LSCPA

LAMAR STATE COLLEGE ★ PORT ARTHUR

Student Handbook

MEMBER THE TEXAS STATE UNIVERSITY SYSTEM™

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Lamar State College-Port Arthur Student Handbook
is a Division of Student Services publication.

Lamar State College-Port Arthur is an equal opportunity/affirmative action educational institution and employer. Students, faculty, and staff members are selected without regard to their race, color, creed, handicap, age, sex, or national origin, consistent with the Assurance of Compliance with Title IV of the Civil Rights Act of 1964; Executive order 11246 as issued and amended; Title IX of the Education Amendments of 1972, as amended; Section 504 of the Rehabilitation Act of 1973. Inquiries concerning application of these regulations may be referred to the Vice President of Academic Affairs.

PREFACE

This handbook is provided for you as a reference tool as it contains directories, rules and regulations and general information about the college. Read the handbook or at least make yourself familiar with the contents and keep it handy.

Lamar State College-Port Arthur is much more than bricks and mortar. Despite the steady growth that the Port Arthur campus has experienced, a person still feels a friendly atmosphere and sees evidence of the one-on-one personal touch.

LSC-PA serves to educate our students with a traditional variety of academic and technical learning opportunities. Add to these traditional educational standards state-of-the-art equipment and facilities and the student will be academically challenged for a career in a high-tech environment.

The citizens of Texas, indeed the citizens of the nation, through support of higher education are making a significant commitment to you in the faith that you will repay that contribution by developing your intellectual ability and social skills to their full potential. Equally important is your commitment to your own individual fulfillment—the obligation you have to yourself.

We know that you have set high goals for this year. As part of your plan, we encourage you to take advantage of the many experiences and opportunities available at Lamar State College-Port Arthur. Involvement is an integral part of the educational experience. Ours is a sharing, active community. We hope you will be a part of all Lamar-Port Arthur has to offer.

Lamar State College-Port Arthur

Mission

Lamar State College-Port Arthur, a member of the Texas State University System, is an open-access, comprehensive public two-year college offering quality and affordable instruction leading to associate degrees and a variety of certificates. The College embraces the premise that education is an ongoing process that enhances career potential, broadens intellectual horizons, and enriches life.

Core Values

- Shared commitment by faculty, staff and administration to a mission characterized by student learning, diversity, and community involvement
- General education/core curriculum that develops the values and concepts that allow the student to make a meaningful contribution in the workplace or community
- Academic and technical programs designed to fulfill our commitment to accommodate students with diverse goals and backgrounds, using a variety of delivery methods, on and off campus
- Technical education programs that provide for the acquisition of the knowledge, skills and behavior necessary for initial and continued employment
- Student achievement characterized by attainment of individual goals and measured by successful accomplishments and completion of curriculum
- Co-curricular opportunities that develop social, financial and civic acuity

Principles

Lamar State College-Port Arthur operates in the belief that all individuals should be:

- treated with dignity and respect;
- afforded equal opportunity to acquire a complete educational experience;
- given an opportunity to discover and develop their special aptitudes and insights; and,
- provided an opportunity to equip themselves for a fulfilling life and responsible citizenship in a world characterized by change.

STUDENT SERVICES

Advising & Scholarship Services

The Academic Advising Office is located on the 3rd floor of the Student Center. Students must make an appointment with an Academic Advisor or a Faculty Advisor using AppointmentPlus to review their degree plan, change their major, and register for classes. Academic Advisors see New, Re-admit, and Transfer Students. Faculty Advisors see continuing students, and their offices are located in various buildings. Academic and Faculty Advisors provide Texas Success Initiative (TSI) compliance information for students who have not met state regulations in reading, writing, and math. TSI restricted students must be registered for at least one developmental course until compliancy is met. Students who are TSI complete are eligible to register on their own through their MyLamarPA account. Students who are not TSI complete must meet with an Advisor to register for classes. Online students can reach the Academic Advising Office via email at advising@lamarpa.edu.

Scholarship information is coordinated through the Academic Advising Office. Students interested in applying for scholarships are encouraged to apply online through the LamarPA homepage, and apply by the deadlines. The general application applies to both local and institutional scholarships.

Bookstore

The bookstore is located on Lakeshore Drive behind the Madison Monroe Building in the Faculty Office Building. The Bookstore, managed by Barnes & Noble Bookstores Inc., stocks required textbooks, supplies, and college-related apparel. For more information, visit www.lamar-pa.bncollege.com.

Career Counseling

Career counseling is available to all students and alumni through the Admission Advisors and various Department representatives. The job placement office (MMED 147) also provides a software program that helps undecided students find a career field that benefits and develops their natural abilities. This software also provides support to assist many students with college decisions and career paths and goals. Career guidance and information is available to assist students with undeclared majors or students needing to make career changes. In addition, an extensive collection of career/placement resources are available in the Gates Library.

Job Placement

The On Campus Placement Services is coordinated by the Human Resources Department located in the Madison Monroe Building. Off Campus Placement Services is coordinated by the Business and Technology Department located in the Madison Monroe Building, Room 147. Job placement assistance is available to all LSC-PA students and alumni regardless of major or classification. Full-time, part-time, and summer employment opportunities are posted on the job placement board located in the main hallway of the Madison Monroe Education Building as they become available. The office maintains current information on career fields and the job market. Students can request this information or help with job search techniques, resume writing, and interview skills. Furthermore, students are encouraged to bring a resume to the Off Campus Placement

Services Office (MMED 147) and to fill out an application. The resume aids the job placement office in finding potential employment opportunities for students. In addition, an extensive collection of career/placement resources are available in the Gates Library.

Dining Services

The campus offers a snack bar located in the Student Center on the 1st floor. Menu items vary from hamburgers, fries, salads, sandwiches, specials, soft drinks, and light lunches. Food and drink vending machines are also available.

On Campus Employment

Many Lamar State College-Port Arthur students find it possible to earn a large portion of their expenses by working full-time in the summer and part-time during the school year. College employment is an integral part of financial aid available to students. The Human Resources Office maintains a list of current jobs available on campus online at: www.lamarpa.edu then click on ***Jobs@LSCPA*** at the top of the page.

. Students may obtain detailed information on:

College-Work Study Program

Qualifying students may work on campus and receive an hourly wage for a maximum of 20 hours per week. Check with the Financial Aid Office about eligibility requirements.

Student Assistants

Students may work in various campus offices or facilities for a maximum of 20 hours per week.

