



# Black River Technical College (BRTC) Law Enforcement Training Academy (LETA) Basic Training Recruit Handbook and Regulations Rules, Regulations, and Procedural Handbook

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## Section A: Orientation

- A.1 For purpose of identification and security, identification badges are issued to each recruit and shall be attached to a lanyard and worn on the chest area in a readable position.
- A.2 On and off campus, all recruits shall comply with all rules, regulations and procedures contained herein.
- A.3 In the absence of any formal order, recruits shall go through the chain-of-command to resolve any problems. Exceptions to the rules will be made only upon approval of a BRTC/LETA staff instructor.

## Section B: General Rules

- B.1 Recruits shall always adhere to the following rules:
  - A. Any recruit needing to leave the classroom, causing him/her to miss any scheduled block of instruction, will submit a written request stating the reasons for missing prior to their absence. Each request must be approved by a BRTC/LETA staff instructor prior to the recruit departing the BRTC/LETA facility. If the request is approved, the recruit must be logged out by a BRTC/LETA staff instructor. If an emergency arises over a weekend away from the BRTC/LETA facility, and that emergency will result in your failure to return to class on the following Monday, a supervisor from your department must notify BRTC/LETA of your absence and send a follow-up letter from your agency. Each recruit will insure that they have been logged out prior to leaving. Immediately upon your return, you must have a BRTC/LETA staff member log you back into class. Failure to follow this procedure can result in being dismissed from the Law Enforcement Basic Training Academy.
  - B. Recruits shall conduct themselves as adults and professionals, perform all duties in a conscientious manner, and without hesitation, carry out all directives given by authorized personnel.
  - C. Every day at 7:50 am, the class will fall into formation for roll call, announcements, and presentation of the colors. Weather permitting; this will occur outdoors at a prescribed location. In the case of inclement weather, the drill will take place in the gymnasium.
  - D. Classes begin at 8:00 am with 10-minute breaks scheduled each hour. Recruits will be in their seats prior to time for class to start.
  - E. Recruits shall keep the BRTC/LETA facility neat and orderly. Proper use of trash receptacles is required. Paper towels are not to be placed into the urinals of the men's room. They are not designed for this and will easily stop up and overflow.
  - F. Books and materials may be left in the classroom at the end of each day, but all materials will be placed in the chair seat and not left on the table tops or floor. Chairs will be put in the proper position at the end of each day and will be uniform in height.
  - G. Recruits will practice good hygiene. If you are offensive to your neighbor, you will be removed from the classroom. The uniform of the day will be clean and the shirt tucked in at all times unless told otherwise.
  - H. Male recruits' hair will be tapered in appearance. Maximum male hair length is one inch. Female recruits' hair will be cut or worn in a style that keeps hair off the ears and off the

shirt collar. No artificial coloring outside of the natural spectrum of human hair color will be accepted. Compliance is mandatory and will be checked.

- I. Recruits will restrict their activity in the administration area to business and not disrupt administrative personnel.
- J. Recruits should not block the hallways during breaks.
- K. Class participation is encouraged, however, unnecessary talking between recruits while the instructor is lecturing will not be tolerated.
- L. Recruits must be in attendance at all scheduled or announced training sessions. All recruits must participate in class exercises. Any missed sessions may be deducted from the Law Enforcement Basic Training Academy hours.
- M. Notify BRTC/LETA staff immediately or as soon as possible of any situation which will result in an absence.
- N. Barracks are provided by BRTC/LETA. Your barrack is to be considered an extension of the BRTC campus, therefore behavior there shall be consistent with campus rules.
- O. BRTC LETA has a zero-tolerance anti-bullying policy. Bullying refers to repeated and unreasonable actions of individuals (or a group) directed towards an individual, which is intended to intimidate and creates a risk to the health and safety of a student. Bullying includes behavior that intimidates, degrades, offends, or humiliates a student, often in front of others.
- P. Recruits are representing their agency while attending the Law Enforcement Training Academy. Professionalism is a must while attending just as it is while on duty. Unprofessional behavior may come in many forms, e.g. as power struggles, insubordination, gossip, drama, or arguments in the training environment. For purposes of this policy, unprofessionalism will include any activity which disrupts the educational process or creates a safety hazard. Failure to follow this procedure can result in being dismissed from the Law Enforcement Basic Training Academy.

**B.2 Recruits shall not:**

- A. Cheat on any graded recruit activity, including weekly academic tests, physical tests, firearms qualification or any other form of evaluation.
  - 1. Upon any allegation of cheating, a thorough investigation will be made by the BRTC/LETA staff. A finding that cheating did occur will subject the offending recruit or recruits to immediate dismissal from the Law Enforcement Basic Training Academy.
- B. Commit any acts that are incompatible or in conflict with public service or that might cast any unfavorable reflection upon the Law Enforcement Training Academy or your department.
- C. Use profane, vulgar, or obscene language.
- D. Gamble, lie or steal.
- E. Use any tobacco products on the BRTC campus. State Law prohibits use of any tobacco products on the campus of BRTC College. The hotel barracks is considered part of the

campus and tobacco rules apply. Smoking and or any other use of tobacco is forbidden inside rooms at the barracks but is allowed outside on hotel property not being leased.

