



## **AP 5999 Student Rights, Freedoms and Responsibilities**

### **References:**

BP/AP 3430 Prohibition of Discrimination and Harassment  
BP/AP 3433 Prohibition of Harassment Under Title IX  
AP 3053 Respectful College Community  
AP 3434 Responding to Harassment Based on Sex Under Title IX  
AP 3435 Discrimination and Harassment Reports and Investigations  
AP 3500 Campus Safety  
AP 3540 Sexual and Other Assaults on Campus  
AP 3510 Workplace Violence  
AP 3515 Reporting of Crimes  
AP 3540 Sexual and Other Assaults on Campus  
AP 3900 Speech – Time, Place and Manner  
AP 5045 Education Records Challenging Content and Access Log  
AP 5500 Standards of Student Conduct  
AP 5520 Student Discipline Procedures  
AP 5530 Student Complaint and Grievance Procedure

### **STUDENT RIGHTS, FREEDOMS AND RESPONSIBILITIES STATEMENT**

To request this document in an alternate format, contact Access and Disability Resources: <https://web.roguecc.edu/access-and-disability-resources>

**Contact:** Dean of Student Success, Ext. 7203; or Compliance & Deputy Title IX Coordinator, Ext. 7255

**Access and Disability Resources is located at all campuses in the Student Success Center**

#### **Redwood Campus**

Bldg. W  
(541) 956-7337  
Oregon Relay Service: 7-1-1

#### **Riverside Campus**

Bldg. B (541) 956-7337  
Oregon Relay Service: 7-1-1

#### **Table Rock Campus**

Room 191 A & B



(541) 956-7337  
Oregon Relay Service: 7-1-1

## **PREAMBLE**

Rogue Community College (RCC or the College) provides an environment, which encourages learning. The College is dedicated to the open exchange of knowledge and skills, growth in student capacity for critical thinking, and development of ethically sensitive and responsible students. The College recognizes that all individuals and groups at RCC have dignity and worth.

Learning and teaching are inseparable aspects of academic pursuit. Standards of academic rights and freedoms for students, as outlined below, are essential. Students have responsibilities for performance and conduct. Students' enrollment (or attempted enrollment) implies their acceptance of the responsibility to comply with college policies and procedures.

## **PURPOSE**

The basic purposes of the Student Rights, Freedoms and Responsibilities Statement ("Statement") are:

1. To identify fundamental provisions for students' rights and freedoms to learn; and, to provide a process for resolution to alleged violations. (Please see [AP 5530 Student Complaint and Grievance Procedure](#))
2. To identify student responsibilities and conduct guidelines; and, to provide a process for resolution to alleged violations. (Please see [AP 5500 Standards of Student Conduct](#) and [AP 5520 Student Discipline Procedures](#))

## **1. ACCESS TO THE COLLEGE AND EDUCATION**

RCC believes in an open-door philosophy and within the limits of its resources, will be open to all students who are qualified according to current admissions requirements. The College complies with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1992 and other applicable laws and regulations. In compliance with state and federal laws, RCC does not discriminate in any programs, activities or employment practices on the basis of race, color, religion, ethnicity, use of native language, national origin, sex, sexual orientation, gender identity, marital status,



veteran status, disability, age, pregnancy or any other status protected under applicable federal, state or local laws.

## **THE CLASSROOM**

In the classroom and in conference with students, the instructor should include opportunity for free discussion, inquiry, and expression related to course content. Student academic performance shall be evaluated solely on an academic basis and not on opinions or conduct in matters not related to curricular standards.

### **2.1. Protection of Freedom of Expression**

Students are free to take reasoned exception to the material or views offered in any course at an appropriate time and in a non-disruptive manner. Students may reserve judgment about matters of opinion. However, students are responsible for satisfactory attendance and learning the content of any course in which they have enrolled and may expect their instructors to help them accomplish the goal of learning.

### **2.2. Protection Against Improper Academic Evaluation**

Academic evaluation of student performance by instructors shall be based on academic performance and under no circumstances be prejudicial or capricious. At the same time, students are responsible for maintaining the standards of academic performance established by instructors for the courses in which they have enrolled.

Each instructor shall give students clearly stated written criteria for evaluation. To appeal an academic evaluation (grade) within the past year (four academic terms), a student may start the process by discussing the grade method in question with the instructor.

If a student is not satisfied with the outcome of their discussion with the instructor, they may appeal the decision to the Department Chair. If a student believes further appeal is warranted they may appeal a Department Chair's decision to the Dean, of the area where the instructor's program resides. If a student is not satisfied with the Dean's decision, an appeal may be made to the Vice President, Instructional Services. Any decision made by the Vice President of Instruction is final.