Financial Aid

Lamar State College-Port Arthur's financial aid program is intended to open educational opportunities to all capable students. The Office of Student Financial Aid is located on the 3rd floor of the Student Center. The types of financial assistance available for students are:

Loans

In addition to Federal Direct Loans, Lamar State College-Port Arthur provides short term loans. Short-term loans are awarded only during registration periods for half the amount of tuition and fees. The balance of the tuition is put on the installment plan at the business office.

Scholarships and Grants

A wide variety of scholarships and grants are offered to Lamar State College-Port Arthur students. Scholarships are generally awarded on the basis of academic achievement, programs of study, or special skills. Grants are awarded through the determination of financial need. Grants range from $200 to $5,776 per academic year. The following grants may be applied for through the Office of Student Financial Aid:

a. Pell Grant
b. Supplemental Educational Opportunity Grants (SEOG)
c. Texas Public Educational Grant (TPEG)
d. Texas Educational Opportunity Grant (TEOG)
e. Top 10% Scholarship (TOP10)
f. Direct Subsidized and Unsubsidized Loans

Application Procedure

Two forms must be completed for financial assistance:

1. Free Application for Federal Student Aid (FAFSA)
2. Lamar State College-Port Arthur Financial Aid Institutional Application

Application forms may be obtained in the Office of Student Financial Aid in the Student Center Building.

Awards are determined during the summer for the following academic year. Therefore, priority is given to applications received by the following deadlines: for the Fall semester, apply by April 1st; Spring semester by October 1st, and when possible, by April 1st; summer sessions by April 1st. Applications received after these dates are on a first-come, first-served basis.

Applicants who have met the April 1st deadline and are unconditionally accepted into the college will be notified of their eligibility during midsummer. Spring applications meeting the October 1st deadline will be notified in late December.

Health Insurance

All registered students taking six or more credit hours are eligible to purchase health insurance. Coverage may be purchased for an entire year or on a semester basis. The fee for the year may be paid upon enrollment or during the academic year. A brochure explaining the coverage, cost, and benefits is available in the Student Activities Office located on the 2nd floor of the Student Center. Health and accident insurance is required of all international students, and all participants in intramural/recreational or intercollegiate sports programs.

Local Health Services

Lamar State College-Port Arthur does not provide health services on campus. Students are encouraged to contact their physician or City Health Clinic. Any campus illness must be reported to the Dean of Student Services. In case of an emergency, dial extension “0” or “911” then contact campus security for emergency medical assistance. Area hospital/urgent care/clinic phone numbers are:

Christus St. Mary...409-985-7431	Medical Center of SETX… 409-724-7389
PA Health Clinic… 409-983-8850	Golden Triangle Emergency Center… 409-237-5870
Mid-County Urgent Care… 409-527-9486	Wellfast Health… 409-722-WELL

Housing

Campus housing is available through the newly built Seahawk Landing. Seahawk Landing is the premier student housing facility for Lamar State College-Port Arthur. Seahawk Landing is conveniently located across from campus at 1550 Lakeshore Drive and offers 1 to 4 bedroom apartments ranging in size from 404 to 1107 sq.ft. Amenities include a Volleyball and Basketball Court, BBQ/Picnic Area, Fireplace, Furnished dorms and more. Seahawk Landing applications are available at http://www.seahawklanding.com/.

International Students

International Students are entitled to all student services and programs for which they are eligible according to law and College definition. The College reserves the right to establish policies for selected groups of students if the policies are in the student’s and the

institution's best interest. Applicants will be carefully screened for academic excellence, English proficiency, adequate health, and financial self-sufficiency.

Since the presence of international students also entails responsibility for the College in meeting certain distinctive needs, adequate provision must be made for doing so. The college recognizes the responsibility by setting entrance and exit standards for its non-native English speakers that take into account the minimum language skills necessary for success in academic work as well as the minimum standards that a diploma from the College represents.

In order for the international students to achieve their educational objectives, certain academic services are essential; the College provides facilities and staff commensurate with those needs. Moreover, the College recognizes that English language proficiency and not citizenship or immigration status alone is a key criterion in determining the meeting of requirements and needs of students for whom English is a second language. For further information, see the Dean of Student Services.

Library

Gates Memorial Library is located at 317 Stillwell Boulevard bordering the historic Stillwell Plaza.

In 1980, the City of Port Arthur made a gift of the building to Lamar State College-Port Arthur. At that time, a unique arrangement was agreed upon whereby Lamar-Port Arthur students and Port Arthur Public Library patrons would have reciprocal borrowing privileges. The Port Arthur Public Library is located at 3601 Cultural Center Drive. Additionally, LSC-PA students may use the Lamar campus libraries in Beaumont and Orange.

The fully accessible Wi-Fi facility includes a student computer lab, a quiet study carrel area, group study areas, a loggia with fountain, a periodical reading room, stack areas, audiovisual services and a reference desk.

Office for Disability Services

The Office for Disability Services provides the following:

- access for students with disabilities
- assistance to individuals from economically disadvantaged families, including foster children;
- support to individuals preparing for non-traditional careers which are defined as "occupations or fields of work, including careers in computer science, technology and other current and emerging high skill occupations, for which individuals from one gender comprise less than 25% of the individuals employed in each such occupation or field of work";
- single parents and displaced homemakers; and
- assistance to individuals with other barriers to their educational achievement, including individuals with limited English proficiency.

Students with disabilities are given reasonable and appropriate academic accommodations to provide equal access to an education after they self-identify and register with the Office for Disability Services, so they may freely and actively participate in all areas of college life. Services are provided to maximize students' educational potential and develop their independence to the fullest extent possible.

To obtain accommodations for a disability, a student must:

- apply and be accepted for admission to Lamar Sate College-Port Arthur through the regular admissions process;
- complete an application for accommodations and meet with the Office for Disability Services Coordinator;
- provide comprehensive documentation, from an appropriate professional for the disability requiring accommodation;
- obtain an accommodation letter from the Office for Disability Services office each semester; and,
- provide a copy of the accommodation letter to each instructor, each semester the student is registered. Students are encouraged to provide the accommodation letter to the instructors in each instructor's office, during the instructor's established office hours to maintain confidentiality.

When students require third-party assistance (i.e., ASL interpreter, personal assistant) instructors will be notified by the student when the student presents an accommodation letter. Such assistance will be available to the student during all instructional sessions and laboratory-scheduled sessions. It might also be made available during examinations under certain situations. Third-party assistance may also be required during appointments when students request conferences and/or advisement from instructional faculty. If there are questions regarding third-party assistance, please contact the Office for Disability Services.