- F. “Horseplay” in any Black River Technical College building or on the range. (Running, wrestling, fighting, etc.)
- G. Use or possess intoxicants on BRTC property. Any basic recruit found to have any measurable amount of alcohol in his or her system is subject to dismissal. The nature of police training requires strict compliance and recruits must always be in condition to perform potentially hazardous tasks in a safe manner. Barracks space is part of the BRTC Law Enforcement Training Academy campus and is subject to inspection at any time. Consumption in the barracks parking lot is in violation of 5-71-212, a Class C Misdemeanor, and is grounds for dismissal. Random PBT Test may be administered at any time.
- H. Violate any state or federal law. A violation of these laws is a violation of Law Enforcement Training Academy Rules and Regulations.
- I. Violate any Black River Technical College policy governing the general student population.
- J. Eat, drink, or bring food into the classroom, except bottled water with a cap.
- K. Refuse to obey the directive of any instructor.
- L. Have incoming calls during class except in an emergency.
- M. Damage classroom seats by sitting in such a way as to cause unnecessary strain or wear.
- N. Grow beards unless approved by letter of justification from your department head and approved by the LETA Director. Recruits will be clean-shaven with no sideburns.
- O. Engage in any non-professional or extracurricular activity with a LETA instructor.
- P. Bring cell phones, iPods, pagers, or any other electronic equipment into class unless authorized by a LETA staff member.
- Q. Behave in any manner which is sexually or racially harassing to any other recruit, person on the BRTC campus, restaurant, or barrack is prohibited. No unwanted touching, conversation or communication will be tolerated. No means no. Violators will be subject to dismissal from the Law Enforcement Basic Training Academy, a Title IX investigation and banned from the campus permanently.

## Section C: Barracks

- C.1 Black River Technical College Law Enforcement Training Academy currently utilizes local hotel space by lease agreement. Even though the hotel room may be in a separate location from the BRTC Campus, the rooms and common areas are considered and to be treated as any other BRTC property. Any rules of behavior that apply on campus also apply at the hotel. The rooms leased at the hotel are to be treated like on-campus barracks.
- C.2 Check-in time is 4:00 pm on Sunday, and check-out is by noon on Friday.
- C.3 All room assignments are permanent and may not be changed without authorization from the LETA Director. The only people allowed inside any room are the officers assigned to that room. Any contact with other recruits or other visitors will occur in the hotel lobby, outside, or off-site.

- C.4 Weapons will remain in the holster at all times except for training under guidance of a certified instructor or weapons maintenance. Weapons will not be left unattended in barracks. Weapons stored in vehicle must be locked and must not be visible to the public. This policy shall apply to all primary and intermediate weapons.
- C.5 You will bring all necessary personal hygiene items. Washers and dryers are available on site as well as on the BRTC campus for your use.
- C.6 You are responsible for making your bed daily and keeping your room clean.
  - A. Clothes will be put away properly
  - B. Trash will be disposed of properly
- C.7 No possession or consumption of alcohol is allowed on premises of LETA barracks for any reason. Due to the nature of law enforcement training, LETA has zero tolerance concerning alcohol or any other substance capable of causing impairment. Anyone found in possession of alcohol or any other substance capable of impairment is subject to dismissal from the Law Enforcement Basic Training Academy. Anyone found with any measurable amount of alcohol in their system or showing even the slightest signs of impairment is subject to dismissal from the Law Enforcement Basic Training Academy. If you are taking any prescription medications that can cause impairment, BRTC/LETA Staff is to be notified immediately.
- C.8 Smoking, vaping or the use of smokeless tobacco products are not allowed inside the barracks. All tobacco products or vaping products will be kept in your vehicle and not in your room.
- C.9 No pets are allowed unless it is a service animal and previous permission has been granted.
- C.10 Barracks are subject to inspection at any time.
- C.11 Barracks are closed on weekends.
- C.12 You will notify the BRTC/LETA staff in advance if you do not spend the night in your assigned room whether you have a roommate or not.
- C.13 At the end of the Basic Training Academy, you will give your room a deep cleaning subject to inspection. When you leave, it will look as nice or nicer than when you first occupied it. Make certain all of your property has been removed when you check out for the last time at the end of week 13.