**The Grade Appeal Procedure** provides the student with a process for appealing a final course grade when the student believes an improper evaluation has occurred. "Improper evaluation" is defined as: (1) the evaluation standards and grading criteria contained in the course syllabus were not followed by the instructor; or (2) the final grade was imposed in an arbitrary or capricious manner.

For academic evaluation (grade) appeals where a student believes a miscalculation of the final points, scores, and/or grades occurred, the student may file a **Grade Change Petition** form. The form may be accessed at <http://web.roguecc.edu/enrollment-services/forms-students>.

### **Grade Change Petitions**

A. College policy states that instructors may change grades up to one year after a course has been completed. Petitions after one year will be considered only with documented extraordinary circumstances, such as illness, military service, or incarceration.

B. All change of grade requests must rest upon a miscalculation of the final points, scores, and/or grades.

C. The assignment of a grade is the responsibility of the instructor of record. Thus, any changes to an assigned grade can only be made by the instructor. If the instructor is not available, see G., below.

D. Students who believe their final grade for a course as reflected in the official college transcript to be erroneous must:

- 1) submit a Grade Change Petition (forms available at <http://www.roguecc.edu/Enrollment/Forms>) to the instructor of record within one (1) calendar year of the last day of the term in which the grade was assigned,
- 2) include the reason(s) why the recorded grade is being challenged, and
- 3) provide copies of any evidence that supports the request (e.g. graded papers, graded exams, course syllabus, and graded quizzes).

E. Within 2 weeks of receiving the petition (and if received during the term) the instructor will inform the student in writing of their decision and, if denied, the reasons for the denial. A copy of the letter and the completed Grade Change Petition will then be submitted to Enrollment Services. The decision shall be deemed final and no further action will be taken. If petition is received during a



break between terms or during summer term then a response will be given at the beginning of the next term.

F. If approved Enrollment Services will notify the student in writing regarding the final decision and retain a copy of the petition, documentation, final decision and grade change form, if appropriate, in the student file.

G. If the instructor of record is no longer employed by the College, or is otherwise unavailable, the Department Chair of the petitioned course will make every attempt to contact the instructor of record and come to a resolution. If the Department Chair is unable to contact the instructor, the Department Chair will make a decision based on the available evidence and take appropriate action as outlined above. In this case, the final decision of the Department Chair shall be deemed final and no further action will be taken.

### **2.3. Protection Against Improper Disclosure**

Information about individual student views, beliefs, and political associations, which RCC staff may acquire in the course of their work as employees, is typically considered confidential. Judgments of student ability and character may be provided under appropriate circumstances. For example, recommendations for scholarships, employment, program admission, or other related academic issues.

## **3. STUDENT RECORDS**

The Family Educational Rights and Privacy Act (FERPA) provides for the protection of student records. Consistent with FERPA, RCC has published a separate procedure identifying information, considered part of a student's educational record, conditions for its disclosure, and security practices, which control access to such records as may be available for review or electronic transmission. The College accumulates data and keeps records in order to plan educational activities that meet the needs of students and to effectively advise and counsel them. Student records are used to promote instruction, for guidance, and educational progress. Academic transcripts contain only information about academic status. No records will reflect the political activities or beliefs of students. Instructors and administrative staff will not divulge confidential information about students, which they acquire in the course of their work.



Academic and disciplinary records will be maintained separately to minimize the risk of improper disclosure. Students may request their academic or disciplinary records by following the College procedure outlined in [AP 5045 Student Records: Challenging Content and Access Log](#) and by obtaining the Request to Inspect and Review Educational Records form by contacting the [Enrollment Services department](#).

Students seeking to challenge the content of their educational records should follow the procedure outlined in [AP 5045 Student Records: Challenging Content and Access Log](#).

## 4. STUDENT RIGHTS

RCC maintains certain standards to protect the rights of students through the procedures below:

### 4.1. Freedom of Association

Students bring to RCC a variety of interests. They develop new interests as members of the College community. They may organize and join collegiate clubs and organizations to promote their common interests, subject to the following considerations:

#### 4.1.1. Membership Policies

**4.1.1.1: Student Clubs:** Student clubs are open to all students and do not discriminate on the basis of race, color, religion, ethnicity, use of native language, national origin, sex, sexual orientation, gender identity, marital status, veteran status, disability, age, pregnancy or any other status protected under applicable federal, state or local laws. The membership, policies, and actions of a student organization are typically determined by the vote of those individuals who hold bona fide membership in the College community.

**4.1.1.2: Student Organizations:** Student organizations are generally affiliated with a larger, national or regional organization. Student organizations, including those affiliated with an external organization, are open to all students and do not discriminate on the basis of race, color, religion, ethnicity, use of native language, national origin, sex, sexual orientation, gender identity, marital status, veteran status, disability, age, pregnancy or any other status protected under applicable federal, state or local laws. However, organization criteria may limit membership options, for example, grade point average may be limiting criteria.

