



**BRTC**



**2025 - 2026  
STUDENT  
HANDBOOK**

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## Policy Statement

Policies and procedures stated in this handbook—from admission through graduation—require continual evaluation, review, and approval by appropriate college officials. All statements in this handbook reflect policies in existence at the time this handbook was published. The College reserves the right to change policies at any time and without prior notice.

## BRTC Mission Statement

Black River Technical College transforms lives through quality academic and career education to enhance the community we serve.

## BRTC Vision

BRTC will lead our community in learning and economic development.

## BRTC Values

- **Students** – Students' needs are the foundation of our academic, co-curricular, and financial planning.
- **Quality** – At Black River, we strive to provide our students with excellent academic programs, encouraging support services, and administrative support to meet students' goals.
- **Learning** – We provide degree programs, professional training, enrichment experiences, and collaborative opportunities to foster career and personal improvement.
- **Community Relationships** – The strengths and challenges of our community shape us. We collaborate with our community to share strengths and resources, learn together, and address the needs of our region.

## Academic Advising

During registration, an advisor will be assigned to each student. The advisor will:

- Be a faculty member in the area most closely related to the student's major;
- Help the student choose appropriate courses before registration each semester; and,
- Direct students to information on financial aid, testing, tutoring, and career placement.

## Accidents/Medical Conditions

### Accidents

To provide needed care and appropriate response, students with serious medical conditions should inform their instructors and the Director of Student Development of such illness. In the event of an accident, an

ambulance may be called to transport the student to the local emergency room for proper assessment.

**Note: not all health or accident policies cover ambulance services.**

## Seizure Disorders

If a student has a seizure disorder, it is a possibility that the student may have an episode while on campus. Every student who has a seizure disorder should notify the ADA Coordinator of the degree of the disorder, preferred procedures, and emergency contacts. A "Student Seizure Disorder Agreement Form" will then be turned into the ADA Coordinator. For the student's safety, a copy of this agreement will be given to instructors, security, and administrators as needed or at the discretion of the student.

## Account Balances and Collections

### Tuition and Fees / Student Account Balances

Current tuition and fee estimates are listed on the BRTC website by clicking on the Tuition and Fees tab on the BRTC homepage. If a student has a question about their account balance they may call the Business Office at 870-248-4000 ext. 4116.

### Past Due Balances and Collections

A student receivable becomes past due if payment is not received by the payment due date. Students with past due balances from previous semesters are placed on a business office hold and not allowed to register for subsequent semesters unless the exception is approved by both the Vice President of Finance & Administration and the Vice President of Student Affairs. A business office hold includes preventing the release of academic transcripts as well.

A concerted effort should be made to collect accounts. Once an account is past due, statements will be mailed for three consecutive months. If still unpaid, the past due balance will be sent to a collection agency. The College has established written collection procedures for accounts receivable. As a state agency, the College also has a right to ask for state income tax refund set off as an alternative collection method. Collection activities include any collection activities authorized by law.

## Adding and Dropping Courses

**Adding a course or courses:** Students may add courses prior to the "last day to add" during the academic semester after meeting with their advisor and discussing their academic schedule. The "last day to add" each term is located in the Academic Calendar. After this date special permission must be obtained. These additions must be requested through the Student Affairs Office or the Registrar's Office.

**Dropping a course or courses:** Students must go on the student portal to drop courses before the 11th day of the fall/spring semester or the 5th day of the summer term. After these dates all drops must be done by the drop form on the main portal page.

Non-attendance does not guarantee automatic withdrawal from courses. Students who choose not to drop a course or not attend the course will be billed and a transcript will be created for that

semester. BRTC has processes in place to drop students that do not attend or access their course before census reporting each semester. Students must check the schedules and enrollment on MyBRTC ([www.mybrtc.blackrivertech.org](http://www.mybrtc.blackrivertech.org)). Contact the Registrar's Office or admissions with any questions.

## Administrative Withdrawal

Administrative withdrawals are only granted after the official drop date has passed. The administrative withdrawal is only administered by the Vice President of Academics or Registrar. All Administrative withdrawals must have justifiable extenuating circumstances and must have supporting documentation to demonstrate the need for withdrawal. Examples of supporting documentation include a letter from a doctor, an obituary, or documentation from the court system. Students who request administrative drops will be notified of approval or disapproval by email or letter from the Registrar. Allied Health and LETA programs are exempt from this process; students may be dropped for policy violations with an administrative withdrawal according to the policies put in place for these specific programs.

## Accuplacer

The Accuplacer is used by many two-year colleges to determine the placement level established by the Arkansas State Board of Higher Education of students in math, English, and reading. Accuplacer is an integrated system of computer-adaptive assessments designed to evaluate students' skills in reading, writing, and mathematics. For over 30 years, Accuplacer has been used successfully to assess student preparedness for introductory credit-bearing college courses. Accuplacer delivers immediate and precise results, offering both placement and diagnostic tests, to support intervention and help answer the challenges of accurate placement and remediation. Contact the Office of Admissions for more information.

## American College Testing Program (ACT)

BRTC is a designated regional testing center for the ACT. Tests are administered on specified national testing dates. Students wishing to take the ACT test should contact the Director of Distance Education at 870-248-4000, ext. 4049, for testing dates.

## Bookstore

Textbook ordering is done entirely in the campus bookstores located on both the Pocahontas and Paragould campuses.

The BRTC Bookstore offers students an efficient, personalized shopping experience.

The on-campus college bookstore stocks the following items:

- Most required and general supplies for classes
- Electronics
- A variety of BRTC-branded items
- Gifts

- Health and beauty aids
- Graduation caps and gowns at graduation time

## Cafeteria/Black River Grill

The Black River Grill at the Pocahontas location is open for both breakfast and lunch. Weekly menus and hours of operation are posted on the announcement monitors in various buildings on campus.

## Career Pathways

Arkansas Career Pathways is a program offered to current and prospective BRTC students who are also parents/guardians. This program offers educational expense assistance, student support, guidance, and counseling. To be eligible for Career Pathways, a student must:

- Be an Arkansas resident;
- Be the custodial/noncustodial parent or guardian of a child under the age of 21; and,
- Receive DHS services (ARKids, Medicaid, Food Stamps, etc.); OR,
- Have earnings that fall below the 250% federal poverty guidelines.

**FY24 Federal Poverty Level Guidelines**

| Family Size   | 250%      |
|---|-----------|
| 1   | \$36,450  |
| 2   | \$49,300  |
| 3   | \$62,150  |
| 4   | \$75,000  |
| 5   | \$87,850  |
| 6   | \$100,700 |
| 7   | \$113,550 |
| 8   | \$126,400 |
| For families/households with more than 8 persons, add \$5,140 for each additional person. |           |

As funding is available, Career Pathways participants may be eligible for assistance with transportation costs, childcare costs, tuition, fees, supplies, background checks, and licensing fees. Contact the Career Pathways Office at BRTC Pocahontas for more information (margo.davis@blackrivertech.edu) or pre-apply online at: <https://arpathways.com/prequalification>

## Career Services

Career Counseling through the Director for Student Career Readiness is available to assist students with career exploration and employment opportunities. Job postings, resume preparation resources, and



placement services are available through the Director for Student Career Readiness office and on the MyBRTC portal.

## Campus Presence of Children, Family Members, or Friends

BRTC students should not have family members, including children, or friends as a regular presence on campus or in classrooms and other areas of instruction, including laboratories. Specific programs may prohibit children and guests completely. This is for safety purposes and to ensure an appropriate learning environment. Exceptions may be made at the discretion of the classroom instructor as it relates to visitors and children in the classroom. BRTC students are responsible for communicating with their instructors and are responsible for their guests while on campus.

For students utilizing the BRTC Library, the Mary Helen Jackson Children's Reading Room is available for children under the care of BRTC students. This room features several activities for children up to kindergarten age, allowing for parents and guardians to complete school work while their children are occupied. Children should not be left unattended.

## Civil Rights

Students having concerns pertaining to the compliance with Title VI, Title IX, or Section 504 of the Rehabilitation Act of 1973 should direct their concern directly to the Vice President of Student Affairs, or the Director of Student Development. Unresolved concerns may be directed to the following address:

**Office for Civil Rights**  
U.S. Department of Education  
1200 Main Tower Building  
Dallas, TX 75202

## Class Attendance

Students are expected to attend all classes and be punctual. After an unexpected absence due to illness or emergency, students are responsible for contacting instructors on their first day back to arrange makeup work. Excessive absenteeism may result in loss of course credit. Excessive absences are calculated as twice the number of times the class meets each week. For example, if a class meets two days per week, four absences will be considered excessive.

## CLEP

BRTC will accept CLEP College Board exam scores toward course credit. Credit for CLEP scores will only be granted for classes equivalent to those offered at BRTC. Students must make CLEP-acceptable passing scores on the exam for credit to be awarded. Students must submit official scores from the College Board to be awarded credit. Scores cannot be older than 20 years. If you have questions, please contact the Registrar's Office.

## Clery Act/Campus Security Policy

Title II of the Crime Awareness, Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires the collection and dissemination of certain information regarding murder, robbery, sex offenses, forcible or non-forcible, aggravated assault, burglary, motor vehicle theft, liquor law violation, drug abuse violation, weapon possessions, arson, and manslaughter. A report must be made/filed with the security officer within 72 hours of its occurrence. Concerns should be reported to the Campus Security Office at (870) 248-4000, ext. 4034 in Pocahontas or (870) 239-5009 in Paragould.