## Section D: Firearms Rules

- D.1 In order to prevent accidents or near accidents with firearms, the following requirements apply while you are in attendance at BRTC/LETA. These rules shall be strictly enforced.
  - A. No weapons (firearms or Taser) or chemical agents are allowed inside the law enforcement building unless instructed by a BRTC/LETA staff member.
  - B. Weapons and duty gear will be readily available at all times by securing them in the recruit's locked vehicle. The weapons shall be concealed from view inside the vehicle.
  - C. Recruits must adhere to all range rules (to be supplied during range week).
  - D. Recruits must maintain their own weapon. Weapons not properly cleaned and maintained will not be allowed on the range.

- E. Firearms safety violations, including negligent discharges, are extremely serious matters and will not be tolerated.

## Section E: Sleeping in Class

- E.1 Sleeping in class will not be tolerated.
- E.2 To avoid sleeping in class, a recruit may move from their assigned seat to a standing position along the back wall of the classroom.
- E.3 A recruit not exercising the above option and going to sleep in class will be sent from the class by the instructor.
- E.4 The recruit will report to a BRTC/LETA instructor when sent from a class for sleeping.
- E.5 The first offense of sleeping in class will result in a verbal reprimand directed to the recruit, a call to the recruit's agency informing the agency of the recruit's conduct, and a brief statement about the violation placed in the recruit's file.
- E.6 Second offense of sleeping in class will result in a written reprimand placed into the recruit's file, and a copy of the reprimand sent to the recruit's employing agency.
- E.7 Third offense of sleeping in class will result in a recommendation of dismissal from the Law Enforcement Basic Training Academy. The recommendation may come from an instructor or LETA staff member. The recommendation will be presented to the LETA Director for final action.

## Section F: Dress Code

- F.1 Proper dress is essential to promote the professional image that Law Enforcement Training Academy and the entire law enforcement community wants to promote. Therefore, the recruit will adhere to the following dress code:
  - A. Proper attire for the classroom includes
    - 1. LETA issued shirt (additional shirts may be purchased)
    - 2. Black or dark blue pants
    - 3. Polished shoes or boots or clean black athletic shoes in good condition
  - B. The following is prohibited attire in the classroom:
    - 1. Tank tops, sleeveless shirts, short or cut-off shirts
    - 2. Jeans (except when permitted, e.g.: casual day)
    - 3. Cut-off pants, or shorts
    - 4. Sandal style shoes, dirty shoes, or dirty socks
    - 5. Caps, hats, or headbands
  - C. Appropriate attire for physical training or defensive tactics will be:
    - 1. Black sweatshirts, hoodies, or jacket
    - 2. BRTC LETA logo shirts (no red t-shirts)
    - 3. Black shorts or sweatpants/athletic leggings. Shorts should be mid-thigh or longer.
    - 4. Proper support devices
    - 5. Clean clothing to include socks and shoes
  - D. Appropriate attire for firearms and other outside practical training will be:

1. Same as classroom except caps are allowed.
  2. BDU or military style clothing is acceptable.
- F.2 Squad leaders will report any violations of dress code or act on any problems that should be corrected in order to ensure conformity to above code and to maintain proper discipline. Daily inspections are encouraged at morning formation for compliance, neatness and cleanliness.

## Section G: Sick Call

- G.1 Illness or injury will be reported to BRTC/LETA staff immediately. Once the immediate concern of the injury is determined, a memorandum detailing the injury, cause, extent, and doctor's recommendation shall be drafted and submitted to the LETA Director.
- G.2 The BRTC Law Enforcement Training Academy is not liable for hospital care or medication.
- G.3 Any recruit under a doctor's care or taking prescribed medication shall report details of their condition and what they are taking and its physical effects to the BRTC/LETA staff. Failure to report this information may result in dismissal from the Law Enforcement Basic Training Academy. The recruit shall retain all prescribed medication at all times.
- G.4 No recruit may participate in any exercise which may put them or others at risk due to medication which has the potential of causing impairment.

## Section H: Academic Matters

- H.1 The instructors accept, desire, and encourage questions provided they represent an honest attempt to gain information. Recruits must have a sincere interest, an open mind, and a desire to learn theory, techniques, and procedures in order to successfully complete the program.
- H.2 Utmost courtesy will be extended to all visiting instructors and visitors.
- H.3 Exam reviews will be conducted following the exam at a time established by the BRTC/LETA instructor. No exam review will be allowed until after everyone has completed the exam.
- H.4 Any adjustments in your final score will only be made after approval of the LETA Director.

## Section I: Academic Requirement

- I.1 In order to complete the Law Enforcement Basic Training Academy, the recruit must achieve a minimum grade of 70% in each academic block of instruction or higher if required for a particular certification course.
- I.2 Some areas of instruction require practical exercises. The recruit must be proficient in certain areas in order to graduate. Proficiency exercises are a pass-fail situation.
- I.3 Recruits failing a specific week's academic block examination will be allowed to re-test following the failed exam. Failure to appear at the designated time for the re-test will result in automatic dismissal from the Law Enforcement Basic Training Academy. The maximum grade for a retest is 70%.
- I.4 The BRTC/LETA staff must approve any change from the scheduled day and time for re-test.
- I.5 The recruit with the top academic score will receive an award during graduation. An additional award will be given to the recruit with the overall best average. Academics, firearms, and physical fitness scores will be averaged to determine the overall score.