Students are encouraged to contact Workforce Solutions Southeast Texas and the Department of Assistive and Rehabilitative Services (DARS) for assistance that those agencies might be able to offer. The Office for Disability Services works with various community agencies and will provide assistance to help students locate an agency that will provide services for their needs.

Counseling referrals are made available for students who are in need of those services

Parking

To park on campus, day or night, you must pay a parking fee and display a current hang tag. The fee can be paid at registration or paid separately at the Business Office. Parking decals can be obtained in the Student Activities Office on the 2nd Floor of the Student Center. Handicap parking spaces are available and marked around the campus with an additional fully dedicated Handicap parking lot located at 1600 Procter Street in front and between the Student Center and the Madison Monroe Building. Automobile registration fees are: Fall Semester, $40; Spring Semester, $35; Summer Session I, $30; Summer Session II, $25.

Performing Arts

The Liberal Arts Department maintains active programs of plays, musicals, and concerts. Dramas and musicals are coordinated by LSCPA's Director of Theater Productions, through Lamar State College-Port Arthur Speech and Theater course offerings. Scholarships are available. Most performing art productions are staged at the Lamar Theater, located in the Sam and Linda Monroe Performing Arts Center on campus. For more information, contact the Director of Theater.

Security

The Community Service Officers help protect you and your property, as well as the College's. Furthermore, they provide escort service to your vehicle upon request, maintain parking lot surveillance and enforce college regulations. The campus also relies on the

Port Arthur Police Department Officers as part of our campus community services and security operation. All emergencies on campus should be reported by calling 911 and then contact campus security at 409-984-6255 or 409-720-7369. The Campus Security Office is located on the 1st floor of the Student Center.

Student Center

The Student Center is the four-story building which houses the Division of Student Services, faculty offices, Dining/Snack Bar, meeting rooms and recreational services.

The first floor includes the Campus Snack and Food Vending Services, Campus Security Office and common lounge area for students. During the course of the semester, live entertainment is presented as well as special events are conducted on the first floor of the Student Center.

The second floor features student recreational equipment/pool tables, video games, TV and study lounge areas. The Director of Student Activities and the Student Government Association offices are located on the second floor. Students can obtain their Identification Cards and Parking decals on this floor. Student Organizational and general campus meeting rooms are available for official use. Use of meeting rooms is scheduled through the Dean of Student Services Office on the third floor of the Student Center.

The third floor includes Admission & Records, Advising and Recruiting, Financial Aid/Veterans Affairs and the Dean of Student Services.

The fourth floor is the location for special meetings, gatherings and receptions. It is also the location of faculty offices.

Other Facilities

The Lamar Theater, located in the Sam and Linda Monroe Performing Arts Center, Carl Parker Multipurpose Center, and Music Hall feature guest speakers, debates, dramatic productions, musical performances and the student-services sponsored entertainment series. The Student Pavilion is located between the Ruby Fuller and the Madison Monroe Buildings. It provides the students with an opportunity to enjoy the outdoors. The Bandstand is located behind the Gates Library.

Student Organizations

Students are encouraged to participate in extracurricular activity programs to enhance the educational experience. Members of the faculty, staff and administration serve as advisors to the various organizations. Those interested in joining one of the presently registered groups or in forming another student organization should seek procedural information from the Director of Student Activities on the second floor of the Student Center or on the Lamar PA website at http://www.lamarpa.edu/Current-Students/Student-Activities/Forms. Students have the opportunity to join a growing number of professional organizations and honor societies. A complete list of student organizations can be found on the Lamar State College-Port Arthur website at LSCPA Student Organizations.

Student Government Association

The Student Government Association of Lamar State College-Port Arthur provides the official voice through which the student opinion may be expressed as students participate in the overall policy and decision-making process of the college community. The governing structure consists of three branches: executive, legislative, and judicial.

The SGA president, vice president, and secretary and five senators are elected by the

student body. Each student organization officially recognized by the college is allowed to send one representative to Senate meetings.

The Judicial Arm of SGA consists of (1) the Supreme Court which may rule on cases involving student conduct and (2) the Student Traffic Court which hears appeals concerning parking and traffic citations. The SGA President and Vice President also represent the College by serving on the Texas State University System Board of Regents Student Advisory Board (SAB) at each Board of Regents meeting held quarterly.

Student Success Center (SSC)

The SSC assists students to successfully complete courses and programs of study, to prepare for and pass a range of standardized exams, and to develop and improve academic skills essential for success in a baccalaureate program. It is also home to the college's testing services.

Services

Tutoring

Tutoring for math and English is provided by peer and Teacher Certified Tutors and is free of charge to all students.

Computer Lab

A Computer lab located in the SSC contains computers and printers for student use. The system provides word processing capabilities and tutorial programs.

Test Administration

The Texas Success Initiative Assessment (TSIA), the General Education Development (GED) Test, Development Education tests, proctored and makeup exams are administered in the SSC.

Hours of Operation

Monday – Thursday (Fall & Spring)	8:00AM – 8:00PM
Monday – Thursday (Summer)	8:00AM – 5:00PM
Friday	8:00AM – 5:00PM

For more information on services provided by the Student Success Center, please call Alice Nelson, Testing Director, at (409) 984-6244 or Sherry Steele, Student Success Center Director, at (409) 984-6321.

Veterans Affairs

Lamar State College-Port Arthur is approved under all of the Veterans Educational Assistance programs for educational training of veterans of the U.S. Armed Forces.

In the Division of Student Services, a Veterans Affairs Office is maintained in the Office of Student Financial Aid and assists veterans in obtaining their educational benefits. It also provides academic assistance and counseling.

Persons who were citizens of Texas at the time of entry into the Armed Forces, and who are no longer eligible for educational benefits provided for veterans of the United States, are exempt from tuition and laboratory fees. This applies to those who served in World War I, World War II, The Korean Conflict or the Vietnam War, and subsequent recognized engagements and were honorable discharged. To obtain this exemption, necessary papers must be presented prior to registration and approval obtained from the Office of

Veterans Affairs. The above exemption also extends to wives, children and dependents of members of the Armed Forces.

Students who expect to attend Lamar State College-Port Arthur under some veterans benefit plan should contact the Office of Veterans Affairs 60 to 90 days prior to registration. The Office of Student Financial Aid advises veterans on program and training opportunities, academic assistance and counseling.