## Clubs and Student Organizations

The following applies to all clubs and student organizations at BRTC:

- Black River Technical College recognizes students derive many values through participation in student activities associated with their college experience. Therefore, the administration at Black River Technical College will direct efforts toward promoting, supporting, and directing such activities as an integral part of the student's educational pursuits. The Director of Student Development has the authority to coordinate the planning and implementation of campus activities.
- Student organizations are comprised of five or more currently enrolled credit students at the time of recognition. The organization must maintain this membership requirement to be considered active.
- To be a recognized student organization at Black River Technical College requires the approval of the Director of Student Development. Once officially recognized, an organization is entitled to all rights and privileges afforded by other college organizations.
- Club advisors are full-time employees of BRTC and provide proper supervision at all college functions. They must have the approval of the Director of Student Development to act in an advisory capacity. Off-campus student activities may be permitted with the approval of the administration and will be properly supervised by appropriate club advisors.
- Black River Technical College is committed to fulfilling the requirements of Title IX and Section 504 of the Rehabilitation Act. Therefore, student organizations must examine their policies and bylaws to ensure that they reflect the non-discrimination policy.
- To be recognized as an organization by the College, student organizations cannot discriminate against potential members based on race, age, sex, religion, color, national origin, creed, disability, sexual orientation, or marital/parental status.
- Student organizations must remain in compliance with all rules, policies, and expectations of the College.
- Membership in student organizations shall be open to all currently enrolled students at Black River Technical College without regard to race, religion, or national origin. The Director of Student Development will have the responsibility of making sure anti-discrimination policies are observed by all campus organizations.
- To obtain recognition by the College, organizations must follow all college policies and procedures.

## Forming a New Student Organization

To form a new student organization, the student organization must follow the following procedures:

- Obtain a copy of the Black River Technical College Student Handbook from MyBRTC.

- Ask a faculty or staff member to serve as the advisor to the organization.
- Ensure the advisor has a copy of the Student Handbook.
- Recruit at least five currently enrolled (credit-seeking) students to join the organization.
- Complete the Student Organization Formation Application (Contact Director of Student Development for the application).
- Submit Student Organization Formation Application to the Director of Student Development at the Pocahontas location, or the Associate Director of Student Affairs at the Paragould location. The organization advisor will be notified when an approval decision is made or if additional information is needed.

## Renewing a Student Organization

Student organizations must submit a Student Organization Renewal Application to the Director of Student Development at the Pocahontas location or the Associate Director of Student Affairs at the Paragould location on an annual basis. Applications will be reviewed by the Director of Student Development. The organization advisor will be notified when an approval decision has been made or if additional information is needed.

Advisors of all certified, recognized, and registered student organizations are required to submit their membership list to the Director of Student Development at the beginning of each fall semester. Advisors are required to inform the Director of Student Development when they gain new members throughout the year.

## Clubs and Student Organizations Recognized at BRTC

### Student Activities Board (SAB)

The Student Activities Board (SAB) is a board dedicated to student engagement and growth through purposeful implementation of student activities that align with our student life strategic plan and our student educational outcomes each month. The SAB is committed to planning, organizing, coordinating, and hosting various social, cultural, educational and entertainment events on campus. The SAB is a voluntary board open to any student, faculty or staff member who wants to be involved in campus activities.

### Student Ambassadors

Comprised of a *select* group of students who are recommended by BRTC Faculty and Staff who stand out among their peers for their demonstrated leadership and academic success. Ambassadors must be enrolled as full-time students at BRTC and must maintain a minimum GPA. The purpose of Ambassadors is to be representatives of the College and assist in student activities on and off campus under the leadership of the Director of Student Development.

### Student Government Association

Membership in SGA consists of students interested in furthering their social and professional development as well as creating a liaison between the students and the administration. All students at BRTC are invited to become active members.

### Phi Theta Kappa

Phi Theta Kappa Honor Society Chapter members are entitled to attend local, regional, and national meetings and events. Established in 1918, Phi Theta Kappa is the only internationally recognized honor society serving

two-year colleges, and its purpose is to recognize and encourage scholarship, service, and leadership among associate degree students. Students must meet eligibility requirements based on hours earned and GPA before being invited to join. Induction ceremonies are held each semester.

## Computer and Network Acceptable Use Policy

The computing resources at Black River Technical College support the educational, instructional, research, and administrative activities of the College, and the use of these resources is a privilege extended to members of the BRTC community. As a user of these services and facilities, students have access to valuable college resources, sensitive data, and internal and external networks. Consequently, it is important for you to behave in a responsible, ethical, and legal manner.

Acceptable use means respecting the rights of other computer users, the integrity of the physical facilities, and all pertinent license and contractual agreements. If an individual is found to be in violation of the Acceptable Use Policy, the College can take disciplinary action, including the restriction and possible loss of network privileges. Violation could result in more serious consequences up to and including suspension and students being terminated from the College. Individuals are also subject to federal, state and local laws and regulations governing computer and network use, as well as, interactions that occur on the Internet. These policies and laws are subject to change as state and federal laws develop and change.

This document establishes specific requirements for the use of all computing and network resources at BRTC and applies to all users of computing resources owned or managed by BRTC.

### Acceptable Use

- You may use only the computers, computer accounts, and computer files for which you have authorization.
- You may not use another individual's account or attempt to capture or guess other users' passwords.
- You are individually responsible for the appropriate use of your computer, account, and all resources assigned to you.
- The College is bound by its contractual and license agreements respecting certain third-party resources; you are expected to comply with all such agreements when using such resources.
- You should make a reasonable effort to protect your passwords and to secure resources against unauthorized use or access.
- You must not attempt to access restricted portions of the network or individual computers, or attempt to monitor network traffic without the approval of Computer Services.
- You must not develop or use programs, software, or processes that disrupt other computer or network users, or that damage or degrade performance, software, or hardware components of a system.

### Unacceptable Use

- Users may not use the campus computing or network services to transmit or display information that violates or infringes on the rights of another person, including the right to privacy.
- Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually-oriented, threatening, racially offensive, or otherwise biased, discriminatory, or illegal material.

- Violates BRTC policy prohibiting sexual harassment.
- Restricts or inhibits other users from using the system or the efficiency of the computer systems.
- Uses the system for any illegal purpose.
- Users may not illegally share or obtain copyrighted material.
- Users may not use computing and network services for uses that are inconsistent, incompatible, or in conflict with state or federal law or BRTC policy.
- Users must not intentionally disrupt the campus computing system or obstruct the work of other users such as by interfering with the accounts of others, introducing or spreading viruses or other destructive programs on computers or the network, sending chain letters or blanket e-mail messages, or knowingly consuming inordinately large amounts of system resources.
- Users must respect the privacy of other users, including other's digital property.
- Users may not share their password with others or let others use their account.
- Users must respect the intellectual property of others and adhere to College standards of academic honesty.

## Computer Labs

The primary purpose of the computer labs is to allow BRTC students a place for computer-based learning and research. As such, the following guidelines should be followed while in the computer labs:

- Be considerate of other users. The labs are intended to be places of study and academic work and every effort is made to maintain this environment. If the conversation is necessary for your work, please do so quietly. Acceptable noise volume levels will be at the discretion of the computer lab assistant or instructor on duty.
- Cell phone conversations are prohibited in the labs. Please use cell phones outside the lab.
- Music or other audio should not be audible to other patrons or the lab assistant. Please use headphones in the labs. If others can still hear your audio content, you will be asked to turn the volume down.
- Children are not allowed unless accompanied by an adult. If they disturb others, you will be asked to leave. Your children are not to be left unattended anywhere on campus. Please be aware that computers in the labs have full access to the Internet and there are no content filters to prevent children from accessing or viewing inappropriate materials.
- No food or drink in labs.
- Password sharing and logging in for other users is prohibited.
- Students are not allowed to install software or otherwise tamper with the hardware or software of the lab computers.
- Printing in the computer labs will be limited per student account. Access to and volume of printing is also at the discretion of the lab assistant or instructor.
- Accessibility stations are reserved for users with special requirements. You may use one if it is available, but you will be asked to relocate if a user with special needs is present.
- Playing games, chatting, social networking and other recreational use of lab computers is not to get in the way of students needing to do academic work. During periods of peak usage, users doing non-academic work may be asked to give up their workstation for a user who needs to do academic work.

## Wireless Access

BRTC provides wireless network access at both Pocahontas and Paragould locations for internet use only. Use of these Wi-Fi networks are covered by the computer use policy and acceptance of the policy is required for access.

## Public Access

BRTC provides public access computing in designated areas only. Use of these public computers is subject to this computer use policy and all public users must comply with all requests and instructions from the lab assistant.

## Student Accounts and Data

Student accounts (lab use and email accounts) are created at the beginning of each semester for all currently enrolled students. All student accounts and stored data are deleted before each fall semester. Student email accounts are deleted after two consecutive semesters of non-enrollment or at the request of the student. Students are encouraged to backup important data to flash drives.

## Counseling

BRTC does not offer on-site counseling services. The Director of Student Development is available for students as a resource to discuss student well-being. If professional services are determined to be required, the Director of Student Development may refer students to the appropriate medical professional.

## Disability Services

The Coordinator of Disability Services is also the Compliance Coordinator for Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). The coordinator can arrange for academic adjustments, workplace accommodations, and auxiliary aids for qualified students. BRTC will provide auxiliary aids, without cost, to those students with verified disabilities/handicaps who require such services. If necessary, BRTC will provide appropriately trained service providers.

**Concerns about physical access to facilities should be addressed to the ADA Coordinator. Students with disabilities are encouraged to contact the ADA Coordinator two weeks prior to the beginning date of each enrollment period.**

**If you need ADA accommodations please contact Student Affairs at the Pocahontas or Paragould location.**

## Drug Awareness Program

In response to the Drug-Free Workplace Act of 1988, this document serves as BRTC's effort to keep students informed about the dangers of drug abuse and any available counseling and rehabilitation services.

In addition, this document will outline the penalties that may be imposed on students for drug abuse violations.

## Education Awareness

The Director of the Student Development Office will regularly disseminate information regarding the health implications of drug use/abuse.

## Consultation Services

The Director of Student Development is available for confidential consultation and referral because the College cannot provide rehabilitative services. Outside agencies will provide rehabilitation services.