## Section J: Academic Grading Formula

- J.1 The grade for the weekly exam on Friday will be the number of correctly answered questions divided by the total number of questions multiplied by 100.

## Section K: Firearms Training

- K.1 A minimum firearms qualification score of 80% will be required before a recruit is permitted to graduate from the BRTC Law Enforcement Training Academy. The recruit must achieve two back to back qualification scores during firearms training week.
- K.2 Recruits will fire a Qualification Course approved by the Commission on Law Enforcement Standards and Training. Each course will require 40 hits out of a possible 50 must be scored twice, back to back out of 4 tries on qualification day using a “Q” target. One qualification retest is permitted and will typically occur on the following Monday morning after the scheduled qualification day.
- K.3 The two (2) highest qualifying scores will be used to determine the recruit’s overall firearms average. This qualification average will also be used to determine the award at graduation for the top shooter.

## Section L: Class Leadership

- L.1 At a designated time, the class will select a class speaker who will address the class during graduation.
- L.2 The class may elect to choose a member to lead an invocation for the graduation ceremony.

## Section M: Squad Leaders

- M.1 The class will be divided into squads. The procedure to select recruits to be assigned as squad leaders will be determined by the LETA Director.
- M.2 The squad leader shall have authority to make decisions concerning the general welfare and safety within their squad. These decisions will stand until reviewed by a higher authority.
- M.3 Failure to follow a directive by a squad leader will be treated the same as failure to follow a directive by a BRTC/LETA staff member.
- M.4 General Responsibility:
- A. Account for all members of the squad at any and all formations.
  - B. To collect any memos from squad members.
  - C. To make sure squad members are present and on time for classroom and/or practical activities.
  - D. To keep BRTC/LETA staff informed of any problems within the squad.
  - E. To notify squad members of any orders, requests, or information given by BRTC/LETA staff, or other person in authority.
  - F. To notify BRTC/LETA staff immediately concerning illness or injury of any squad member and lost or stolen items from any squad member.



G. To ensure all members of your squad follow the Law Enforcement Training Academy Rules and Regulations for conduct.

M.5 Assistant squad leaders may be appointed and will act in the absence of a squad leader and assist the squad leader in any way needed.

## Section N: Chain of Command

N.1 The chain of command will be LETA Director, LETA staff, class leader, squad leader, recruit.

N.2 Any recruit wishing to discuss any matter concerning a Law Enforcement Training Academy problem must follow this chain of command, except instances involving sexual or racial harassment.

N.3 Any recruit using the chain of command has the right to appeal any decision. The right to appeal does not allow any recruit to bypass any step in the chain of command, except instances involving sexual or racial harassment.

## Section O: Disciplinary Action

O.1 The disciplinary action taken in any situation involving violations of Law Enforcement Training Academy Rules and Regulations will be based on the results of an investigation of the alleged act. The disciplinary action taken may be admonishment, assignment of additional duties while attending the Law Enforcement Basic Training Academy, verbal reprimand, written reprimand, or immediate dismissal from the Law Enforcement Basic Training Academy. (See LETA Disciplinary Procedures in Addendum.)

## Section P: Use of State Property

P.1 All recruits are responsible for all state property issued to them and such property must be returned before the recruit leaves Black River Technical College Law Enforcement Training Academy. Additionally, recruits shall not remove any state property from its assigned location without authorization.

## Section Q: Physical Fitness Program

Q.1 ALL RECRUITS WILL PARTICIPATE IN THE PHYSICAL FITNESS PROGRAM TO THEIR FULLEST ABILITY. You should arrive for basic training in good shape. You will be stressed on day one. If you plan to get into shape after you arrive you have planned poorly and you run the risk of failure. One example, you should be able to run 1.5 miles without stopping on day one. Many academy failures are due to poor physical condition as well as medical problems. Do not risk injury, a medical episode, or failure by not being fit for duty.

Q.2 Recruits will be tested in physical fitness to record improvements.

A. If injury or sickness occurs during the program, a doctor's opinion on the condition will be required and an evaluation made as to the recruit's continuing or withdrawing from the Law Enforcement Basic Training Academy.

B. If a physical condition prevents the recruit from participating at an acceptable level, that recruit will be dismissed from Law Enforcement Basic Training Academy to allow conditions to improve.

- Q.3 Appropriate attire for physical training: See [Section F: Dress Code](#), Subsection C.
- Q.4 The top recruit in Physical Fitness will receive an award during graduation.
- Q.5 Recruits are required to participate in the Defensive Tactics Program.