COLLEGE POLICIES

GENERAL

AIDS Policy Statement

This policy can be found in the Administrative Policies and Procedures Manual located on the LSCPA website here.

Building Security

In order to provide proper security of college buildings and the safety and welfare of college students and personnel, the following procedures will be followed:

1. Students must possess written authorization from the respective dean before entering any building or remaining in a building on campus between the hours of 10 p.m. and 7 a.m. on weekdays, and on weekends and holidays.
2. Students are not allowed to be in college buildings without the supervision of college staff or faculty.
3. All college personnel intending to enter a closed facility after or during the above designated hours shall notify Campus Security, preferably by Email, of their entry and departure time. Approval must also be granted for such entries.

Change of Address or Name

Students are responsible for all communications addressed to them at the address on file in the Office of Admission and Records. Students who move during a semester must immediately register their change of address in the Office of Admission and Records.

Change of name because of marriage or correction of name because of spelling errors may be made by completing a name change form at the Office of Admission and Records. All name changes must be accompanied by a copy of the legal document making the name change official, such as a marriage certificate or signed social security card.

Changing Schedules

Students can make changes to their schedule on their own through their MyLamarPA account. It is important that students pay attention to the Academic Calendar for the semester they are enrolled in. Usually, a course may not be added after the first two days of a long semester or the first day of a summer session. Students must make an appointment with an Advisor to make changes to their schedule after the start of the semester. Such changes are initiated by the completion of the proper form and processed by submitting to the Admissions and Records Office.

Course Load

The normal course load in a regular semester is 15-18 semester hours; a six-week summer term is 6-8 semester hours. Overloads must be approved by the student's instructional Dean. No student will be allowed to enroll for more than 21 semester hours regardless of the number of grade points earned the preceding semester.

Discrimination Based Upon Race, Color, Creed, Sex, Age, Disability, or National Origin

Lamar State College-Port Arthur is an equal opportunity/affirmative action educational institutional and employer. Students, faculty, and staff members are selected without regard to their race, color, creed, sex, gender, age, disability, or national origin, consistent with the Assurance of Compliance with Title VII of the Civil Rights Act of 1964; Executive Order 11246 as issued and amended; Title IX of the Education Amendments of 1972, as amended; Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Civil Rights Act of 1991; and Family Medical Leave Act of 1993.

Student Employment

Information about student job opportunities and applications for student employment may be obtained from our website at http://www.lamarpa.edu/Faculty-Staff/Human-Resources/Useful-Links/On-Campus-Student-Employment.

Dropping A Course (REFUND POLICY)

All students who drop courses during the first 12 class days of the fall or spring semester, or within the first four days of a summer session, and remain enrolled at Lamar State College-Port Arthur will receive a refund on tuition and fees for the particular course or courses. All questions regarding refunds should be directed to the Business Office.

Drug-Free Campus

DRUG-FREE WORKPLACE

- Purpose

  1.1 Based on its commitment to assure the safety and health of its students and employees, Lamar State College-Port Arthur seeks to maintain a work and learning environment free of the unlawful manufacture, distribution, possession or use of a controlled substance or the abuse of alcohol. Drug and alcohol abuse affects the responsible conduct of business, teaching, and learning, and therefore will not be tolerated. This Student Handbook contains Lamar State College-Port Arthur's policy establishing a drug-free workplace. We intend that this policy comply with:

a. The Drug-free Workplace Act of 1988 found in 41 U.S.C. Chapter 701;

b. Section 2.4 (10) of Chapter V of the Rules and Regulations of the board of Regents, Texas State University System;

c. The Rules of the Texas Workers' Compensation Commission, found in 28 TAC Chapter 169; and

d. The Drug Free Schools and Communities Act of 1989, U.S.C. §1011i.

1.2 This policy is based on the following objectives:

1) To maintain a safe and healthy environment for all students and employees;

2) To maintain the good reputation of the College and its employees;

3) To minimize accidental injuries to a person or property;

4) To keep absenteeism and tardiness at a minimum and to improve the effective performance of job duties and productivity of all employees and the educational performance of all students;

5) In appropriate circumstances, to assist students and employees in securing substance abuse rehabilitation;

6) To comply with the federal Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, and other applicable legislation;

7) To adopt and implement a program to prevent use of illicit drugs and abuse of alcohol by students and employees;

8) This policy shall be in addition to any drug abuse policy or policies relating to participation in intercollegiate athletics.

 Definitions

As used in this policy, the following definitions apply:

2.1 "Drugs or other controlled substances" mean any substance, other than alcohol, capable of altering an individual's mood, perception, pain level or judgment.

2.11 A "prescribed drug" is any substance prescribed for individual consumption by a licensed medical practitioner. It includes prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured.

2.12 An "illicit drug" or chemical substance is (a) any drug or chemical substance for the use, sale or possession of which is illegal under any state or federal law or (b) one which is legally obtainable but has not been legally obtained. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for prescribed purposes.

2.13 The term "controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C.S. 812) or which possession, sale or delivery results in criminal sanctions under the Texas Controlled Substances Act (Art. 4476-15, TCS). In general, this includes all prescription drugs, as well as those substances for which there is no generally accepted medicinal use (e.g., heroin, LSD, marijuana, etc.) and substances which possess chemical structures similar to that of the controlled substance (e.g., "Designer Drugs"). The term does not include alcohol.

2.2 "Alcohol" refers to any beverage that is "alcohol or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted."

2.3 "Alcohol abuse" means the excessive use of alcohol in a manner that

interferes with (1) physical or psychological functioning, (2) social adaptation, (3) educational performance, or (4) occupational functioning.

2.4 The term “conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

2.5 “Cause for reasonable suspicion” shall be established by: (1) observation; (2) action/behaviors of the individual; (3) witness by supervisor or other reliable individual of possession or use; or (4) any other legal measure used for alcohol or drug detection.

2.6 The term “criminal drug statute” means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.

2.7 “Sanctions” may include completion of an appropriate rehabilitation or assistance program, probation, expulsion, termination, or referral to authorities for prosecution. If an employee has been convicted of a criminal drug statute, sanctions must be imposed within 30 days.

- Policy

3.1 Standards of Conduct. The unlawful manufacture, distribution, possession or use of illicit drugs or alcohol are strictly prohibited.

3.2 Sanctions will be imposed on students and employees (consistent with local, state, and federal law) up to and including expulsion or termination of employment and referral for prosecution for violation of the standards of conduct set forth in 3.1 above.