- All cases where substance abuse is reported and verified the College reserves the right to take disciplinary action.
- In all cases where substance abuse is reported, drugs are dispensed, sold, or used and the College takes disciplinary action, the student involved or implicated will have a right to appeal. Such appeals may be made through the normal disciplinary procedures found in the Student Code of Conduct section in this Student Handbook.

## Equal Opportunity/Affirmative Action

Black River Technical College is an equal opportunity institution and will not discriminate based on race, color, sex, religion, national origin, age, handicap/disability, or other unlawful factors in employment practices or admission and treatment of students. Any questions regarding this policy should be addressed to the following:

**Human Resources Office**  
Black River Technical College  
P.O. Box 468  
Pocahontas, Arkansas 72455

## Federal Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of students' educational records. BRTC students have specific, protected rights regarding the release of such records, and FERPA requires that BRTC adhere strictly to these guidelines. Questions concerning the Family Education Rights and Privacy Act should be referred to the Registrar or the Vice President for Student Affairs.

### When Do Student's FERPA Rights Begin?

At BRTC, a student is defined as someone currently or previously enrolled in an academic offering of the college. This does not include prospective students or applicants to any academic program of the college. For those students who are newly admitted to BRTC, FERPA becomes effective on the first day of classes for

students who have enrolled in at least one course. FERPA rights regarding students' educational records include the following:

1. **The right to inspect and review the student's education records within 45 days of the day BRTC receives a request for access.**

A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The BRTC official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the BRTC official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. **The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.**

A student who wishes to ask BRTC to amend a record should write to the BRTC official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If BRTC decides not to amend the record as requested, BRTC will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. **The right to provide written consent before BRTC discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.**

BRTC discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by BRTC in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom BRTC has contracted as its agent to provide a service instead of using BRTC employees or officials (such as an attorney, auditor, or collection agent, or verification and or governing state agencies such as the National Student Clearinghouse, Arkansas Board of Nursing, Commission on Law Enforcement Standards and Training, Arkansas Department of Health, Arkansas Department of Higher Education ); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for BRTC. Upon request, BRTC also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

4. **The right to request nondisclosure of public directory information.**

BRTC may disclose public directory information upon inquiry unless the student requests nondisclosure. Public directory information includes name, address, email, phone number, photo, enrollment status, field of study, participation in officially recognized activities and sports, honors and awards, degrees obtained and dates conferred, and dates of attendance.

Once a student requests nondisclosure it remains effective until the student notifies the Registrar, in writing, that the request is to be voided.



**5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by BRTC to comply with the requirements of FERPA.**

The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office**

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-5901

## Filing a Complaint

A student wishing to file a formal dissatisfaction complaint against a faculty or staff member should fill out the online submission form under “Report an Incident” at the bottom of the official BRTC website.

Alternatively, if students or employees wish to not fill out the online “Report an Incident” form, students may call the following offices to report a complaint on a BRTC employee:

- Executive Director of Human Resources: (870) 248-4032.

In addition to the “Report an Incident” form, BRTC’s students should be aware of the Arkansas Division of Higher Education’s Student Grievance form found at the following website address:

<https://adhe.edu/students-parents/student-grievance-form>

Per language on the ADHE website:

“If you would like to file a grievance about an institution of higher education that you have attended, please complete the form at the link below. It is recommended that you complete your institution’s complaint process before submitting this form. Please note that the Arkansas Division of Higher Education is a coordinating board that coordinates state financial aid, state funding to institutions of higher education, and academic program review. ADHE does not have authority over the day-to-day operations of institutions of higher education. We may be able to offer guidance for issues you are having with an institution, but in most cases, we cannot issue an immediate solution. If you have a grievance about a for-profit institution, this form may help us to provide you with a resolution.” Students should be aware that any form of retaliation toward the student due to a complaint that is filed will not be tolerated by the College.

In addition to individual formal complaint resolution, all formal complaints will be reviewed annually at the end of the academic year by the BRTC administrative cabinet to look for trends and to promote continuous improvement.

## Fitness Studio

The Fitness Studio allows students to participate in a variety of fitness exercises utilizing a suite of the latest weight-training and cardio equipment available. The Fitness Studio will be available according to the operational hours of the college. Exact opening and closing times will be posted within the Fitness Studio. Before using any equipment in the Fitness Studio, a student must sign a waiver with the Director of Student Development. Unauthorized use of the Fitness Studio or a violation of the rules posted in the Fitness Studio may result in disciplinary action.

# Freedom of Expression Policy

This policy is meant to comply with Arkansas Act 184 of 2019 as well as the First Amendment of the United States Constitution.

## Definitions

This Operating Procedure adopts and incorporates the terms and definitions outlined in Section 6-60-1003 of Act 184 of 2019.

**Member** or **Member of the Campus Community** means an enrolled student, an administrator, faculty member, staff member, registered student organization, a group seeking official recognition as a registered student organization and any invited guest of any of the foregoing persons.

**Non-Member of the Campus Community** or **Non-Member** means all persons, groups, clubs, or other organizations that do not come within the definition of “Member.”

**Registered Student Organization** or **RSO** means an organization (including a club) comprised of BRTC students that is registered with the BRTC Student Affairs Division.

## Freedom of Expression

Expressive activities are allowed on all outdoor areas of campus subject to the reasonable time, place, and manner restrictions set forth in this policy as well as all applicable state and federal laws. The campus shall not utilize free speech zones or other designated outdoor areas of campus outside of which expressive activities are prohibited. The campus maintains a position of neutrality as to the content of any protected speech.

## Outdoor Areas of Campus – Public Forums

All outdoor areas of campus shall be deemed a public forum for members of the campus community. This does not include outdoor areas where access by a majority of members of the campus community is restricted.

## Expressive Activities

Expressive Activities are those enumerated by Act 184 as well as all forms of expression protected by the First Amendment to the United States Constitution. Expressive activity may include peaceful assemblies, speeches, protests, picketing, leafleting, circulating petitions, distributing literature, and similar expressive communications and activities.

## Lawful Limitations on Expressive Activities

Members of the campus community who want to engage in noncommercial expressive activities may do so freely in the outdoor areas of campus so long as that member’s conduct is 1) not unlawful, 2) does not materially and substantially disrupt the functioning of a state-supported institution, 3) does not materially and substantially disrupt another person’s expressive activity and 4) does not materially and substantially interfere with an employee’s assigned job duties or responsibilities.

## Freedom of Association

The campus shall not deny a student organization any benefit or privilege that is available to another student organization or otherwise discriminate against an organization based on the expression of that organization.

## Use of Campus Property for College-Sponsored Activities and Events

All outdoor areas, owned and operated by the campus, shall be made available for use by the college for college-sponsored activities and events. Official college activities and events on campus have precedence over all other events and activities taking place on campus. Any expressive activity that occurs at a location reserved for a college-sponsored activity or event shall be accommodated at another outdoor area of campus so long as the accommodation is consistent with this policy.

### Prohibited Activities

The right to engage in expressive activities under this operating procedure does not include the right to engage in the following:

Obstructing vehicular or pedestrian traffic; Engaging in unlawful activity; Engaging in activities that create a clear and present threat to public safety; Engaging in true threats and expression directed to provoke imminent lawless actions and likely to produce imminent lawless actions; Engaging in unlawful harassment; Utilizing sound amplification devices; Posting materials on unauthorized areas of BRTC property; or Obstruction of entrances or exits to buildings, driveways, parking lots, or other campus locations.

### Sound Amplification Devices

Amplification equipment such as loudspeakers are allowed only with prior permission from the Vice President of Student Affairs or designee. Such requests will be evaluated for the potential disruption of regular campus activities or processes.

### Damage to Property Owned by the Campus

Any damage to campus property caused by individuals and/or groups engaging in expressive activity are the financial responsibility of the individuals and/or groups who caused the damage to the property.

### Commercial Speech

This policy does not apply to commercial speech. Non-member / off-campus individuals and organizations are not allowed to conduct or solicit commercial sales or distribute commercial pamphlets, handbills, circulars, newspapers, magazines, and other written material on campus. Parties having a contract with the campus authorizing commercial advertising shall be allowed to distribute or post commercial material in accordance with the terms of their contract.

See also: [Act 184 of 2019](#), [Act 614 of 2023](#)

## Campus Poster Policy

BRTC Policy 2198 intends to contribute to an orderly presentation of information for College members. The College seeks to enhance the academic and social environments of the campus and to continue the support of the academic and social elements of student life.

Posting on campus shall be subject to the following guidelines:

- **Preservation of Campus Aesthetics:** To maintain the natural beauty of the campus and preserve the quality of its buildings, trees, and shrubs, the following locations are strictly prohibited for posting notices or flyers: trees, walls, windows, doors, wires, fire hydrants, parking meters, trash cans, public signs, sculptures, exteriors of buildings, and any other similar locations.
- **Bulletin Board Placement:** Notices may only be affixed to college-provided bulletin boards.
- **Space Limitation:** To ensure fair access and utilization of space, only one flyer or poster per event or subject is permitted at any authorized location.
- **Respect for Community:** No marking, destroying, removing, or posting over materials posted by other members of the campus community is allowed. Materials placed over validly posted flyers or posters may be removed.
- **Timely Removal:** All materials must be removed no later than one day after the advertised event has passed. General campus use bulletin boards shall be cleared on the 1st and 15th of every month to provide space for new postings, ensuring freedom of expression and equitable access to bulletin board space. If the 1st or 15th falls on a non-business day, the following business day shall be utilized for bulletin board clearing. For more information on freedom of expression activities, please refer to BRTC Policy 2197.
- **Chalking Prohibition:** Chalking is prohibited on the BRTC campus.
- **Posting Medium and Size:** Postings are to be on paper or a similar medium appropriate for adhering to the available bulletin boards. The preferred size is 8 1/2" x 11" and may not exceed 17" x 22."
- **Vehicle and Personal Property Posting:** No postings are permitted on vehicles or personal property that is not owned by the person posting the material.
- **Prohibition of Loose Materials:** Loose or non-affixed materials shall not be left on campus property.
- **Exclusion of College-Sponsored Advertisements:** This policy does not apply to college-sponsored advertisements, signage, or notices.