#### **4.1.1.3: Recognition**

As a condition of the College's recognition, student organizations are required to submit to the Associated Student Government of RCC's (ASGRCC) Executive Council a statement of purpose, criteria for membership, operational procedures, current list of officers, and number of active members.

#### **4.1.2. College Clubs and Organizations Advisors**

- **Student Clubs:** Student clubs typically choose their own college advisor. Clubs chartered by ASGRCC must have an advisor who is an RCC employee. College staff members serve the College community when they accept the responsibility to advise student organizations. In the course of such duties, the advisors have an obligation to protect the general interests of the College.
- **Student Organizations:** Student organizations, such as the RCC Honor Society typically have a college advisor assigned to them. College staff members serve the College community when they accept the responsibility to advise student organizations. In the course of such duties, the advisors have an obligation to protect the general interests of the College.

College Clubs and Organizations Advisors: As employees of RCC are expected to:

- Treat all employees, students and members of the general public with dignity and respect in their behavior and their communications when they are on campus or involved in a college activity;
- Accept responsibility for the appropriateness of their own conduct; and
- Comply with all laws, policies, procedures, or contracts applicable to workplace and academic behavior.
- For further expectations of all employees, students, vendors, and members of the general public please see [AP 3053 Respectful College Community](#).

#### **4.2. Freedom of Inquiry and Expression**

Students, student clubs, and student organizations may examine and discuss all questions of interest to them and express opinions publicly and privately. They may support causes by orderly means, which do not disrupt college operations. At the same time, it should be made clear to the academic and larger community that, in their public expression, students, student clubs, and student organizations speak for themselves and not as representatives of the College or the College community.



Students, student clubs, and student organizations may invite individuals as presenters for forums outside of classes and do not discriminate on the basis of race, color, religion, ethnicity, use of native language, national origin, sex, sexual orientation, gender identity, marital status, veteran status, disability, age, pregnancy or any other status protected under applicable federal, state or local laws. However, the time, place and manner of the presentation must be made in advance in consultation with the student club/ organization advisor. Guest speakers and presenters, individuals or groups, who may disagree with the speakers, will not disrupt college operations. It should be made clear to RCC and the College's larger community that student sponsorship of guest presenters does not necessarily imply approval or endorsement of the views expressed either by the sponsoring group, individual, or RCC. For more guidance please see [AP 3900 Speech: Time, Place and Manner](#).

## **5. FREEDOM FROM DISCRIMINATION, HARASSMENT, and VIOLENCE**

Students have the right to attend RCC free from discrimination and harassment and all forms of sexual intimidation and exploitation including acts of sexual violence,

RCC is committed to the safety of our students, faculty, staff and community members; and takes its responsibility to provide an educational environment free from discrimination, harassment, and violence seriously. Therefore, it is a violation of College policy for any employee, student or third-party at RCC to engage in discrimination, harassment, or violence.

Harassment is unlawful if it is based on any of the following statuses: race, color, religion, sex (including pregnancy), national origin, age, disability, or genetic information. Students should refer to [Board Policy \(BP\) 3430 Prohibition of Discrimination and Harassment](#) and accompanying procedures [AP 3430 Prohibition of Discrimination and Harassment](#) and [AP 3435 Discrimination and Harassment Reports and Investigations](#) for more details.

RCC's prohibition includes all forms of sex discrimination and harassment-including instances of sexual harassment such as sexual assault, domestic violence, gender-based stalking, and sexual violence--which are also prohibited by Title IX of the Education Amendments of 1972. For allegations of sexual harassment under Title IX, refer to [BP 3433 Prohibition of Sexual Harassment under Title IX](#) and accompanying procedures [AP 3433 Prohibition of Sexual Harassment under Title IX](#), and [AP 3434 Responding to Harassment Based on Sex under Title IX](#) for more details. For allegations of other forms of sexual harassment or gender-based harassment that are not covered under Title IX, Complainants should use [BP 3430 Prohibition of Discrimination and Harassment](#).





Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking, whether committed by an employee, student, or member of the public, occurring on Rogue Community College property, in connection with all the academic, educational, extracurricular, athletic, and other programs of the College whether those programs take place in the College facilities or at another location, or on an off-campus site or facility maintained by the College, or on grounds or facilities maintained by a student organization, is a violation of Rogue Community College policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. For more information please see [AP 3540 Sexual and Other Assaults on Campus](#). For physical assaults/violence, see also [AP 3500 Campus Security](#), [AP 3510 Workplace Violence](#), and [AP 3515 Reporting of Crimes](#).

