal before class meets only

50% refund - none