## Health and Wellness

BRTC works closely with local community healthcare providers and county health departments to provide medical and health services. Students are encouraged to contact the Director of Student Development for assistance with health and wellness issues. All information will remain confidential.

### Immunizations

Student immunization requirements follow those established by the laws of the State of Arkansas. Requirements include:

All full-time students and part-time students, who were born after January 1, 1957, are required to provide proof of immunity against measles and rubella. Documentation may be provided by Arkansas school records, a physician's record, or health department records and must include the following which are often given together as an MMR:

- two vaccinations for measles,
- two vaccinations for mumps, and
- one dose of rubella.

Immunizations must be submitted to the Office of Admissions.

## Inclement Weather

The College may cancel classes in the event of severe weather. Announcements of cancellations will be aired on the following locations:

- KPOC, Pocahontas radio
- JackFM, Paragould radio
- Paragould Light, Water, and Cable, television
- KAIT, Channel 8, Jonesboro, television
- BRTC's Facebook page
- BRTC RAVE alert.

BRTC's RAVE alert system gives students and the college community the option of receiving phone, text, and/or email alerts in case of inclement weather or other announcements. To sign up, check on the Rave Alert logo on the BRTC website.

## Institutional Inclusion

Our students come from all walks of life and so do we. We bring together great people with diverse perspectives from a wide variety of backgrounds. Not simply because it's the right thing to do, but also because it makes us stronger. If you are curious, kind, and determined, you will find a home at BRTC. We welcome the unique contributions and perspectives that only you can bring.

## Missing Person

If a member of the college community has reason to believe that a student is missing, he or she should immediately notify BRTC Campus Police. Campus Police Department will generate a missing person report and initiate an investigation, and if the person is determined to be missing, will initiate the required notifications as per federal law.

## Personal Identification Changes

Students wanting to change their name, address, or other personal information must request this change in the Registrar's Office. Changes require the presentation of a valid driver's license and Social Security card.

## Parking

Students are required to park in the **yellow**-painted areas. **White**-painted parking areas are reserved for faculty and staff. Please refer to the parking permit (obtained from Student Accounts) for more information on traffic and parking rules while on campus.

## Parking Permits

All students must obtain a registration/parking permit for any vehicle driven on the BRTC campus. New permits, effective for one year, are issued each fall semester. There is no charge for the first parking permit, available at the student payment window in Pocahontas or in the Office of Admissions and Financial Aid in Paragould. A \$5.00 charge will be imposed for each additional parking permit.

## Parking Fines

Parking fines are \$5.00 for the first violation and increase by \$5.00 for each successive violation.

## Physical Examinations and Drug Screens

Physical examinations and drug screens may be required of students enrolled in some programs. If an examination or drug screen is required before enrolling in a class or program, it will be at the expense of the student.

## Racial Profiling Policy

In accordance with Arkansas Act 1048 of 2007, BRTC has adopted formal policy and procedures detailing its compliance which formally prohibits racial profiling by Arkansas law enforcement. This policy and procedure model apply to all campus law enforcement officials.

The policy affirms that all law enforcement officers of the BRTC police department shall base pedestrian or motor vehicle stops, detentions, investigative activities, searches, property seizures, and arrests of a person upon a standard of reasonable suspicion or probable cause in compliance with the U.S. Constitution and Arkansas Constitution. The full text of this policy is contained in the BRTC Policy and Procedures manual and shall be made available upon written request to the Office of Campus Police.

## Sexual Harassment Policy (Title IX)

No person at Black River Technical College will, based on sex, be excluded from participation in, be denied the benefit of, or be subjected to sex discrimination, sexual harassment, or sexual misconduct under any educational program or activity. Members of the college community, guests, and visitors have the right to be free from sexual discrimination, harassment, and violence which means that all members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others.

Black River Technical College is committed to fostering a learning and working environment that is free from prohibited sexual or gender-based discrimination and harassment and has a zero-tolerance policy for gender-based misconduct. When an allegation of misconduct is identified and reported, and the respondent is found to have violated this policy, sanctions will be implemented to ensure such actions are not repeated.

These procedures have been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. The policy and procedures are intended to define community expectations and establish a mechanism for determining when those expectations have been violated.

Black River Technical College complies with the 2013 Violence Against Women Act—Section 304. In compliance with VAWA, Black River Technical College has established policies, procedures, resources, and educational programming to address sexual assault, dating violence, domestic violence, and stalking, to affirm that BRTC students and employees are provided with a safe learning and working environment.

BRTC's Title IX policy protects students, employees, and visitors during all academic, educational, extracurricular, and other programs of the school, whether these programs take place in school facilities, in college transportation, or at a class or training program sponsored by the school at another location.

**Students, faculty members, administrators, staff members, or visitors to Black River Technical College are strongly encouraged to report allegations of discrimination or harassment to the Title IX Coordinator, Deputy Coordinators, or other college officials.**

- Title IX Coordinator – Phone: 870-248-4000 ext.4067
- Deputy Coordinator for Faculty/Staff – phone: 870-248-4032
- Deputy Coordinator for Students – phone 870-248-4000 ext. 5101
- Title IX Confidential Contact – phone 870-248-4000 ext.4119
- Director of Student Development – phone 870-248-4000 ext.4158

## Service Animals

A person desiring the assistance of a service or therapy/emotional support animal must provide documentation of the need for a therapy/emotional support animal which should include a signed letter on professional letterhead from the physician, person's mental healthcare provider, or licensed therapist. The documentation needs to show a connection between the disability and the service provided by the animal. At a minimum, the letter should include the following items:

- The provider's opinion that the condition affects a major life activity;
- The provider's opinion that the service or therapy/emotional support animal has been prescribed for treatment purposes and is necessary to help alleviate symptoms associated with the person's condition;
- The provider's description of the service(s) that the animal will provide;
- Any additional rationale or statement the college may reasonably need to understand the basis for the professional opinion.

### Service Animal Liability

The College shall not under any circumstances be held liable for any personal injury or damages caused by service animals.

### Service Animal Denial Process

A student may be denied the use of a service/emotional support animal due to the following reasons:

- Individual does not meet the definition of a disability;
- Relationship between the disability and the need for assistance provided by the animal is not adequately established;
- Animal does not meet all requirements for health, vaccination, and/or licensing;

- Presence of an animal will fundamentally alter the learning environment or cause issues with other students, faculty, or staff.
- Service animal is not properly house-trained.
- Animal is disruptive

## Service or Therapy/Emotional Support Animal Removal

The College may remove a service or therapy/support animal for the following reasons:

- Poses a direct threat to the health or safety of others;
- Is unruly or disruptive (i.e. barking, jumping up on people, running around);
- In ill health;
- Excessively unclean (i.e., flea-infested, foul-smelling, shedding excessively);
- The animal exhibits aggressive behavior;
- The owner fails to clean up after the animal.

## Sex Offenders

Registered Sex Offenders are required, by law, to inform the College that they are registered as a sex offender upon registering for classes. Arkansas Code Annotated 12-12-913 requires the disclosure to the campus community of information regarding a registered sex offender who is employed by or attending an institution of higher education. Students who are required to register as a sex offender after their initial admission to BRTC must inform Campus Police and the Director of Student Development of any restrictions that may be in place as a result of their status. The information will be disseminated to the campus community in accordance with state law and institution policy on a case-by-case basis. For more information on the Arkansas Sex Offender Registry, visit the following website: <https://www.ark.org/offender-search/index.php>

## Smoking and Tobacco

Black River Technical College locations are tobacco-free under Arkansas Clean Air on Campus Act 734 of 2009. Smoking, vaping, and the use of smokeless tobacco products are prohibited.

## Student Employment

There are limited opportunities for student employment on campus. Students who are interested may contact the Human Resources office located in the Administration Building.

## Student I.D. Cards

Student identification cards are issued to new students in the fall, summer, and spring semesters. Student ID cards are issued through the Office of Admissions. Replacement cards will cost \$5 each and may be paid in the business office located in the Administration Building at the Pocahontas location. The cards are used for a variety of reasons:



- for discounts with various local merchants—a list of merchants which offer student discounts can be located under Student Life on the website—,
- as BRTC library cards, and
- in conjunction with other school functions when identification as a BRTC student is needed.

## Student Referrals

The College has established a student support referral system to help students who appear to be struggling with issues that impede academic success such as problems with academic material, missing classes, or dealing with personal and financial issues.

Faculty who are concerned about these issues will generally make an effort to talk with students directly and may then send a referral to the Director of Student Development, or Academic Success Center Coordinator who will then contact students directly. Students are encouraged to meet with these individuals to best utilize campus and community resources for success.

## Transcript Request

BRTC has contracted with the National Student Clearinghouse to process online transcript requests and electronic delivery of transcripts. Student request for transcript should be made at [www.studentclearinghouse.org](http://www.studentclearinghouse.org).

### Electronic Delivery

Electronic transcripts can be sent to institutions and individuals (including yourself) via The National Student Clearinghouse (NSC), our third-party provider. There is a \$4.25 fee for this service, payable to NSC by credit card. A physical address and a valid email address are required.

### U.S Mail Delivery

Official paper transcripts can be mailed to the address specified in the online request. There is a \$6.65 fee per transcript request, payable by credit card. Once the request is received the transcript will be mailed in 3-5 business days. Please allow an additional 5-7 business days for delivery by the United States Postal Service.