## Section R: Course Material

- R.1 BRTC/LETA will provide course material for the majority of classes.
- R.2 Test questions may come from lecture material or from course material. While most test questions will come from course material, it is important to take notes since some test material may originate from lecture material alone.

## Section S: Fire Emergency

- S.1 In case of fire, or if an alarm is activated in the building, all recruits shall leave the building using the nearest exit and assemble in formation in the north parking lot of the BRTC/LETA building.
- S.2 Squad leaders will then account for all squad members and immediately report any who are not present.
- S.2 This same procedure will apply in cases of similar emergencies.

## Section T: Veteran's Administration Benefits

- T.1 The BRTC/LETA classes are approved by the State Approving Agency for Veterans, which enables all eligible veterans to receive educational benefits while attending the academy and other higher education classes.
- T.2 Necessary application forms may be obtained from the Black River Technical College Financial Aid Office.

## Section U: Awarding of College Credit upon Completion of LE Basic Training Academy

- U.1 The awarding of college credit hours for courses during the Law Enforcement Basic Training Academy is contingent upon recruits applying and meeting Black River Technical College admission procedures as required by the Arkansas Department of Higher Education.
- U.2 Law Enforcement Training Academy recruits will be enrolled as Black River Technical College students while attending the academy.

## Section V: Staff/Recruit Relationship

- V.1 The integrity of the Law Enforcement Training Academy must be maintained. In order to do so and provide the best instruction available to recruits, instructional staff contact should be limited to official duties. Outside contact away from the Black River Technical College premises or extra tutoring outside of the daily subscribed schedule cannot be permitted without the specific approval of the LETA Director.
- V.2 While in attendance at BRTC/LETA, recruits are expected to maintain a professional relationship with the staff and other recruits.

- V.3 Instructors at the BRTC/LETA are here for the purpose of providing recruits with education and training for the challenges of a law enforcement career. Recruits are encouraged to approach faculty and staff to have questions answered or material clarified. This may be done during, before, on breaks, or after class as long as it is during academy hours, and done in a professional manner.
- V.4 This policy does not pertain to after-hour barrack inspections. Barrack inspections should be conducted by two staff members.

## Section W: Academy Withdrawal

- W.1 The recruit's agency enrolls him/her in the Law Enforcement Basic Training Academy. Only that agency can withdraw the recruit.
- W.2 Withdrawals can be made only for reasons in the best interest of BRTC/LETA as determined by the LETA Director, including compelling medical reasons, prevention of further injury of a previous condition, death or serious illness or injury of an immediate family member, or other true emergency situations.
- W.3 If a recruit is withdrawn from the academy, he/she will be enrolled in the next available Law Enforcement Basic Training Academy at the beginning of the week in which he/she was withdrawn.
- W.4 The recruit's grade averages will transfer to the new class.
- W.5 Unofficial withdrawals or leave will result in failure of the Law Enforcement Basic Training Academy.

## Section X: Active Killer Response Procedures

- X.1 These active killer response procedures establish a coherent system through which LETA basic recruits and Fire Science students are to respond in the occurrence of an active killer event inside the LETA facility.
- X.2 LETA basic recruits are probationary, non-certified, and have not yet received firearms training; therefore, the "Run. Barricade. Fight" concepts are the best and safest strategies for LETA and elsewhere on the BRTC campus.
- X.3 In the event of an active killer event inside the LETA facility, LETA basic recruits and Fire Science students will respond with the aforementioned, "Run. Barricade. Fight" strategies. LETA instructors are certified, trained and armed LEOs who will eliminate the threat(s) as required.
- X.4 If an active killer event occurs elsewhere on the BRTC campus, the LETA Director, LETA instructors, and Fire Science Director are part of the campus emergency plan and will respond to the active killer's location. Basic recruits and Fire Science students will remain inside the LETA building and will not respond. This is not negotiable. This is best for overall safety and will reduce confusion or the possibility of a "blue-on-blue" friendly-fire incident. All Fire Science students will report to, and become part of, LETA Squad C, and will remain under the supervision of the LETA class leader and C squad leader until relieved by the Fire Science Director.
- X.5 LETA basic recruits and Fire Science students will not exit the LETA building to arm themselves absent the most extreme emergency circumstances and will do so only with

permission from the LETA Director, LETA instructors, Fire Science Director, class leader, or squad leaders, in that order. If the LETA Director, LETA instructors, and Fire Science Director are not available, the class leader has supervisory authority over the basic class. If the class leader is not available, the squad leaders will have supervisory authority over the basic class.