APPENDIX A

Some of the psychological and physical health risks associated with the use of illicit drugs and the abuse of alcohol are listed below.

Physical and Mental

- Increased or decreased tolerance for alcohol or drugs
- Red face, red nose
- Bumps and bruises from falling
- Puffiness of face or extremities
- Sudden vision difficulties
- Swollen nasal membrane
- Chest and heart problems including bronchitis, changed heart rhythms, heart failure
- Enlarged liver
- Frequent infections
- Digestive problems
- Lingering colds and flu
- High blood pressure
- Signs of bad nutrition
- Tremors
- Blackouts
- Changes in reflexes
- Loss of coordination
- Dizziness
- Confusion and slow comprehension
- Memory loss
- Anxiety or depression
- Delirium
- Hallucinations
- Insomnia
- Impotence
- Craving for sweets or complete avoidance
- Loss of appetite

Behavior and Social

- Increased reliance on drugs
- Family problems
- Financial difficulties
- Frequent change of jobs, lateness, other job-related problems
- Car accidents
- Increased legal problems from behavior
- Suicidal behavior
- Unusually passive behavior
- Loud, angry and/or abusive behavior

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse, partner, or child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses could result in death.

APPENDIX B

AREA SUBSTANCE ABUSE SERVICES

- Southeast Texas Council on Alcohol and Drug Abuse (SETCADA) - Beaumont, TX- http://www.setcada.org
- Alcoholics Anonymous- check local phonebook listing
- Spindletop Center-Beaumont, Port Arthur, Silsbee and Orange-www.stmhmr.org
- Land Manor- Beaumont, TX www.landmanor.org
- Texas Treatment Services- Beaumont, TX http://texastreatment.com
- Baptist Behavioral Health Center- Beaumont, TX www.bhset.net

APPENDIX C

Federal Penalties and Sanctions For Illegal Possession of a Controlled Substance

21 U.S.C. 844(a)-1st conviction: Up to 1 year imprisonment and fined at least $1,000 but not more than $100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least $2,500 but not more than $250,000, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least $5,000 but not more than $250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to $250,000, or both, if:

a) 1st conviction and the amount of crack possessed exceeds 5 grams.
b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams
c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 U.S.C. 853 (a)(2) and 881(a)(7)- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack).

21 U.S.C. 881(a)(4)- Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a- Civil fine of up to $10,000 (Pending adoption of final regulations).

21 U.S.C. 853- Denial of Federal benefits, such as student loans, grants, contracts, and

professional and commercial licenses up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18 U.S.C. 922(g)- Ineligible to receive or purchase a firearm.

Miscellaneous-Revocation of certain Federal licenses and benefits, (e.g. pilot licenses, public housing tenancy, etc.,) are vested within the authorities of individual Federal agencies.

Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

Grade-Point Computation

The grade point average is used in the determination of academic standing, rank in class, eligibility for graduation, etc. In order to compute Lamar State College-Port Arthur grade averages, quality points are assigned to letter grades as follows: to the grade A, 4 points; to B, 3 points; to C, 2 points; to D, 1 point and to F, I, S, U, Q, W, 0 points. The number of grade points earned in a course is obtained by multiplying the number of semester credit hours by the number of quality points assigned to the letter grade made in the course.

The grade point average is calculated by dividing the total number of grade points earned by the total number of semester hours attempted in courses for which the grades A, B, C, D, F, and I are assigned. Thus, for grades S, U, Q and W, neither semester hours nor grade points are used in the computation of the grade point average. Hours attempted provide all work taken whether passed, failed or repeated.

Grade Replacement

Lamar State College-Port Arthur students will have one opportunity to replace a grade earned in an academic or technical course. If a student repeats a course, the official grade will be the second graded earned, regardless of whether it is higher, lower or the same. The first grade remains on the student's official transcript. The repetition of a Lamar-Port Arthur course at another institution will not replace the grade earned at Lamar State College-Port Arthur in the calculation of the student's cumulative grade point average, nor will a grade earned in a Lamar Port Arthur course replace a transcripted grade earned in the same course at another institution. Any grade earned by further repetition of a course (third and subsequent grades earned in the same course) will be included in the calculation of a student's cumulative grade point average.

Students receiving various forms of financial aid or VA benefits who repeat a course may have complications regarding their financial aid award. These students must consult the Financial Aid Office prior to repeating a course under the provisions of the program.

Hazing

The College reserves the right to take disciplinary action against individual students and/or groups who are involved in hazing activities. Such disciplinary action may be taken independently of state or local prosecutorial actions, regardless of the outcome of such prosecutorial actions. Hazing on the part of students, faculty, or staff is strictly forbidden, whether on or off campus. The state law providing penal sanctions in the event of a conviction of hazing is set forth in sections 4.51-4.58, Texas Education Code, and provides in part, as it pertains to students, as follows:

1. **Hazing** means any intentional, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the

purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at an educational institution. The term includes but is not limited to:

a. any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;

b. any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;

c. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance which subjects the student to an unreasonable risk or harm or which adversely affects the mental or physical health or safety of the student;

d. any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described in this subsection;

e. any activity that induces, causes, or requires the student to perform a duty or task which involves a violation of the Penal Code or Code of Student Conduct.

2. Personal Hazing Offense

A person commits an offense if the person:

a. engages in hazing;
b. solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
c. intentionally, knowingly, or recklessly permits hazing to occur; or
d. has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report said knowledge in writing to the Dean of Students or other appropriate official of the institution.

3. Penalties for Hazing

a. The offense of failing to report is a misdemeanor punishable by a fine not to exceed $1,000, confinement in county jail for not more than 180 days, or both such fine and confinement.

b. Any other serious offense under this section which does not cause serious bodily injury to another is a misdemeanor punishable by a fine of not less than $500 nor more than $1,000, confinement in county jail for not less than 90 days nor more than 180 days, or both such fine and confinement.

c. Any other offense under this section which causes serious bodily injury to another is a misdemeanor punishable by a fine of not less than $1,000 nor more than $5,000, confinement in county jail for not less than 180 days nor more than one year, or both such fine and confinement.

d. Any other offense under this section which causes the death of another is a misdemeanor punishable by a fine of not less than $5,000 nor more than $10,000, confinement in county jail for not less than one year nor more than two years, or both such fine and confinement.

4. Organizing Hazing Offense

a. An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization commits or assists in the commission of hazing.

b. An offense under this section is a misdemeanor punishable by a fine of not less than $5,000 nor more than $10,000 or if a court finds that the offense caused personal injury, property damage, or other loss, the court may sentence the organization to pay a fine of not less than $5,000 nor more than double the amount lost or expenses incurred because of such injury, damage, or loss.