### Hold for Pickup

Official paper transcripts can be requested to be printed and held at the BRTC Registrar's Office. There is a \$4.25 fee per transcript request, payable by credit card. Once the request is received, the transcript will be available for pickup at the Registrar's Office in the Administration Building on the Pocahontas Campus. Fall and Spring semester office hours are Monday – Friday 8 am – 4:30 pm. Summer hours are Monday – Thursday 7 am – 5 pm.

Official transcripts will not be released if there is any outstanding financial obligation to BRTC.

All requests for GED transcripts are to be submitted via the following link: [dws.arkansas.gov](http://dws.arkansas.gov) – click on Adult Education – GED – Order a duplicate transcript.

## Veterans

BRTC is an approved school for veterans and their beneficiaries, and they are required to meet the same admission criteria as other students. Veterans, dependent children, and others entitled to educational assistance payments from the Veterans Administration should contact the Veterans Benefits Coordinator located in the Office of Student Services on the Paragould Campus for detailed information and application forms.

## Weapons Policy

### Firearms

Generally, unless specifically exempted by state law, students, employees, or guests are prohibited from possession of any type of firearm on the campus. Individuals who meet certain criteria and undergo training to obtain an “Enhanced Carry” permit may carry a concealed handgun on campus. (A.C.A. 5-73-322) Lawful firearm owners may store firearms in locked, privately owned vehicles in college parking lots. (A.C.A. 5-73-306)

This provision may not apply to instances where faculty, staff, students, or guests are actively participating in supervised educational activities associated with the BRTC Gunsmithing program or an active, registered member of the BRTC Trap & Skeet Club (applying to appropriate shotguns, only).

### Other Weapons

Except as otherwise permitted by law or official college authorization, individuals are prohibited from possessing, carrying, or storing any weapon on the premises on property owned or controlled by BRTC, including all buildings, grounds, parking areas, vehicles, and sponsored events, regardless of location. For purposes of this policy, weapons include but are not limited to:

- Bladed instruments: knives with blades longer than 3.5” (excluding culinary knives for academic or employment purposes);
- Clubs: batons, billy clubs, blackjacks;
- Chemical agents: pepper spray, mace, tear gas, or similar substances beyond personal self-defense quantities;
- Stun guns or tasers: except for lawful person protection under Arkansas law;
- Explosive devices: fireworks, firecrackers, grenades, bombs, or similar devices;
- Projectile weapons: slingshots, blowguns, crossbows, or similar devices;
- Other dangerous instruments: any object that, by the manner of its use or intended use, is capable of causing death or serious injury.

Possession of non-firearm weapons, including but not limited to those listed above, is prohibited unless: the weapons is used for approved education or employment purpose; carried for lawful self-defense; or authorized in writing by the College President or designee. Tools used for their intended purpose by staff or contractors are permitted.

Exceptions: Certified law enforcement officers performing official duties; college approved activities; licensed concealed handgun carriers with enhanced certification; and maintenance and culinary staff using work-related tools under supervision.

## Academic Rules

Academic Rules refer to specialized academic standards, expectations, and regulations specific to an individual classroom setting and/or academic program. These rules differ from those that apply to the general campus community and reflect the standards established by instructors and program directors. Such rules are developed and administered by faculty or program leadership and are governed by the Division of Academic Affairs.

Students are responsible for reviewing and complying with these program-specific academic rules, as well as the broader academic policies outlined in the College Catalog. To fully understand the expectations associated with their enrollment, students should refer to their academic program's handbook in addition to this Student Handbook and the College Catalog. These documents provide critical information regarding program requirements, academic conduct, and institutional regulations.

Violations of the Academic Integrity policy apply to all BRTC students in all academic programs and are academic offenses of academic rules. As such, faculty are charged with appropriately administering academic sanctions for each violation. If a student wishes to appeal a sanction administered for an Academic Integrity violation, the faculty member should direct all Academic Integrity appeals to the Vice President of Academics. This includes Academic Rules violations occurring throughout all learning modalities including traditional, hybrid, and online.

## Academic Integrity Policy and Procedures

Academic integrity is the adherence to an ethical code of conduct within academic culture that emphasizes honesty in all scholarly work and includes the avoidance of plagiarism and cheating. Academic integrity promotes the ethical use of research material, protects the intellectual property of the scholars who produce the material and avoids legal liability associated with copyright violation. Furthermore, students who adhere to academically honest practices maintain their personal integrity by holding themselves responsible for engaging with their assignments, which helps promote their own learning in their coursework.

Students are expected to do their own work on all examinations and assignments. They are also expected at all times to uphold high standards of integrity. Plagiarism, cheating, any other form of theft of intellectual property, allowing another individual to complete part or all coursework for a student, or assisting another student in doing any of these acts are all examples of academic dishonesty and are prohibited. These rules apply to concurrent, traditional, hybrid, and online students.

## Honor Statement

Each student will sign the following honor statement when they sign the student agreement form for their class.

I affirm that all work I submit in this course will be my own work and I will uphold the principles of honesty and integrity. I recognize that ethical behavior builds character, fosters personal growth, and lays the foundation for true success. Cheating undermines these values and I choose to face challenges with honesty and perseverance. I will abide by the Academic Integrity rules as outlined in the syllabus and will refrain from doing any of the following:

## Cheating, Dishonesty, and Lack of Integrity

Includes, but is not limited to the following:

- Copying from another student's test paper.
- Using any unauthorized assistance in taking quizzes, tests, or examinations.
- Possession during a test of materials that are not authorized by the person giving the test, such as class notes or specifically designed "crib notes."
- Dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out assignments. Unauthorized sources as defined by the teacher could include artificial intelligence.
- Falsely claiming to represent the College or a registered student organization of the College.
- The acquisition, without permission, of tests or other academic material belonging to a member of the Black River Technical College faculty or staff.

## Plagiarism

Includes, but is not limited to the following:

- Offering the work of another person or artificial intelligence as one's own without proper acknowledgment, which includes "self-plagiarism"- the use of one's work from a previous class without explicit approval from an instructor.
- Aiding and abetting another person in committing any form of academic dishonesty.
- Making, possessing, or using any falsified college documents or records; altering any college document or record, including identification cards.
- Knowingly providing false information or documents to a college official.

## Record of Academic Misconduct

A record of academic misconduct is a formal documentation of a violation of Black River Technical College's Academic Integrity Policy. This record is maintained in the Office of Academic Affairs in accordance with institutional guidelines and serves several purposes.

- A. Ensures accountability
- B. Supports a fair and consistent process
- C. Provides a reference in case of repeat offenses.

The record typically includes details of the incident, the decision of the instructor, and any sanctions imposed. It will be kept on file for five years after the student has left Black River Technical College and can impact a student's academic standing, participation in campus events, or eligibility for programs.

1st Offence: Instructor will determine grade consequence, contact student, and fill out a form of Violation of Academic Integrity.

2nd Offence: Instructor will determine consequence, contact student, fill out a form of Violation of Academic Integrity, and Vice President of Academic Affairs will contact student.

3rd Offence: Vice President of Academic Affairs will meet in-person with student to discuss potential consequences of continual misconduct.

# Student Code of Conduct and Disciplinary Procedures

## BRTC Student Code of Conduct

BRTC has established the following expectations for the general welfare of the College community. These expectations ensure students learn in a productive and harmonious community, and these expectations apply to individuals and recognized College organizations. Failing to meet these expectations could result in action aimed at preserving the well-being of the College community. The College approaches each incident as a possible learning experience, and restoring individuals into the learning community while balancing campus safety, a healthy learning environment, and each individual's personal responsibility.

## Confidentiality

Black River Technical College endeavors to hold the information disclosed during investigations and disciplinary procedures in confidence to the extent practical and appropriate under the circumstances. The College will respect and follow FERPA regulations. However, if a student is considered a threat to himself or to others, or there is a need to protect the health and safety of others, information may be shared with appropriate persons, officials, or parents. The school may also disclose to parents any violation of the use or possession of drugs or alcohol by students under the age of twenty-one.

During the event of a disciplinary investigation, only the parties involved in the incident, those investigating, and those making the disciplinary decisions will be privy to the information related to the investigation.

All records of student disciplinary issues and reports are maintained by the Director of Student Development.

## Jurisdiction

Students at Black River Technical College (BRTC) are subject to the Student Code of Conduct while on property owned or controlled by the College and while participating in official BRTC activities. In addition, certain serious offenses—including but not limited to sexual assault, domestic violence, or murder—may fall under BRTC's jurisdiction even if they occur off campus, consistent with applicable federal or state law. These cases may be subject to concurrent investigation by BRTC, law enforcement, and/or Title IX officials.

Student conduct rules and institutional policies apply to conduct that occurs:

- On BRTC premises;
- At BRTC-sponsored or affiliated events or activities (on or off campus); and
- Off campus, when the behavior has an institutional impact or substantially affects the College community.

When determining whether the College will assert jurisdiction over off-campus conduct, the appropriate administrative authority will consider factors such as:

- Whether the student was acting as a representative of the College;
- The level of violence and injuries involved;
- Whether the conduct endangered or disrupted the BRTC community;
- Whether the conduct targeted another BRTC student, employee, or affiliate;

- Whether a student organization was involved;
- The seriousness of the offense (e.g., potential felony or misdemeanor charges);
- The involvement of weapons, drugs, or alcohol;
- The student's residential status (e.g., living on campus);
- The proximity of the conduct to the College;
- Whether the student was traveling to or from campus; and
- The student's prior conduct history and ongoing relationship with the College.

Title IX jurisdiction is specifically governed by federal law and regulations, which limit application to conduct occurring within the context of the College's educational programs or activities and within the United States. Alleged conduct falling outside the scope of Title IX may still be addressed under other applicable College policies and procedures.

All jurisdictional determinations are made on a case-by-case basis and are final.

Upon receiving a properly submitted complaint for violation of the BRTC Student Code of Conduct, the Director of Student Development, as part of the preliminary investigation, will ensure that BRTC maintains jurisdiction in the setting the alleged violation(s) is said to have occurred. BRTC reserves the right, when student safety is not of concern, to await results of external investigations before initiating BRTC disciplinary procedures.