## **5.2 The Harassment & Discrimination Response Team**

RCC's Harassment & Discrimination Response Team includes employees who are especially trained to understand the nuances of how to respond to reports discrimination (including sexual harassment) that may fall under the jurisdiction of Title VII, Title IX, or other required laws. This group includes:

### **Lead Title IX Coordinator**

Marco Vasquez  
Equity, Diversity, Inclusion Coordinator  
(541) 956-7124  
[mvasquez@roquecc.edu](mailto:mvasquez@roquecc.edu)  
Redwood Campus - Wiseman Building  
Table Rock Campus – A

### **Deputy Title IX Coordinator**

Sean Taggart  
Director of Risk Management  
(541) 956-7061  
[staggart@roquecc.edu](mailto:staggart@roquecc.edu)  
Redwood Campus - A Building

### **Deputy Title IX Coordinator**

April Hamlin  
Director of Advising and Compliance Coordinator  
(541) 956-7255  
[ahamlin@roquecc.edu](mailto:ahamlin@roquecc.edu)  
Redwood Campus



Within the Harassment & Discrimination Response Team, the following person has been designated to handle inquiries regarding the non-discrimination policies:

**Chief Human Resources Officer**

Jamee Harrington

(541) 956-7017

[jharrington@roquecc.edu](mailto:jharrington@roquecc.edu)

Redwood Campus - Josephine Building

Campus Security

Campus Security should be notified of all criminal activity and emergency situations on campus. Reporting can be accomplished by calling: Redwood Campus: (541) 218-2930

• Available 24/7 via phone Riverside Campus: (541) 218-2931 • Available during open hours Table Rock Campus: (541) 218-3639 • Open hours will be posted at:

<https://web.roquecc.edu/riskmanagement/campus-security>.

In the event of an emergency please call 911.

**5.3 Other Resources**

Students may discuss their report confidentially with an RCC Counselor from the Counseling Center who is generally not obligated to disclose the information. Please note Counselors are required to report information on elder abuse, child abuse, or if someone is a threat to themselves or others. Professional, licensed, mental health Counselors, who provide mental-health counseling to members of the RCC community, or intern graduate students, and others supervised by professional licensed Counselors, are not required to report any information received in confidence. Counselors are able to guide a student through the reporting processes at RCC.

Counselors can be reached by emailing [counselingfrontdesk@roquecc.edu](mailto:counselingfrontdesk@roquecc.edu), by calling (541) 956-7443 or by coming to the Counseling Center in the Student Success Center on all three campuses.

If you are a student and need accommodations to successfully engage in reporting an issue, please contact the Access and Disabilities Resources office listed at the beginning of this document.

RCC has resources that can help make laws, policies, and procedures that address sex discrimination and sexual harassment under Title IX more transparent at RCC, for more information please visit <https://web.roquecc.edu/harassment-discrimination-and-title-ix>.



## **6. STUDENT PARTICIPATION IN COLLEGE GOVERNANCE**

As members of the College community, students are free to express their views on issues of college policy and matters of general interest to the student body. Students may participate in formulating and applying policies and procedures affecting academic and student affairs through student government as well as through the various college councils and committees. If students are interested in participating, it is recommended they meet with their club or organization advisor.

Any student may make presentations to the RCC Board of Education, as citizens, by contacting the Assistant to the Board of Education at (541) 956-7001 and requesting to be added to the next monthly Board meeting agenda.

## **7. STUDENT PUBLICATIONS**

Student publications and the student press are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion and intellectual exploration at the College. These are ways to bring student concerns to the attention of the faculty and college authorities and of formulating student opinion on various issues in the College, its community, and the world-at-large.

RCC is legally the publisher of all recognized student publications. College authorities, in consultation with students, may provide written clarification of the role of student publications, standards used in evaluation, and degrees of operational control. At the same time, the editorial freedom granted by the College to student editors and managers entails accompanying responsibilities to be covered by the canons of responsible journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity and the techniques of harassment and innuendo. The Code of Ethics of the Society of Professional Journalists, Sigma Delta Chi shall be adopted and used. College staff advisors have the responsibility to review copy to protect RCC from legal actions relating to obscenity, criminal or civil libel, or copyright infringement.

In addition to the rights contained in current student publication guidelines, the following provisions serve as safeguards for the editorial freedom and responsibility of student publications:

### **7.1. Censorship**

Student publications and the student press are free from censorship and advance approval of copy except staff advisor review as noted above. Student editors and



managers, in consultation with their advisors, should develop written procedures for editorials and news coverage.

### **7.2. Removal**

Student editors and managers of student publications are protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content.

### **7.3. Disclaimer**

RCC recognized student publications shall explicitly state on the editorial page “the opinions expressed are not necessarily those of the College or student body.”