Identification Card

All students must purchase and carry a Student Photo Identification Card at all times while on campus. They are required for use of college facilities and to attend college functions. Students receive their ID cards during the registration process upon receipt of payment for tuition and fees. The card must be validated each semester the student is enrolled. The Student ID fee is $5 and is good for two years. Student ID's are prepared on the second floor of the Student Center. To replace a lost or stolen Student ID, a replacement card may be purchased at the Business Office.

Instructor Initiated Drop

When absences, other than approved absences, seriously interfere with the student's performance, the instructor may recommend to the Department Chair that the student be dropped from the course. Action to drop the student requires the approval of the Department chair. If this action is taken after the first six weeks of the semester, a grade of "F" may be recorded for the course.

Sexual Harassment/Sexual Misconduct and Consensual Relationships

Lamar State College-Port Arthur strives to provide an educational and working environment for its students, faculty, and staff free of intimidation and harassment. The unprofessional treatment of students and colleagues in any form is unacceptable in the College community.

Lamar State College-Port Arthur is committed to providing a work and study environment that encourages intellectual and academic excellence and the emotional well-being of its students, faculty, and staff. Circumstances, facts and conduct that violate this policy contradict the College's educational philosophy and standard.

This statement contains policies on sexual harassment and consensual sexual relationships, and a grievance procedure to govern the resolution of complains which fall

under either policy.

1. Statement of Policy on Sexual Harassment/Sexual Misconduct
   Lamar State College-Port Arthur expressly prohibits sexual harassment or sexual misconduct of its students, faculty, or staff or of applicants who seek to join the College in any capacity. (See the Appendix attached hereto for the definition of sexual harassment and sexual misconduct as used in this policy.)
   - Lamar State College-Port Arthur has adopted and shall enforce the Texas State University System Title IX Policy that covers sexual misconduct and sexual harassment. To view the Texas State University System Title IX Sexual Misconduct Policy: http://www.tsus.edu/about-tsus/policies.html

2. State of Policy on Consensual Sexual Relationships
   a. Statement of Policy about Faculty/Student Relationships

Lamar State College-Port Arthur prohibits consensual sexual relationships between a faculty member and a student enrolled in a course taught by the faculty member. This applies even when both parties appear to have consented to the relationship. A faculty member who is or has been involved in a consensual sexual relationship with a person should not enter into a student/teacher relationship with that person.

It is a serious breach of professional ethics for a teacher to initiate or acquiesce in a sexual relationship with a student who is under the personal supervision of a faculty member. The professional relationship between faculty and students is central to the College's educational philosophy. Any action in which power is abused or appears to have been abused can disrupt this professional relationship and undermines the mutual trust and respect upon which this professional relationship is founded.

A consensual sexual relationship between a faculty member and a student, particularly when the faculty member is in a position of power, will irreparably undermine this professional relationship. The issue of power and control over the student remains so strong in a sexual relationship that voluntary consent by a student is improbably and highly questionable. What one thinks is voluntary consent may be only forced consent which the hidden, subtle pressure stemming from the faculty member's position of power has transformed into a "voluntary" act. Such a relationship creates an inevitable conflict of interest when the teacher makes judgments about a student's work. The appearance of impropriety to the College community, which such relationships produce, casts doubt on the faculty member's academic decision concerning a particular student's performance, the faculty member's overall professionalism and credibility and the genuineness of the student's accomplishments where the faculty member is directly supervising and teaching the student.

b. Statement of Policy on Staff/Student Relationship

Lamar State College-Port Arthur prohibits consensual sexual relationships between staff/students where the staff member has authority or control over the student. Even where there is no power or authority of the staff member over the student, consensual sexual relationships are discouraged between staff and students.

c. Statement of Policy on Employee/Employee

Lamar State College-Port Arthur prohibits consenting romantic and sexual relationships between employees where a power differential exists in their employment is a breach of professional ethics. Any employee who enters into such a relationship must realize that, if a charge of sexual harassment is subsequently lodged, it will be exceedingly difficult to prove immunity on grounds of mutual consent.

The administrator or board reviewing a charge of sexual harassment shall be expected, in general, to be unsympathetic to a defense based on consent when the facts establish that an employee power differential existed within the relationship.

3. Grievance Procedures

All complaints regarding sexual harassment will be taken seriously and will promptly follow with a preliminary investigation by a LSC-PA Title IX Investigator to determine whether there is a reasonable basis for believing the complaint and the person whose actions are the subject of the complaint.

Reporting

A person who believes that he or she has been subjected to any type of discrimination, including sexual harassment, should report the incident to any College official, administrator, faculty, staff, or supervisor. Students are encouraged to report such incidents to the Dean of Student Services, Director of Student Activities or the Title IX Coordinator. Incidents should be reported as soon as possible after the time of their occurrence. Every attempt will be made to keep the information confidential and restricted to only those who have an absolute need to know. A person who makes a complaint of sexual harassment should be advised that principles of fairness and due process may require disclosure to the alleged harasser, who shall be warned against retaliation.

The Dean of Student Services; office is located on the 3rd floor of the Student Center in Room 204. The phone number is 409-984-6156. The Director of Student Activities office is located on the 2nd floor of the Student Center in Room 203A. The phone number is 409-984-6191. The Title IX Coordinator's office is located in the Business Office in Room 122. The phone number is 409-984-6117 or 409-626-2980.

Procedures for Resolving Complaints

Any student, staff employee, or faculty member who feels he/she is the victim of discrimination and/or sexual harassment should follow these steps:

A. Informal Proceedings: All complains will be considered informal until they are filed in writing. Informal complains will still be investigated by the Title IX Coordinator. A person who believes he/she is the victim of discrimination and/or sexual harassment is encouraged to see an informal resolution as follows:
    1. The offended individual should report the incident(s) to the Dean of Student Services, Director of Student Activities, Title IX Coordinator, or any faculty/staff member that the individual feels comfortable reporting to.

    2. The Dean of Student Services' Office or the Title IX Coordinator will investigate the allegation(s). This may require interviews with the alleged victim and the accused. In some circumstances interviews with other persons who have knowledge of the alleged incident may also be conducted. Whenever possible, the identity of the victim will not be revealed during the investigation process or without the victim's consent.

B. Formal Proceedings: If, after the informal proceedings, the Title IX Coordinator or his/her designee concludes that there is reasonable basis for the complaint, the complainant may pursue a formal complaint in accordance with the procedure outlined in this section.