## Definitions

**Administrative Summons:** A written or verbal notice to a student to report to a college administrative office at a designated date and time.

**College or Campus Community:** Any College employee or enrolled student, whether full- or part-time, or any person doing business with the College under contract or on a regular basis.

**College Officials:** Those persons who have been given the responsibility and authority by the appropriate agency or person including trustees, campus police officers, faculty, and administrative staff.

**College Policy:** Any provision of a Board of Trustees order or rule, an official operating letter, or a published directive, rule, or regulation.

**College:** The term "College" means Black River Technical College including all of its institutional sites, learning centers, and distance learning.

**Complainant:** Person or individual filing a complaint.

**Disciplinary Proceeding\*:** A hearing, appeal, or investigatory interview conducted by an institution's administrator relating to an alleged serious violation of the code of student conduct.

**Fully Participate\*:** The opportunity for an institution, a student complainant, a student respondent, or a student organization to be provided an opportunity to be present and advised by an attorney or non-attorney advocate. As stated in Ark. Code Ann. § 6-16-1403, BRTC will not utilize formal rules of evidence but will make good faith efforts to include relevant evidence and exclude evidence that is neither relevant nor probative.

**Level 1 Violation:** Violation(s) of the BRTC Code of Conduct which, at the inception of the case as determined by a College administrator, will result in a sanction or combination of sanctions that does not include suspension or expulsion.

**Level 2 Violation:** A serious violation(s) of the BRTC Code of Conduct which, at the inception of the case as determined by a College administrator, may result in a sanction or combination of sanctions that include suspension or expulsion.

**Non-Academic Misconduct:** A violation of a non-academic rule under a student code of conduct.

**Preponderance of the Evidence:** Evidence that would lead a reasonable person to conclude that it is more likely than not that the act in question did occur.

**Reasonable Person:** Refers to an individual who is objectively reasonable under similar circumstances and with similar identities to the person being evaluated.

**Respondent:** The person against whom a complaint has been made.

**Serious Violation\*:** A violation of a nonacademic rule under a student code of conduct that an institution's official determines, at the inception of the case, could result in a sanction of suspension or expulsion. Serious violation does not include an act of academic dishonesty.

**Student:** Includes all persons taking courses at BRTC, both full-time and part-time; online; pursuing undergraduate, technical, certificate, GED, and life-long learning (continuing education) studies. Persons enrolled in the BRTC Adult Education program also fall into this category. Persons who are not officially enrolled for a particular semester but who have a continuing relationship with BRTC are considered "students."

**Student Organization\*\*:** an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

\* As engrossed in Ark. Code Ann. § 6-60-1403.

\*\*As engrossed in the Federal "Stop Campus Hazing Act" of 2024.

## Non-Academic Misconduct Rules

Any student found to have committed the following misconduct is subject to disciplinary sanction(s), condition(s), and/or restriction(s). Misconduct or prohibited behavior includes, but is not limited to, the following:

### Endangerment

- Physical or verbal abuse, coercion, intimidation, threats, or assault, of any person on College property or at College-sponsored and/or supervised functions.
- Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.
- Action(s) serving the purpose of endangering one's own health or safety.
- Interference with the freedom of another person to move about in a lawful manner.
- Engaging in any form of fighting.



## Harassment

Any form of conduct (written, verbal, physical, graphic, or electronic) that is (1) unwanted (2) directed towards an individual or group of people (3) that creates an intimidating, hostile, or offensive environment (4) that is so severe, pervasive, and objectively offensive that a reasonable person with the same characteristics of the victim would be adversely affected to a degree that it unreasonably interferes with, denies, or limits an individual's ability to participate in the college community, services and/or educational programs, or interferes with a BRTC employee's employment performance.

## Dishonesty

- Providing false documentation or information to a college official, staff, faculty member, or campus police officer acting in the performance of their duties.
- Failure to comply with the directions or request of a college official, staff, faculty, or campus police officer acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so (within limits of not violating the student's rights).

## Disruption

- Conduct that impairs, interferes with, or obstructs the orderly educational processes and functions of the College or the rights of other members of the College community, including teaching, studying, research, and college administration. This includes acts occurring both inside and outside the classroom setting.
- Each faculty member is his/her own disciplinarian in class and is authorized to correct inappropriate conduct anywhere on College property at any time. A faculty member has the right to temporarily suspend a student from his/her classroom for the remainder of the class whenever the student is disrupting the class to a point that the student is hampering the learning environment.
- Intentionally and substantially interfering with the freedom of expression of others.
- Obstruction or interfering with the freedom of pedestrian or vehicular movement on campus.
- Unauthorized personal or commercial solicitation on campus.
- Disruption of the disciplinary process.

## Sexual Misconduct

Sexual misconduct includes but is not limited to:

- Sexual discrimination, sexual harassment, sexual assault, domestic violence, and stalking;
- Any sexual act that occurs without the consent of the victim, or that occurs when the victim is unable to give consent;
- Obscene, lewd, or indecent behavior, which includes, but is not limited to, exposure of one's sexual organs or the display of sexual behavior that would reasonably be offensive to others;
- Conduct of a sexual nature that creates an intimidating, hostile, or offensive campus, educational, or working environment for another person. This includes unwanted, unwelcome, or inappropriate sexual or gender-based activities or comments.



## Stalking

Stalking is defined as: to follow or otherwise contact another person repeatedly, so as to put that person in fear for his or her life or personal safety. (See the Sexual Harassment Policy for further explanations of policies and procedures.)

## Hazing

BRTC upholds the safety, dignity, and well-being of every student. Hazing is strictly prohibited and will not be tolerated under any circumstances. Every student, employee, and affiliated organization is expected to understand, uphold, and enforce this policy without exception.

The “Stop Campus Hazing Act” of 2024, a federal statute, defines hazing as:

- Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other person) against another person or persons regardless of the willingness of such other person or persons to participate, that –
  - Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
  - Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team, of physical or psychological injury including –
    - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
    - Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
    - Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
    - Causing, coercing, or otherwise inducing another person to perform sexual acts;
    - Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
    - Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
    - Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Arkansas law also defines hazing and prescribes potential punishments for violations of this state law in A.C.A. 6-5-201 and 6-5-202:

As used in this subchapter, "hazing" means:

- A willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others when the conduct is directed against any other student and done for the purpose of intimidating the student attacked by threatening him or her with social or other ostracism or of submitting such student to ignominy, shame, or disgrace among his or her fellow students, and acts calculated to produce such results;

- The playing of abusive or truculent tricks on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others, upon another student to frighten or scare him or her;
- A willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others which is directed against any other student done for the purpose of humbling the pride, stifling the ambition, or impairing the courage of the student attacked or to discourage him or her from remaining in that school, college, university, or other educational institution, or reasonably to cause him or her to leave the institution rather than submit to such acts; or
- A willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim; or to do or seriously offer, threaten, or attempt to do physical violence to any student of any such educational institution; or any assault upon any such student made for the purpose of committing any of the acts, or producing any of the results, to such student as defined in this section.
- The term "hazing" as defined in this section:
  - Does not include customary athletic events or similar contests or competitions; and
  - Is limited to those actions taken and situations created in connection with initiation into or affiliation with an organization, extracurricular activity, or sports program.
- A student, alumnus, or volunteer or employee of a fraternal organization of a school, college, university, or other educational institution in Arkansas shall not knowingly engage in hazing or encourage, aid, or assist any other student, alumnus, or volunteer or employee of a fraternal organization in hazing.
- A person shall not knowingly permit, encourage, aid, or assist another person in committing the offense of hazing, or knowingly acquiesce in the commission of the offense of hazing, or fail to report promptly his or her knowledge or any reasonable information within his or her knowledge of the presence and practice of hazing in this state to an appropriate administrative official of the school, college, university, or other educational institution in Arkansas.
  - An act of omission or commission is hazing under this subsection.
- A violation of this section is a Class B misdemeanor.
- In addition to any penalty provided by this section, a student convicted of hazing shall be expelled from the school, college, university, or other educational institution that he or she is attending.

## Fire and Safety Violations

Removal, damage, or unauthorized tampering or activation of fire, safety, or any emergency warning equipment.

- Intentionally and falsely reporting bombs, fires, or other emergencies to a College official.
- Interference with emergency procedures.

## Property Violations

- Vandalizing, damaging, destroying, or defacing public or private property.
- Stealing, attempted theft, unauthorized borrowing, or use of any College property or the property of others.
- Unauthorized presence in, or use of College premises, facilities, or property including, but not limited to unauthorized presence in any College building.
- Unauthorized possession, duplication, or use of keys to any College premises.

## Computer Violations

- Unauthorized access or entry into a computer, computer system, network, software, or data.
- Unauthorized alteration of computer equipment, software, network, or data.
- Unauthorized use of another individual's identification and/or password.
- Use of computing facilities, computers, or resources to send, view, or download obscene or abusive images or messages.
- Any other act that violates Arkansas law or the College computer guideline (campus computer and network acceptable use policy) that is hereby incorporated by reference.

For more complete information, refer to BRTC's Campus Computer and Network Acceptable Use Policy.

## Tobacco Free Campus

Black River Technical College locations are tobacco-free under the Arkansas Clean Air on Campus Act 734 of 2009. Smoking, vaping, and the use of smokeless tobacco products are prohibited.

## Firearms and Other Weapons

Possession of a firearm, knife, or other weapon, as defined in the Weapons Policy contained within this handbook, which violates Federal, State, or local law may be considered a violation of the Code of Conduct.

Exceptions: Certified law enforcement officers performing official duties; college approved activities; licensed concealed handgun carriers with enhanced certification; and maintenance and culinary staff using work-related tools under supervision.