## **8. OFF CAMPUS**

### **8.1. Exercise of Rights of Citizenship**

RCC students are both citizens and members of the College community. As citizens, students have the same freedoms of speech, right to peaceful assembly, and right to petition as other citizens. As members of the College community, students are subject to the obligations as a student which accrue to them by virtue of this membership. International students, though holding citizenship in another country, are considered members of the College community.

### **8.2. Institutional Authority and Civil Penalties**

Activities of students may sometimes result in violation of law. Students who violate the law may incur penalties prescribed by civil authorities. College authority is not used merely to duplicate the function of general laws. RCC’s special authority may be asserted at those times when its interests are involved.

## **9. STUDENT CODE OF CONDUCT AND PROCEDURES**

### **STANDARDS OF STUDENT CONDUCT ([AP 5500](#))**

For the purposes of this and associated procedures a member of the college community is defined as a student, staff, faculty member, other employee, volunteer, board



member or other individual engaged in lawful activity on Rogue Community College (RCC) property or at any RCC sponsored event or function.

### **1. Prohibited Behaviors**

The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension, or expulsion of a student:

- a. Causing, attempting to cause, or threatening to cause physical injury to another person.
- b. Possession, sale, or otherwise furnishing any firearm, knife, explosive, or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a Rogue Community College employee, which is concurred in by the President or designee.
- c. Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia. These behaviors are prohibited on campus, at any RCC sponsored activity, or using any RCC controlled technology or resources.
- d. Committing or attempting to commit robbery or extortion.
- e. Causing or attempting to cause damage to RCC's property or to private property on campus.
- f. Stealing or attempting to steal RCC property or private property on campus, or knowingly receiving stolen RCC property or private property on campus.
- g. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the college.
- h. Committing sexual misconduct, harassment, or discrimination as defined by law or by RCC policies and procedures. Resolution of these allegations will occur under RCC policies and procedures related to protected class discrimination and harassment.
- i. Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law. Resolution of these allegations will occur under RCC policies and procedures related to protected class discrimination and harassment.
- j. Engaging in intimidating conduct or bullying against a college community member through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying;
- k. Willful misconduct which results in injury or death to a student or to employees or which results in cutting, defacing, or other injury to any real or personal property owned by RCC or on campus.

- l. Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
- m. Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
- n. Dishonesty, forgery, alteration or misuse of college documents, records or identification; or knowingly furnishing false information to RCC.
- o. Unauthorized entry upon or use of RCC facilities.
- p. Lewd, indecent, or obscene conduct directed towards a College Community member regardless of geographic location.
- q. Engaging in expression which is obscene; libelous, or slanderous; or which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises, or the violation of lawful RCC administrative procedures, or the substantial disruption of the orderly operation of RCC.
- r. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
- s. Failure to follow a directive. Students are required to follow the lawful directives of RCC personnel acting in the performance of their duties.
- t. Hazing. Students are not permitted to haze other students. Hazing is subjecting an individual to bodily harm, purposeful mental harm, humiliation, harassment, compelling an individual to consume controlled substances or alcohol, or requiring an individual to commit a crime as a condition or precondition of attaining membership in an organization or attaining any office or status within an organization.

## **2. Records Retention**

Records of alleged student misconduct, documentation of those allegations, evidence used to determine if allegations are substantiated, and the resolution of those allegations will be maintained separate from a student's other educational records and retained in accordance with RCC policies and procedures on record retention.

## **Student Discipline Procedures ([AP 5520](#))**

### **Purpose**

The purpose of this procedure is to provide a prompt and equitable means to address alleged violations of the Standards of Student Conduct. This procedure guarantees to the student, or students, involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.



These administrative procedures are specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions and will not be used to punish expression that is protected.

**Definitions:**

**Day** – Working days when Rogue Community College (RCC) is open for operations including days the college is open between terms.

**Direct Resolution** – An attempt by any RCC employee to resolve an issue which they believe to be a violation of the standards of conduct.

**Disciplinary Probation** - Specific conditions or restrictions while in attendance at RCC, in addition to the Student Code of Conduct, for a specified period of time. The Compliance Coordinator will communicate the specific behavior leading to this sanction and the specific conditions or restrictions imposed for the specified period of time to the student, in writing. The student will sign the document provided by the College and agree to abide by its terms or forfeit all rights to continue attendance at RCC.

**Educational Sanction** – A student may be assigned academic work that reflects on the impact of their actions and/or educates them about how to avoid similar behavior in the future.

**Expulsion** – Termination of student status and denial of further college privileges. Conditions of readmission, if any, will be listed in the letter of expulsion given as a notice to the student by the Compliance Coordinator.