- X.6 Upon notification of an active killer event on campus, a pre-selected LETA squad leader will immediately retrieve the door-dogging key from the administrative assistant's office and will lock all exterior doors. While the designated squad leader is retrieving the door-dogging key, the remaining 3 squad leaders will provide exterior door security and barricade if necessary. The squad leaders have the discretion to select help from LETA basic recruits or Fire Science students during this process.
- X.7 In the absence of the LETA Director, LETA instructors or Fire Science Director, the class leader will retain control of all other LETA basic recruits and be prepared to make assignments as necessary.
- X.8 LETA may potentially serve as a casualty-collection point and/or med-evac helicopter landing zone. LETA basic recruits and Fire Science students must be prepared for this possibility and provide site security to LETA and its occupants.
- X.9 Purposeful refusal or failure to follow the instructions set forth by the LETA Director, LETA instructors, Fire Science Director, class leader, or squad leader will result in disciplinary sanctions up to and including dismissal from the Law Enforcement Basic Training Academy.

## Addendum

# LETA Academic Rules Violations Procedures

### Authority

The Director of the Law Enforcement Training Academy, hereafter referred to as “LETA”, is the senior official responsible for the overall administration of the LETA Academic Rules Policies and Procedures Manual for the LETA program at Black River Technical College. All conferences and hearings may be conducted in person or through ZOOM at the discretion of the Director of LETA.

The Vice President of Academic Affairs, or their designee is the senior official responsible for all level-one appeals. All potential conferences for level-one appeals may be conducted in person or through ZOOM or via phone at the discretion of the Vice President of Academic Affairs, or their designee.

### Academic Rules Policies and Procedures Manual **Complaint Procedures**

Any member of the LETA community may file a complaint against a student for violation(s) of the LETA Cadet Academic Rules Policies and Procedures Manual. The individual filing the complaint would therefore be recognized as the Complainant.

Complaints concerning a potential violation should be made to the Director of LETA in accordance with the following procedures:

- A complaint containing the name, address, phone number, and email of the Complainant, and a brief description of the alleged violation shall be made in writing, or delivered to the Director of LETA.
- Complaints should be filed as soon as possible after the event takes place, but no later than thirty (30) calendar days after the Complainant becomes aware of the alleged violation.

### **Presumption of Non-Responsibility & Standard of Proof**

Subject to all other provisions of the LETA Academic Rules Policies and Procedures Manual or BRTC institutional policies, any student charged with an infraction under the LETA Academic Rules Policies and Procedures Manual shall be presumed not responsible for a violation until determined to be responsible by a preponderance of evidence standard. For a student to be found responsible for a violation, the evidence must indicate that it is more likely than not that a violation occurred.

### **Academic Rules Violations Correspondence**

Correspondence regarding violations of the LETA Academic Rules Policies and Procedures will be dependent on the potential sanction level. If the resulting sanction(s) does not rise to the level of suspension or dismissal from the LETA program, the Director of LETA or their designee may choose to consult with the accused student verbally. When a violation could potentially include suspension or dismissal from the LETA program, this correspondence will generally be delivered to the student via physical delivery of a paper copy. However, the college reserves the right to use other reasonable means to notify students, including the student’s BRTC email account or the most

current address listed with the Registrar's Office. Students involved in a college rules infraction matter are responsible for checking their college email account on a regular basis.

## Definition of Sanction Levels

The following terms are used within the disciplinary process contained in this document:

- **Level-one Sanction** – This is an instance where a LETA Academic Rules Policies and Procedures violation has occurred, but the potential corresponding sanction is anything less than being suspended or dismissed from the LETA program. An Informal Administrative Resolution will resolve all instances when a level-one sanction is administered.
- **Level-two Sanction** – This is an instance where a LETA Academic Rules Policies and Procedures violation has occurred and the potential corresponding sanction could include suspension or dismissal from the LETA program. Because programs offered by LETA are time-sensitive, meaning that any time outside of the classroom setting could hinder a student's ability to complete the program or could put the student in jeopardy of not maintaining a satisfactory attendance, any violation that could potentially lead to a student being suspended or dismissed from the LETA program shall be subject to the disciplinary process outlined below. The student will be given the option of an Informal Administrative Resolution or a Formal LETA Academic Rules violation hearing.

## Preliminary Investigation

When the Director of LETA or their designee receives information that a student has allegedly violated the LETA Academic Rules Policies and Procedures or local, state, or federal law, the Director of LETA or their designee shall investigate the alleged violation and determine if a resulting sanction could potentially include dismissal from the LETA program. If it is determined that the resulting sanction could potentially include dismissal from the LETA program, the disciplinary process outlined below shall be administered. After completing a preliminary review of the complaint, within seven (7) business days, or as soon as possible thereafter, the Director of LETA or their designee may dismiss the allegation(s) or may proceed with the Academic Rules Violation process as outlined in the next section.