If, after the informal proceedings, the Title IX Coordinator concludes that there is a reasonable basis to support the allegations of the misconduct and takes appropriate steps to bring the matter to a satisfactory resolution, but either the accused or the complainant is not satisfied with the resolution adopted by the Title IX Coordinator, the Title IX Coordinator shall initiate the formal proceedings. Formal proceedings hereunder shall take place in accordance with the following guidelines:

1. Faculty:

A formal complaint filed against a faculty member shall be directed to the Vice President for Academic Affairs who in turn should notify the appropriate dean and department within two (2) working days of receipt of the complaint. The dean and department chair should notify the faculty member concerned within three (3) working days whether further investigation or a recommendation for sanctions is warranted.

Under appropriate circumstances, the dean may decide to convene an Ad Hoc Committee to review the facts surrounding the case and make recommendations for resolution of the complaint. Decisions regarding the complaint and any recommendations for sanctions by the college dean and department chair shall be reported to the Vice President for Academic Affairs who in turn shall advise the President. The President shall notify the faculty member and the complainant of the decision.

2. Staff:

A formal complaint filed against a staff member shall be directed to the Director of Human Resources who in turn should notify the appropriate department or division head within two (2) working days of receipt of the complaint. This officer should notify the staff member concerned and investigate the case and determine within three (3) working days whether further investigation or a recommendation for sanctions is warranted.

Under appropriate circumstances, the department chair or division head may convene an Ad Hoc Committee to review the facts surrounding the case and make recommendations for resolution of the complaint. Decisions regarding the complaint and any recommendations for sanctions by the department or division head shall be reported to the Director of Human Resources who in turn shall advise the President. The President shall notify the staff member and the complainant of the decision.

3. Student:

A formal complaint against a student shall be directed to the Dean of Student Services who should investigate the case and determine within five (5) working days whether further investigation or a recommendation for sanctions is warranted.

Under appropriate circumstances, the Dean of Student Services may convene an Ad Hoc Committee to review the facts surrounding the case and to make recommendations for resolution of the complaint. The Dean of Student Services shall notify the student and the complainant of the decision.

4. Student Employee:

All student employees will be considered students for the purposes of these procedures.

C. Isolated and Inadvertent Offenses

Members of the College community demonstrate insensitivity that necessitates remedial measures when, without establishing a pattern of doing so, they engage in isolated conduct which meets the definition and examples of sexual harassment given in Sections A & B in the Appendix, but fail to realize that their actions discomfort or humiliate and

constitute acts of sexual harassment. When College administrators become aware that such activities are occurring in their areas, they shall counsel with and may direct those engaged in such conduct to undertake an educational program designed to help them understand the harm they are doing.

If, after participating in the educational program or failing to participate after being directed to do so, a person continues to engage in the conduct described in this section, the facts and circumstances of the person's activities and conduct shall be reported to the Title IX Coordinator by the administrator. If the Title IX Coordinator determines that the person subject to the report has engaged in a pattern of conduct intended to discomfort or humiliate the one at whom the actions or statements are directed, the Title IX Coordinator shall forward the findings as a complaint to be acted upon by the appropriate body pursuant to the proceedings for a formal hearing as outlined herein.

D. Protection of the Complainant and Others

1. All reasonable action will be taken to assure the complainant and those testifying or participating in other ways in the complaint proceedings will suffer no retaliation as a result of their participation. Steps to avoid retaliation may include:
    i. Lateral transfer of one or more of the parties in an employment setting and a comparable move if a classroom setting is involved, and
    ii. Arrangements that academic and/or employment evaluations concerning the complaint or other be made by an appropriate individual other than one who may be in a position of authority to retaliate.

2. In extraordinary circumstances, the Vice President for Academic Affairs may, at any time during or after an investigation of a sexual harassment complaint, suspend from teaching responsibilities any faculty member or teaching assistant accused of sexual harassment, if after review and investigation, the Vice President for Academic Affairs in consultation with the Dean of Student Services finds it is reasonable certain (i) the alleged sexual harassment has occurred and (ii) the accused would be in a position either to retaliate against, or in any way do serious harm to the College community if the accused continues to work in that unit or department.

3. In extraordinary circumstances, the Vice President, or the Vice President's designee, responsible for the unit employing an accused staff member may, at any time during or after an investigation of a sexual harassment complaint, suspend the staff member from responsibilities if, after review and investigation, the Vice President finds it is reasonable certain that (i) the alleged sexual harassment has occurred and (ii) the accused would be in a position either to retaliate against, or in any way do harm to members of the College community if the accused continues to work in that unit or department.

4. In extraordinary circumstances, the Dean of Student Services may, at any time during or after an investigation of a sexual harassment complaint, suspend an accused student from a specific class or from the College altogether, if after review and investigation the Dean of Student Services finds it is reasonably certain that (i) the alleged sexual harassment has

occurred and (ii) the accused would be in a position either to retaliate against, or in any way do serious harm to the enrollment in that particular class or continues living in the College community.

4. Appeal from Sanctions
    a. Faculty:
       If a recommendation for suspension or termination is made against a tenured faculty member, the faculty member may request a due process hearing as provided in the Faculty Handbook. Appeals by non-tenured faculty members are subject to the Faculty Handbook.
    b. Staff:
       Appeals from recommended sanctions against staff personnel shall be handled in accordance with procedures outlined in the Staff Handbook.
    c. Student:
       Appeals from recommended sanctions against students shall be directed to the Student/Faculty Relations Committee as set out in the Student Handbook.

5. Retaliation Prohibited

Retaliatory action of any kind taken against any individual as a result of a person's attempt to seek redress under the applicable procedures dealing with sexual harassment is prohibited. Such action shall be regarded as a separate and distinct cause for complaint.

6. Malicious Complaints

If it is determined that a sexual harassment allegation is totally without foundation, and if there is evidence of malicious intent, the complaint may be subject to disciplinary action.

APPENDIX

A. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is any unwelcome verbal, nonverbal, written, electronic or physical behavior or a sexual nature directed at someone, or against a particular group, because of that person's or group's sex or based on gender stereotypes, severe or pervasive, and while it meets wither of the following criteria:

1. Submission, consent, or rejection of the behavior is believed to carry consequences for the individual's education, employment, on-campus living environment or participation in a College affiliated activity.