**Instructor** – Any academic employee of RCC in whose class a student subject to discipline is enrolled.

**Suspension** – Exclusion of the student by the Compliance Coordinator, or designee, for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the college for one or more terms. A student can also be removed – for good cause – from a particular program of study.

**RCC Employee** – Anyone engaged by RCC to perform educational, service, administrative, or other functions regardless of if this individual is compensated by RCC.

**Removal from class** – Exclusion of the student by an instructor for the day of the removal and the next class meeting.



**Restitution** - compensation or reimbursement for damage to or misappropriation of property, which may take the form of appropriate service to repair or otherwise compensate for damages. Conditions of restitution will be detailed in a letter to student.

**Student** – Any person currently enrolled as a student at any college or in any program offered by the college or a person taking steps to enroll or reenroll.

**Written or verbal reprimand** – An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. Written reprimands will become part of a student's permanent record at the college. A record of the fact that a verbal reprimand has been given will become part of a student's record at the college for a period of up to one year.

## **Resolution Process**

### **1. Direct Resolution**

If any RCC Employee believes a student is engaged in conduct which violates RCC's standards of conduct – listed in [AP 5500](#) - they are encouraged to attempt to resolve this issue directly with the student. RCC encourages direct resolution but it is not required. If personal safety is at risk please contact 911 or campus security as appropriate. If direct resolution is attempted please complete an incident report regardless of the outcome.

### **2. Compliance Coordinator**

If direct resolution is inappropriate or unsuccessful the college employee should complete an incident report within 3 working days of the behavior in question. Within 7 working days of receiving the report the Compliance Coordinator, or designee, will contact the student and other involved parties.

The student who is accused of violating RCC's standards of conduct will be contacted to schedule a meeting with the Compliance Coordinator or designee. The Compliance Coordinator, or designee, may use multiple processes to help resolve the issue. The student will be informed of the behavior they are accused of and be allowed an opportunity to explain or deny the behavior.

The Compliance Coordinator, or designee, may – as necessary – conduct an investigation into the accused behavior including reviewing available evidence and speaking to witnesses. The Compliance Coordinator, or designee, will use the





preponderance of the evidence standard in determining if a student's behavior violated RCC's standards of conduct.

If a student is found to have violated RCC's standards of conduct the Compliance Coordinator, or designee, may assign a sanction proportional to the student's conduct. Available sanctions are listed in this procedure under the heading Sanctions.

Students will be notified of the Compliance Coordinator, or designee's, decision and any sanction, as appropriate, in writing. When determining a sanction the Compliance Coordinator, or designee, may take a student's disciplinary history with RCC into account.

### **3. Appeal to the Vice President of Student Services**

Students receiving a written notice of disciplinary action for a violation of RCC's standards of conduct have the right to appeal in writing to the Vice President of Student Services, or designee. Any appeal must be received within 7 working days of receiving the notice of disciplinary action.

Students may appeal based on:

- a. Failure to follow the process for resolving allegations of inappropriate behavior as outlined in this procedure;
- b. New evidence is available that was not available during the initial investigation; or
- c. The sanction imposed is disproportionate to the offense the student is found responsible for.

Within 10 working days of receiving an appeal the Vice President of Student Services, or designee, will review the initial report, the investigation process, the findings, and any sanctions. As part of this process they may consult with RCC administrators to insure consistency and fairness within the process. The Vice President of Student Services, or designee, will report their findings and conclusions to the student and the Compliance Coordinator. The decision of the Vice President of Student Services, or designee, is final.

### **Sanctions**

If a student is found to have violated RCC's standards of conduct, they may face discipline from RCC. Disciplinary sanctions available to the Compliance Coordinator, or designee, are:

1. Verbal or written reprimand
2. Disciplinary probation



3. Educational Sanction
4. Suspension
5. Expulsion
6. Restitution
7. Other – including directives for behavior and plans of action.

### **Records Retention**

Records of alleged student misconduct, documentation of those allegations, evidence used to determine if allegations are substantiated, and the resolution of those allegations will be maintained separate from a student's other educational records and retained in accordance with RCC policies and procedures on record retention.

### **Removal from Class or campus**

Any RCC employee may order a student removed from campus for the day of the removal and the next day. This removal should be based on behavior that violates the standards of conduct, is causing a significant disruption, and is not corrected when challenged with direct resolution.

The employee shall immediately report the removal to the Compliance Coordinator using an incident report. The Compliance Coordinator, or designee, shall attempt to contact the student within 2 working days of receiving the report to set a meeting. The purpose of this meeting will be to discuss the conduct that led to the removal from class, attempt to resolve the problem that led to the removal, and determine appropriate disciplinary action.