## Academic Rules Violation Process

The Director of LETA or their designee will meet with the accused student, hereafter referred to as "Respondent", to review the alleged violation(s) of the LETA Academic Rules Policies and Procedures Manual and the options they have available to them to resolve the matter. The Respondent shall be offered the option of an **Informal Administrative Resolution** or a **Formal LETA Academic Rules Violation Hearing**.

### Informal Administrative Resolution

If the Respondent chooses an Informal Administrative Resolution, the Director of LETA or their designee will collect evidence and interview the Respondent, Complainant, and any relevant witnesses to the matter. The Respondent will be provided the opportunity to respond to the allegations and to present any evidence relevant to the matter. The Director of LETA or their designee will decide, based on the preponderance of all facts and

evidence provided, whether it is more likely than not the alleged violation occurred, and if so, what sanction(s) will be assigned. Upon conclusion of the investigation, the Director of LETA or their designee will explain their decision and assign the sanction(s) in writing, generally via email.

### **Formal LETA Academic Rules Violation Hearing (Level Two Sanction)**

If the Respondent opts to have a Formal LETA Academic Rules Violation Hearing, the Director of LETA or their designee shall prepare for and schedule a hearing. The Respondent shall be entitled to appear in person, before a three (3) person LETA Academic Rules Violation Hearing Panel comprised of LETA Staff, and/or BRTC Faculty or Staff, and present his/her defense. The Respondent may also elect not to appear, in which case the hearing shall be held in his/her absence. The failure of the Respondent to appear should not be taken as indicative of guilt and must be noted without prejudice.

The Respondent or Complainant shall not be represented by legal counsel. The Respondent may be accompanied by a member of the faculty, staff, and/or a member student body of the college. Those who accompany the Respondent will not be allowed to testify nor ask any questions of anyone present at the hearing. Failure of those accompanying the Respondent to comply with the above statement will result in him/her being asked to leave the hearing. Any person present during the hearing who exhibits conduct that impairs, impedes, interferes with, or obstructs the orderly judicial process, may be asked to leave the hearing.

### **Formal LETA Academic Rules Violation Hearing Process**

- If the Respondent elects to attend the hearing, he or she shall hear all testimony and may ask relevant questions of witnesses.
- The Director of LETA will direct the hearing unless there is a conflict of interest. If a conflict of interest is found, another member of LETA Faculty will direct the hearing.
- The Respondent shall be entitled to the right to remain silent throughout the judicial proceedings and such refusal to participate should not be taken as indicative of guilt and must be noted without prejudice.
- The Complainant and the Respondent have the right to be assisted by any advisor they choose. The advisor must be a member of the BRTC Community (faculty, staff, or student) and may not be an attorney. The Complainant and/or the Respondent is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing.
- The Complainant, the Respondent, and the Director of LETA shall have the privilege of presenting witnesses, subject to the right of cross-examination. All questioning will be conducted by the Director of LETA, or the LETA Conduct Hearing Panel. Questions may also be asked or suggested by the Respondent. Answers to such questions shall be directed to the LETA Academic Rules Violation Hearing Panel.
- Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by the LETA Academic Rules Violation Hearing Panel.
- The LETA Academic Rules Violation Hearing Panel will be allowed to ask questions throughout the hearing and the committee's determination shall be made based on the facts and evidence presented on whether or not the Respondent violated the LETA

Academic Rules Policies and Procedures, and/or any other applicable rules, regulations, policies, or procedures.

- There shall be a single verbatim record, such as a recording of all hearings before a LETA Academic Rules Violation Hearing Panel. The record shall be BRTC property.
- The Respondent shall be entitled to an explanation of violation(s) and of any sanction(s) assessed.

## Appeals

Sanctioning decisions arrived at through either Informal Administrative Resolution or a Formal LETA Academic Rules Violation Hearing may be appealed. Because the LETA training program involves credentials given by an external organization outside of the purview of BRTC, the appeals process will be dictated by the nature of the sanction(s) given at the conclusion of either an Informal Administrative Resolution or Formal LETA Conduct Hearing.

**Level-one Sanction Appeal** – A level-one appeal is reserved for instances where the sanction(s) allows the Respondent to continue the LETA program. This process is outlined below.

**Level-two Sanction Appeal** – A level-two sanction appeal is reserved for instances when the resulting sanction(s) will **not** allow the Respondent to continue the LETA program, meaning the resulting sanction will put the Respondent in violation of CLEST Rule 1005, 1 (d). If the Respondent wishes to contest (appeal) the decision of the Director of LETA or the LETA Academic Rules Violation Hearing Panel as a level-two sanction appeal, the Respondent must do so through the procedures outlined in CLEST Rules. Because BRTC and CLEST are independent of each other, the timeframes given for appeal may be different. If you have been suspended or dismissed from the LETA program as a result of this disciplinary process and wish to appeal this decision, please contact CLEST without delay to obtain their most current procedures for such an appeal.