## Use and/or Possession of Illegal Drugs and Alcohol

As a recipient of federal funding, BRTC is required to comply with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act. These federal laws prohibit the use, possession, manufacture, or distribution of marijuana—including for medical purposes—on any BRTC property or at any college-sponsored event or activity.

As a condition of enrollment, all students are subject to BRTC's drug-free campus policy and are required to:

- Abide by all policies regarding the use and possession of controlled substances;
- Remain free of illegal drugs while enrolled;
- Report any known violations of substance abuse laws or illegal distribution occurring on or off campus in connection with College business.

Failure to comply with this policy, including failure to report knowledge of such activities, will result in disciplinary action up to and including expulsion, and may have additional legal consequences.

No employee, student, or guest may bring onto campus, possess, use, or be under the influence of any intoxicant or harmful/illegal drug—including marijuana (medical or otherwise), alcohol, or opioid narcotics—unless expressly permitted by law and college policy. Violations will lead to disciplinary measures in accordance with BRTC's Student Code of Conduct and Employee Handbook.

Students prescribed medical marijuana are encouraged to contact the Office of Disability Services to discuss alternative accommodations that align with college policy and federal regulations.

## Other Violations

Any violation of federal, state, or local laws. In all cases of alleged violations of public law or student code of conduct, the College reserves the right to review the allegations and exercise disciplinary sanctions (if any) in addition to any proceedings that occur as a matter of public law. This section includes aiding or abetting any violation of federal law, state law, or local ordinance.

## Disciplinary Procedures

### Authority

The Director of Student Development, in coordination with the Vice President of Student Affairs, is the senior official responsible for the overall administration of the student disciplinary process at Black River Technical College. All conferences, hearings, and appeals may be conducted in person or through ZOOM at the discretion of the Director of Student Development or the Vice-President of Student Affairs.

The disciplinary process at BRTC is carried out in accordance with Ark. Code Ann. § 6-60-1401.

### Complaint Procedures

Any member of the College community may file a complaint against a student for violation(s) of the Student Code of Conduct. The individual filing the complaint would therefore be recognized as the Complainant. Complaints concerning the violations should be made to the Director of Student Development in accordance with the following procedures:

The preferred method for filing a complaint against a student for violations of Student Code of Conduct is to file the complaint via the “Report an Incident” link found at the bottom of the BRTC home webpage.

Additionally, formal complaints may be filed by directly contacting the Director of Student Development utilizing the following directions:

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 emailed to the Director of Student Development:

**Black River Technical College**

Attention: Director of Student Development

P.O. Box 468

Pocahontas, AR, 72455

Director of Student Development email address: [dane.dillion@blackrivertech.edu](mailto:dane.dillion@blackrivertech.edu)

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.

## Express Presumption of Innocence & Standard of Proof

Subject to all other provisions of the Student Code of Conduct or BRTC institutional policies, any student charged with an infraction under the Student Code of Conduct shall not be deemed guilty of a violation of the BRTC Code of Conduct until the student or student organization formally acknowledges responsibility, or at the conclusion of a disciplinary proceeding during which an institution has established a violation by the student or student organization, utilizing the 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.

## Disciplinary Correspondence

Disciplinary correspondence regarding alleged violations of the Code of Conduct will be dependent on the potential sanction level. If the resulting sanction(s) does not rise to the level of suspension or expulsion, a Level 1 Violation, the Director of Student Development or their designee will schedule an informal student conduct proceeding with the accused student. When a violation(s) could potentially include suspension or expulsion, a Level 2 Violation, initial disciplinary correspondence will generally be delivered to the student via physical delivery of a paper copy. 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 with a College disciplinary matter are responsible for checking their college email account on a regular basis.

## Administrative File - Records

BRTC will maintain an administrative file, or an official record, of all disciplinary proceedings. This will include without limitation all documents and evidence in possession or control of BRTC that is relevant to an alleged violation of the BRTC Code of Conduct and BRTC's investigation into the alleged violation of the Code of Conduct, including without limitation:

Exculpatory evidence (evidence considered favorable to the accused); statements by an accuser or an accused student or a student organization; third-party witness statements; electronically stored information; written communications; social media posts; demonstrative evidence (visual, graphic, or sound aid used to explain or illustrate); documents submitted by any participant involved in disciplinary proceedings; and a video recording, audio recording, or transcript of any disciplinary hearing ultimately held on the matter, the method of recording is chosen by BRTC.

The administrative file will not include privileged documents, internal communications, or communications from nonparties that BRTC does not intend to introduce as evidence at a disciplinary proceeding. Individual portions of the administrative file shall be redacted if confidentiality of the evidence is required by law. Any information contained in the administrative file will remain the property of BRTC.

## Preliminary Investigation

When the Director of Student Development or designee receives information that a student has allegedly violated college policies or local, state, or federal law, the Director of Student Development or designee shall investigate the alleged violation(s). After completing a preliminary review of the complaint, within seven (7) business days, or as soon as possible thereafter, the Director of Student Development or designee may dismiss the allegation(s) or may proceed with the process appropriate to the level of violation.

## Emergency Suspension

If a student's actions pose an immediate threat or danger to any member of the College community or the educational processes, the Director of Student Development and / or Vice President of Student Affairs or BRTC President may immediately suspend the student after conducting an individualized safety and risk analysis. The decision will be based on whether the continued presence of the student on the College campus reasonably poses a threat to the physical or emotional condition and well-being of any individual including the student or for reasons relating to the safety and welfare of any person(s), college property or college function.

The accused student will be notified by a college administrative official, using any means necessary. Following the notice of emergency suspension, the student will have an opportunity to immediately challenge the emergency suspension with the Vice President of Student Affairs, or their designee.

## Provisions for Emergency Suspension

- Within 24 hours of implementation of an emergency suspension, a written notice will be provided to the accused student that explains the reason(s) for emergency suspension.
- Within three (3) business days of the receipt of written notice, BRTC will conduct an interim hearing to determine whether there is substantial evidence that the suspended accused student poses a risk to the health or safety of any student or other individual and that the emergency suspension of the accused student is appropriate to mitigate that risk. This interim hearing can be waived by the suspended accused student.
  - At the interim hearing, the suspended accused student and the accusing student may be represented by an attorney or a non-attorney advocate who may fully participate to the same extent as in a final hearing to determine responsibility.
  - A suspended accused student's waiver of his or her right to be represented by an attorney or non-attorney advocate shall not constitute an admission of guilt or waiver of additional rights granted under Ark. Code. Ann. § 6-60-1405.

## Level 1 Violation(s) Disciplinary Process

The Director of Student Development or designee will schedule an informal student conduct proceeding with the Respondent to review the alleged violation(s) of the Student Code of Conduct. During the informal student conduct proceeding, an **Informal Administrative Resolution** will be initiated. An Informal Administrative Resolution will resolve all instances when a Level 1 Violation(s) has occurred.

## Summoning a Student for an Informal Student Conduct Proceeding

The Director of Student Development or designee may, by use of an Administrative Summons, formally summon a student to appear for an informal student conduct proceeding in connection with an alleged violation(s). Simultaneously, the administrative file concerning the violation(s) will be electronically shared, via the student email account, with the accused student.

The informal student conduct proceeding will take place no earlier than 24 hours after notifying the student of the time, date, and location of the meeting.

## Informal Student Conduct Proceeding

During the informal student conduct proceeding, the Director of Student Development or designee shall explain the rights, responsibilities, and conduct procedures to the student(s).

Specifically, the accused student's (the Respondent) rights are as follows:

- To have an informal student conduct proceeding with the Director of Student Development or designee.
- To have written notice of the violation(s) and an outline of rights prior to administering an Informal Administrative Resolution. In the event that additional violations are brought, a further written notice must be forwarded to the student.
- To review all available information, documents, exhibits, and a list of witnesses.
- To review the chosen sanction for the alleged violation(s).
- To elect not to appear at the informal student conduct proceeding. The chosen sanction will be administered and placed in the student's administrative file.
- To be assisted by any advisor (limit of one) who is a member of the BRTC Community (student, faculty, or staff) and may not be an attorney. The advisor must be willing to accept the student's request to advise them during the informal student conduct proceeding-

## Informal Administrative Resolution

The Director of Student Development or 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 Student Development or designee will decide based on the facts, and evidence provided. Upon conclusion of the informal student conduct proceeding, the Director of Student Development or designee will have up to 24 hours to explain their decision and assign the sanction(s) in writing, generally via email. An Informal Administrative Resolution may be made available to the student at the conclusion of the informal student conduct proceeding.

If the Respondent does not agree with the decision and sanction(s) assigned, they may request an appeal to an Appeals Hearing Committee by following the appeals process.

## Level 1 Violation(s) Appeals Procedures

### Request for a Level 1 Violation(s) Appeal

If the student (Respondent) wishes to contest (appeal) the decision of the Director of Student Development or their designee to an Appeals Hearing Committee, the student shall, within three (3) working business days of the receipt of the informal administrative resolution, submit a written or emailed statement requesting an appeal hearing, and why they are requesting a hearing to the following:

**Black River Technical College**  
Attn: Director of Student Development  
P.O. Box 468  
Pocahontas, AR, 72455

The statement may be emailed to the Director of Student Development directly at:  
[dane.dillion@blackrivertech.edu](mailto:dane.dillion@blackrivertech.edu).



## Provisions Pertaining to Level 1 Violation(s) 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 Appeals Hearing Committee in reviewing an appeal is that of reviewing if the appeal meets one of the four grounds listed below:

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

The Director of Student Development or the Vice-President of Student 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:

- Be submitted within the designated time frame from the date of the decision.
- All appeals must be in writing and signed by the student or student representative of a student organization.
- Select one or more of the four (4) appeal grounds.
- 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 charged student will be notified via administrative summons, phone call, or email, of the date, time, and location of the hearing at least two (2) business days before the hearing and within ten (10) working days (if possible) of the submission of the appeals request.