## **10. STUDENT COMPLAINT AND GRIEVANCE PROCEDURE ([AP 5530](#))**

### **Student Complaint and Grievance Procedure**

If students need disability accommodations to successfully complete this process, contact Access and Disability Resources: <https://web.roguecc.edu/access-and-disability-resources>. On Redwood Campus, Building W (Library), (541)956-7337; at the Riverside Campus, Building B, (541)- 956-7337; or at the Table Rock Campus, (541)- 956-7337

### **When Not to Use this Procedure**

This procedure is not the appropriate process for addressing allegations of harassment or discrimination based on a protected class such as race, color, religion, ethnicity, use of native language, national origin, marital status, veteran status, disability, age,



pregnancy, or any other status protected under applicable federal, state, or local laws. For resolutions of complaints of this nature please use [AP 3430 – Prohibition of Discrimination and Harassment](#) and [AP 3435 – Discrimination and Harassment Reports and Investigations](#).

Grade appeals shall be filed according to the applicable procedure outlined in Rogue Community College's Student Rights, Freedoms, and Responsibilities procedure (AP-5999)

### **Definitions**

**Complaint:** A report of conduct which a student feels violates their rights and/or RCC policies or procedures where resolution is being attempted under the informal process of this procedure.

**Grievance:** A report of conduct which a student feels violates their rights and/or RCC policies or procedures where resolution is being attempted under the formal process of this procedure.

**Retaliation:** Any behavior which negatively impacts the student because they filed a complaint or grievance.

### **Preamble**

This procedure is designed to ensure that students have full access to their education in accordance with Rogue Community College's commitment to the rights and dignity of our students and the College's philosophy on diversity, equity, and inclusion.

### **Purpose**

This Student Complaint and Grievance Procedure provides a way for students to seek resolution to decisions, conditions, and practices of RCC, its faculty and staff, which they allege are violations of their rights as students, as identified in Rogue Community College's Student Rights, Freedoms, and Responsibilities procedure (AP-5999), or other published college policies and procedures. As students pursue their educational goals, they will be treated with professionalism and respect by college employees or staff.

Students shall not be retaliated against for filing a complaint or grievance in good faith or for participating in this process. Retaliation is any behavior which negatively impacts the student because they filed a complaint or grievance.

This Student Complaint and Grievance Procedure outlines the steps to resolve alleged violations of student rights or other published college policies and procedures. Students will attempt to resolve alleged violations with the staff member(s) directly involved.



The role of a Counselor in this process is to serve as a resource for the student. They are a point of contact to assist the student in advocating for themselves, may help the student identify a reasonable proposed resolution, and mediate conversations throughout the process. Counselors are not required to keep working files as part of this process.

Each College employee attempting to reach resolution of a grievance will keep a working file containing all documents, communications, and evidence related to the grievance. If a resolution is not reached it is the responsibility of the College employee working to achieve resolution to provide this working file to the next person in the process. Upon resolution of a formal grievance this working file will be provided to the Vice President of Student Services for retention. All documentation submitted or created during the resolution process shall follow established filing procedures.

Students with a complaint or grievance shall follow the procedures and time lines outlined below.

## **Informal Resolution**

### **Step 1: Attempt Direct Resolution**

The student discusses the issue with the College employee who is directly involved. The goal is to find resolution in a timely manner. The student may choose to be accompanied by a support person such as a Counselor, an Academic Advisor, or an officer of the ASGRCC during this discussion. The student is required to communicate directly with the College employee involved but this communication does not have to be "in-person". A Counselor can help mediate this communication if it is in the best interests of the student. It is the responsibility of the College employee involved to respond to communication or requests for communication in a timely manner.

If no resolution is reached the student may move to step 2.

### **Step 2: Resolution with Department Chair or Immediate Supervisor**

If the issue is not resolved directly with the College employee, the student seeks resolution with the employee's Department Chair or immediate supervisor. The student may choose to be accompanied by a support person during these discussions. The student must clearly state the problem and a proposed resolution.

Appropriate written documentation will be maintained by the Department Chair or immediate supervisor and established filing procedures will be followed.

If no resolution is reached the student may move to Step 3. If the College employee who is the subject of the complaint is a Department Chair the student should skip this step and move directly to Step 3.

## **Formal Grievance Procedure**



### **Step 3: Resolution with Dean or Next Level Supervisor**

If the issue is not resolved at Step 2 the student may seek resolution with the supervising Dean or next level supervisor. To do this a student has ten (10) working days from receiving notice their complaint could not be satisfactorily resolved at Step 2 to complete a Student Grievance Form and provide it to the supervising Dean or next level supervisor. The student must provide a description of the issue at hand, the steps the student has taken to attempt to resolve that issue, and clearly state a proposed resolution.

Within seven (7) working days of receiving the Student Grievance Form the supervising Dean or next level supervisor will contact the people involved, gather relevant information and/or documentation in order to arrive at a mutually satisfactory solution.