### Request for a Level-one Appeal

If the Respondent wishes to contest (appeal) the decision of the Director of LETA or the LETA Academic Rules Violation Hearing Panel to the Vice President of Academic Affairs, the Respondent shall, within three (3) working business days of the receipt of official notice of disciplinary sanctions, submit a written or emailed statement requesting an appeal review, and why they are requesting an appeal review to the following:

Black River Technical College

Attn: Vice President of Academic Affairs

P.O. Box 468

Pocahontas, AR, 72455

The statement may be emailed to the Vice President of Academic Affairs directly at: [brad.baine@blackrivertech.edu](mailto:brad.baine@blackrivertech.edu).

### Provisions Pertaining to Level-one Appeals

Appellate review shall be on the record in the case and does not include a right of additional hearings or meetings on behalf of the student. The function of the Vice President of Academic



Affairs in reviewing an appeal is that of reviewing if the appeal meets one of the four grounds listed below:

- a. An alleged violation of the rights guaranteed the accused has occurred.
- b. The sanction(s) imposed are outside the College's sanction range for such violations and/or not justified by the nature of the offense.
- c. New and significant evidence that was not available at the time of the hearing has developed which has a bearing on the outcome.
- d. An objective assessment of the evidence under the preponderance of evidence standard does not support a finding of responsibility.

The Vice President of Academic Affairs has the authority to deny a student's case for an appellate review in the event that the appeal does not meet the below listed criteria:

- a. Be submitted within the designated time frame from the date of the decision.
- b. All appeals must be in writing signed by the student or student representative of a student organization.
- c. Select one or more of the four (4) appeal grounds.
- d. Provide a detailed discussion of the reasoning for the selected ground(s) for appeal and the student's or student organization's evidence to support the reasoning.

The student appealing will be notified via administrative summons, phone call, or email, of result of the administrative appeal review and/or of any potential appellate conferences if deemed necessary by the Vice President of Academic Affairs. The decision of the Vice President of Academic Affairs appeals decision is final and may not be appealed further.

Any potential appeals conferences deemed necessary by the Vice President of Academic Affairs shall be recorded. Recorded records are available at the student's request.

## Disciplinary Sanctions

In keeping with the College's values, sanctions are designed to promote the College's educational mission. Sanctions may also serve to promote safety. Some behaviors are so harmful to the College community or the educational process that they may require more serious sanctions:

- Removal from specific courses or activities, or the LETA Program.

In an effort to be developmental and educative, those charged with making decisions on disciplinary sanctions are less concerned in administering "punishment/sanctions" for Academic Rules Violations as it is concerned about a student's willingness to take personal responsibility for their actions along with an understanding of how the student's behavior affects others and how engaging in that behavior may affect the student's personal and professional future.

Disciplinary sanctions will draw upon the experience and professional judgment of those charged with carrying this process out and upon a range of disciplinary techniques. Disciplinary sanctions in response to violations of the LETA Academic Rules Policies and Procedures will be correlated to the seriousness of the offense, the effect of the misconduct on the College environment, the student's record of misconduct, the student's willingness to take personal responsibility for their actions, and statutory requirements. Because of these factors, sanctions for a particular offense (unless specified by law) may bring into use varying techniques and responses. Possible Academic Rules Violation sanctions include, but are not limited to the following:

- **Formal warning:** A formal notice that the Code has been violated and that future violations will be dealt with more severely.

- **Disciplinary probation:** Implies that the individual's standing with the LETA Program is in jeopardy and that further negligent or willful violations will normally result in Separation or permanent separation from LETA.
- **Restitution:** Compensation for loss, damage, service, or material replacement.
- **Class or workshop attendance:** Enrollment and completion of a class or workshop that could help the student understand why his or her behavior was inappropriate (for example, completion of an online class or workshop pertaining to anger management or three counseling sessions with the Director of LETA).
- **Removal from specific courses or activities.**
- **Restriction from entering specific college areas and/or forms of contact with certain persons.**
- **Counseling, Psychological Evaluation, or Treatment as deemed appropriate.**
- **Separation:** from the LETA Program for a specified period of time or until certain conditions are met.
- **Permanent Separation:** from the LETA Program.
- **Interim Suspension:** Immediate but temporary suspension of a student or individual by a college administrative official on the grounds of campus and individual safety.
- **Interim Action:** Any temporary action imposed by a college administrative official on the grounds of campus and individual safety.
- **More than one of the sanctions listed above may be imposed for any single violation.**

All sanctions imposed upon a student shall remain in effect while the student is enrolled at BRTC. If a student re-enrolls in the college at a later date the LETA Academic Rules Violations sanctions shall still be in effect for any future LETA program enrollment.

### **Emergency Suspension**

If a student's actions pose an immediate threat or danger to any member of the College community or the educational processes, a college administrative official may immediately suspend or expel the student following all required due process rights.