## Level 1 Violation(s) Appeals Hearing Process

The Appeals Hearing Committee will consist of three (3) members of the campus community (Faculty and/or Staff) who are selected by the Director of Student Development and approved by the Vice President of Student Affairs.

- The accused student (Respondent) shall be entitled to appear in person and present his/her defense. The student may also elect not to appear, in which case the hearing shall be held in his/her absence. The failure of the student to appear should not be taken as indicative of guilt and must be noted without prejudice.
- The respondent and complainant are responsible for presenting their own case and shall not be represented by legal counsel. Witnesses shall also not be represented by legal counsel. The respondent and complainant may be accompanied by a member of the faculty, staff, and/or a member of the student body of the college as an advisor.
- Those who accompany the student will not be allowed to testify nor ask any questions of anyone present at the hearing nor permitted to speak or to participate directly in the hearing. Failure of those accompanying the student to comply with the above statement will result in him or her being asked to leave the hearing.



## Level 2 Violation(s) Disciplinary Process

The disciplinary process for a serious violation of the BRTC Code of Conduct, institutionally defined in the Student Handbook as a Level 2 Violation (see definition above), shall be carried out in accordance with the provisions outlined in Ark. Code Ann. § 6-16-1401. When a violation of the BRTC Code of Conduct occurs, and through investigation or at the inception of the case, it is determined that a sanction could include suspension or expulsion, the following process will be followed.

An accused student who faces suspension or expulsion is guaranteed the following rights:

- The right to receive a copy of Ark. Code Ann. § 6-60-1404.
- The right to be advised by BRTC of the aforementioned rights before a disciplinary proceeding is scheduled and at least twenty-four (24) hours before a student or student organization may be questioned by BRTC or an agent of BRTC regarding any allegation of a serious violation. This right does not apply to Campus Police investigating a possible criminal violation.
- The right to be represented by an attorney, or non-attorney advocate if the student or student organization prefers. An attorney or non-attorney advocate representing the student or student organization may fully participate during a disciplinary proceeding. This right applies until the conclusion of the appeals process. It shall be the student or student organization's responsibility to make arrangements for the use of attorney or non-attorney advocate. BRTC shall not be responsible for providing, training, or paying for the services of an attorney or non-attorney advocate.
- The right to be presumed innocent until the student or student organization acknowledges responsibility for a violation(s) of the BRTC Code of Conduct, or the conclusion of a disciplinary proceeding during which BRTC has established every element of the alleged violation(s) of the student or student organization.
- The right to have the opportunity for a live hearing.
- The right to be present at a disciplinary proceeding.
  - The student or student organization may waive this right by providing, in writing, their intention to waive this right. It must be signed by the student or student organization and the adjudicator(s) of the disciplinary proceeding. The signed waiver will be provided to the student or student organization and placed in the administrative file.
  - If a student or student organization properly waives their right to be present at a disciplinary hearing, the student or student organization shall not have a right to appeal BRTC's initial decision.
- The right to make an opening and closing statement.
- The right to present relevant evidence.
- The right to cross-examine adverse witnesses through an attorney or non-attorney advocate, which the student is responsible for selecting and compensating.
- The right to reasonable continuing access to the administrative file that pertains to the student or student organization(s) alleged violation(s) and the ability to review all evidence or documents in the administrative file beginning at least seven (7) business days before a disciplinary proceeding, or sooner if otherwise specified by federal law.
- The right for a disciplinary proceeding to be carried out free from conflicts of interest by ensuring there is no commingling of administrative or adjudicative roles. This means that of none of the following parties may have more than one role in the disciplinary process:
  - Attorney or non-attorney advocate for a complaining or accused student or student organization

- Investigator
  - Adjudicator
  - Appellate adjudicator
- It is not a conflict of interest for the investigating BRTC official to also present evidence to an adjudicator.
- The right of an opportunity to appeal BRTC's decision reached during a disciplinary proceeding.
- When the complainant is a student or student organization, these additional rights apply:
- The right of a student or student organization that makes a complaint against another student or student organization for purposes of a disciplinary hearing to be represented at the student or student organization's own expense by an attorney, or if the complaining student or student organization prefers, a non-attorney advocate, who may fully participate during a disciplinary proceeding. This right applies until the conclusion of the appeals process.
- The right to reasonable continuing access to the administrative file that pertains to the student or student organization(s) alleged violation(s) and the ability to review all evidence or documents in the administrative file beginning at least seven (7) business days before a disciplinary proceeding, or sooner if otherwise specified by federal law.
- The right of an opportunity to appeal BRTC's decision reached during a disciplinary proceeding.
  - BRTC will simultaneously notify both the student or student organization that makes a complaint against another student or student organization and the student or student organization that is the subject of a complaint of the procedures to appeal the result of a disciplinary hearing.

## Level 2 Violation(s) Appeals Procedures

### Request for a Level 2 Violation(s) Appeal

If the student (Respondent) wishes to contest (appeal) the decision of the Student Conduct Hearing Panel or the Director of Student Development, or their designee, to an Appeals Hearing Committee, the student shall, within twenty-five (25) business days of the receipt of official notice of suspension or expulsion as a result of a disciplinary proceeding, submit a written or emailed statement requesting an appeal hearing, and why they are requesting a hearing to the following:

**Black River Technical College**

Attn: Director of Student Development

P.O. Box 468

Pocahontas, AR, 72455

The statement may be emailed to the Director of Student Development directly at:  
[dane.dillion@blackrivertech.edu](mailto:dane.dillion@blackrivertech.edu).

### Provisions Pertaining to Level 2 Violation(s) Appeals

The appellate review shall be on the record in the case and does not necessarily include a right of additional hearings or meetings on behalf of the student unless determined necessary by the Appeals Hearing Committee. The function of the Appeals Hearing Committee in reviewing an appeal is that of reviewing if the appeal meets one of the four grounds listed below:

- An alleged violation of the rights guaranteed to the accused has occurred.

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

The Director of Student Development or the Vice-President of Student 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:

- Be submitted within the designated time frame from the date of the decision.
- All appeals must be in writing and signed by the student or student representative of a student organization.
- Select one or more of the four (4) appeal grounds.
- 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 charged student will be notified via administrative summons, phone call, or email, of the date, time, and location of the hearing at least two (2) business days before the hearing and within ten (10) working days (if possible) of the submission of the appeals request.

## Level 2 Violation(s) Appeals Hearing Process

If the Appeals Hearing Committee determines an appeals hearing is necessary, the following rules will apply: The Appeals Hearing Committee will consist of three (3) members of the campus community (Faculty and/or Staff) who are selected by the Director of Student Development and approved by the Vice President of Student Affairs. The individuals serving on the Appeals Hearing Committee must be different from those who served on the hearing committee which found the student or student organization to be in violation of the BRTC Code of Conduct.

The same rights granted under the above-heading "Disciplinary Process - Level 2 Violation(s)" are applied to Level 2 Violation(s) Appeals Hearings.

The Appeals Hearing Committee's decision is **final** and may not be appealed further.

## 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 or to deter students from behavior which harms, harasses, or threatens people or property. 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;
- suspension from the College; or
- expulsion.

In an effort to be developmental and educative, The Director of Student Development's office is less concerned in administering "punishment/sanctions" for student conduct 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 the Director of Student Development and upon a range of disciplinary techniques. Disciplinary sanctions in response to violations of the Student Code of Conduct 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 disciplinary 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 College is in jeopardy and that further negligent or willful violations will normally result in suspension or expulsion.
- 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).
- 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.
- Suspension: Separation from the College for a specified period of time or until certain conditions are met.
- Expulsion: Permanent separation from the College.
- 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 sanctions shall still be in effect.

Students who have prior disciplinary sanctions imposed and commit further violations of the student handbook or BRTC policies are subject to further disciplinary sanctions. Instances of specific academic program violations or program removal shall be deemed as student disciplinary sanctions and may be considered for further college disciplinary action up to and including suspension and expulsion.

The sanctions imposed under these standards do not diminish or replace the penalties available under generally applicable civil or criminal laws. Students are reminded that many violations of the Code including harassment, assault, threats, and other behavior, may violate various local, state, and federal laws.

## Frequently Used Telephone Numbers

Numbers on the Pocahontas campus may also be used by students on the Paragould campus when appropriate.

## Pocahontas Phone Numbers

|  |              |
|--|--------------|
| Academic Affairs .....                   | 870-248-4092 |
| Admissions .....                         | 870-248-4006 |
| Bookstore.....                           | 870-248-4040 |
| Campus Police .....                      | 870-248-4034 |
| Career Pathways.....                     | 870-248-4064 |
| Computer Services .....                  | 870-248-4053 |
| Director of Student Development.....     | 870-248-4158 |
| Disabilities .....                       | 870-248-4014 |
| Distance Education.....                  | 870-248-4058 |
| Email/Student Log-in.....                | 870-248-4055 |
| Fax .....                                | 870-248-4100 |
| Financial Aid .....                      | 870-248-4019 |
| Graduation and Diplomas (Registrar)..... | 870-248-4015 |
| Library .....                            | 870-248-4060 |
| Loan Default Counselor.....              | 870-248-4017 |
| Main Line.....                           | 870-248-4000 |
| Moodle .....                             | 870-248-4058 |
| Scheduling Campus Facilities .....       | 870-248-4070 |
| Student Accounts .....                   | 870-248-4033 |
| Transcripts and Records.....             | 870-248-4013 |
| Tutoring.....                            | 870-248-4159 |
| Veterans Affairs.....                    | 870-248-4011 |

## Paragould Phone Numbers

|                                  |              |
|----------------------------------|--------------|
| Admissions/Student Affairs ..... | 870-239-5000 |
| Bookstore.....                   | 870-239-5250 |
| Campus Police .....              | 870-239-5008 |
| Fax .....                        | 870-239-2050 |
| Main Line.....                   | 870-239-0969 |