If no mutually agreeable resolution is possible the Dean, or next level supervisor, will conduct an investigation into the student's grievance. Based on the information available as a result of the investigation the Dean, or next level supervisor, will determine an appropriate resolution.

Appropriate written documentation will be maintained by the supervising Dean or next level supervisor and filing procedures will be followed with the Vice President of Student Services. If no resolution is reached the student has ten (10) working days to proceed to Step 4.

### **Step 4: Resolution with Dean of Student Success**

If the grievance is not resolved at the previous steps the student has ten (10) working days to notify the Dean of Student Success that no resolution has been found. The student must provide the Dean of Student Success with a copy of the Student Grievance Form from Step 3.

Within seven (7) working days of receiving this notification, the Dean of Student Success will contact the people involved, gather relevant information and/or documentation, and attempt to arrive at a mutually satisfactory resolution between student and staff.

All parties will be notified of the resolution in writing and established filing procedures will be followed with the Vice President of Student Services.

### **Step 5: Appeal Process**

If the student is not satisfied with the Dean of Student Success's resolution, the student has the right of final appeal of the grievance to the Vice President of Student Services. The final appeal process requires the student to prepare and deliver a written appeal request to the Vice President within seven (7) working days after the Dean of Student Success informs the student of the resolution reached. The written appeal request must include an explanation of why the issue remains unresolved and must provide a proposed remedy to the grievance.



Within ten (10) working days of receiving the student appeal, the Vice President of Student Services will review the grievance, the investigation process, and the proposed resolutions. They may consult with the administrative team and/or the College President in the review process to assure consistency within RCC.

The review may include, but not be limited to, an interview of the student grievant, College employee and/or other involved parties. The Vice President of Student Services will report the findings and conclusions to the student grievant, the College employee(s) involved, and the Dean of Student Success with a written and signed document. Established filing procedures will be followed within the Vice President of Student Services office.

### **Conflict of Interest and Grievances against Senior Leadership**

If a conflict of interest exists the Vice President supervising the division where the complaint or grievance exists will appoint a replacement. Replacements will also be found if there are not enough supervisors to complete Steps 2 and 3 of this process.

Grievances against a Vice President of Rogue Community College should first be attempted to be resolved directly. If no resolution is reached directly the student shall forward their complaint to the Chief Human Resources Officer who will act in accordance with Step 2. If no resolution is reached with the Chief Human Resources Officer the student should provide a formal grievance form to the President of Rogue Community College who will investigate and resolve the issue as appropriate.

Grievances against the College President should first be attempted to be resolved directly. If no resolution is reached directly the student shall forward their complaint to the Chief Human Resources Officer who will act in accordance with Step 2. If no resolution is reached with the Chief Human Resources Officer the student should provide a formal grievance form to the Chairperson of Rogue Community College's Board of Education who will investigate and resolve the issue as appropriate.

The Standards of Student Conduct and Procedures are posted on the RCC Website in the [Students, Rights, Freedoms and Responsibilities](#) Statement.

Grievance forms may be obtained in the Counseling/ centers at all three RCC campuses. Incident Report forms are located at <https://roguenet.rougecc.edu/IncidentReport/Incidents/Create>

The complaint process can be found at:

<https://web.rougecc.edu/complaint-process>



## **Rescinds and Approval Information:**

[AP 3430 Prohibition of Discrimination and Harassment](#) Rescinds AP-003, Section 5;  
Approved: January 7, 2020; Revised: September 19, 2020

[AP 3433 Prohibition of Sexual Harassment Under Title IX](#) Rescinds AP 003, Section 5;  
Approved: September 19, 2020

[AP 3434 Responding to Harassment Based on Sex Under Title IX](#) Rescinds AP-003, Section 5;  
Approved: September 19, 2020

[AP 3435 Discrimination and Harassment Reports and Investigations](#), Title IX Rescinds AP-003, Section 5; Approved: January 7, 2020; Revised: September 19, 2020

[AP 3540 Sexual and Other Assaults on Campus](#) Rescinds AP-003, Section 5; Approved: June 2, 2020

[AP 5500 Standards of Student Conduct](#) Rescinds AP-003, Section 9.1; Approved: December 19, 2019

[AP 5520 Student Discipline Procedures](#) Rescinds AP-003, Section 9.2 and 9.3;  
Approved: April 7, 2020

[AP 5530 Student Complaint and Grievance Procedure](#) Rescinds AP-003, Section 10;  
Approved: April 13, 2020

AP 5999 Student Rights, Freedoms and Responsibilities Rescinds AP-003, Preamble, and Purpose, Sections 1, 2, 3, 4, 6, 7, and 8; Approved: January 5, 2021