2. The behavior has the purpose or effect of substantially interfering with another's work or educational performance by creating an intimidating or hostile environment for employment, education, on-campus living or participation in a College-affiliated activity.

Sexual harassment is not limited to direct, abusive action by an individual in a supervisory position. All persons, including peers and co-workers, who exercise or have potential to exercise any kind of control or review should be careful not to permit the creation of a situation or environment that is abusive or has potential for being abusive.

B. EXAMPLES OF SEXUAL HARASSMENT

Sexual harassment encompasses any sexual attention that is unwanted. For purposes of further classification, and in order to provide some guidelines as to what specific behavior

constitutes sexual harassment as defined in Section A above, examples of the verbal or physical conduct prohibited by this policy include, but are not limited to:

1. physical assault;

2. direct proposition of a sexual nature;

3. pressuring another to engage in sexual behavior for some educational or employment benefit;

4. making a real or perceived threat that rejecting sexual behavior will result in a negative tangible employment or academic consequence;

5. persistent unwelcome efforts to develop a romantic or sexual relationship

In addition, the following examples are intended to illustrate other behavior that constitute verbal or physical conduct prohibited by this policy. These examples require a more subjective judgment than the foregoing examples and are further qualified by the assumption that the recipient of the conduct described is a reasonable adult, free of hyper sensitivities:

1. implied statements or threats that submission to sexual advances will be a condition of admission, employment, work status, promotion, grades or recommendation;

2. subtle pressure for sexual activity;

3. a pattern of conduct (not legitimately related to the subject matter of course if one is involved) intended to discomfort or humiliate, or both that includes one or more of the following:
    a. comments of sexual nature; or
    b. sexually explicit statements, questions, jokes or anecdotes; and
    c. repeated and unwanted staring

4. a pattern of conduct that would discomfort or humiliate, or both, a reasonable person at whom the conduct is directed that includes one or more of the following:
    a. unnecessary touching, patting, hugging, or brushing against a person's body;
    b. remarks of sexual nature about a person's clothing or body; or
    c. remarks about sexual activity or speculations about previous sexual experience

C. DEFINITION OF SEXUAL MISCONDUCT

Sexual misconduct is a broad term encompassing a range of non-consensual sexual activity or unwelcome behavior or a sexual nature. The term includes but is not limited to sexual assault, sexual exploitation, sexual intimidation, sexual harassment, domestic violence, dating violence, and stalking. Sexual misconduct can be committed by men or women, strangers, acquaintances, and can occur between or among people of the same or opposite sex.

D. DEFINITION OF CONSENT

Consent is an informed and freely and affirmatively communicated willingness to participate in a particular activity. Consent can be expressed either by words or by clear and unambiguous actions, as long as those words or actions create mutually understandable permission regarding the conditions of each instance of sexual activity. It is the responsibility of the person who wants to engage in the sexual activity to ensure that she/he has the consent of the other to engage in each instance of sexual activity.

The unabridged version of the Texas State University System Sexual Misconduct Policy can be found at TSUS Sexual Misconduct Policy. The Title IX Coordinator for Lamar State College-Port Arthur can be contacted at 409-984-6117.

Smoke-Free Workplace Policy

The campus wide Tobacco/Smoke-Free Policy can be found on the Lamar State College-Port Arthur website at Tobacco/Smoke-Free Policy.

Student Records

The following college policy statement concerning student records maintained by Lamar State College-Port Arthur is published in compliance with the Family Education Rights and Privacy Act.

Challenge of Records: A student has the right to challenge records and information directly relating to him/her. The challenge is limited to inaccurate, misleading, or otherwise inappropriate information. Issues may be resolved either through an informal hearing with the official immediately responsible or by requesting a formal hearing. For information regarding the procedure to be followed in a formal hearing, contact the Dean of Student Services.

Release of Records: The release of information to the public without the consent of the student will be limited to the categories of information listed below which have been designated by the college as directory information and which will be routinely released. The student may request that any or all of this information be withheld from the public by making written requests to the Admission and Records Office. The request must be made by the last official day to register for a given session and applies to that session only.

1. Name
2. Current & Permanent Address
3. Telephone Listing
4. Date and Place of Birth
5. Major and Minor
6. Classification and Semester Hour Load
7. Participation in Officially Recognized Activities and Sports
8. Weight and Height of Members of Athletic Teams
9. Dates of Attendance
10. Degrees & Awards Received with Dates
11. Last Educational Agency or Institution Attended

Expunction of Records: It is the policy of the College to review records from time to time and to expunge records or parts of records which have served their purpose. Records are destroyed only as permitted by law.

Records-Transcripts: Academic records are in the permanent custody of the Admission and Records Office. Transcripts of academic records may only be secured by an individual

personally or will be released on the student's written authorization. Upon request, Lamar State College-Port Arthur discloses educational records without consent to officials of another school in which a student intends to enroll.

Records-Withheld: Students who owe debts to the college will have their official transcripts withheld until the debt is paid.

Student Right-To-Know

The Student Right-To-Know policy can be found on the Lamar State College-Port Arthur website at http://www.lamarpa.edu/About-LSCPA/Student-Right-to-Know.

Transfer from One Department To Another

Students wishing to change their majors must complete a "Change of Major" form with an Academic or Faculty Advisor. The completed form must be submitted to the Admissions and Records Office for processing.

Withdrawals

Students wishing to withdraw during a semester or summer term should fill out a Withdrawal Petition and a Drop Form for each course. A student is not withdrawn unless he or she complete the necessary steps in person or through a written and signed request. Students must clear all financial obligations and return all uniforms, books, laboratory equipment, and other materials to the point of original issue. The effective date of the withdrawal is established upon final processing of the withdrawal papers by the Admissions and Records Office.

ACADEMIC POLICIES

Academic Dishonesty

Lamar State College-Port Arthur expects all students to engage in all academic pursuits in a manner that is above reproach. Students are expected to maintain complete honesty and integrity in the academic experiences both in and out of the classroom. Any student found guilty of dishonesty in any phase of academic work will be subject to disciplinary action.

1. Lamar-Port Arthur and its official representatives, acting in accordance with part 10 below, may initiate disciplinary proceedings against a student accused of any form of academic dishonesty including but not limited to: cheating on an examination or other academic work which is to be submitted, plagiarism, collusion, and the abuse of resource materials. Definitions and penalties for academic dishonesty infractions shall be the same regardless of whether the offense occurs on the campus or in an on-line course.

2. "Cheating" includes but is not limited to:
    a. Copying from another student's test paper, laboratory report, other report, computer files, data listings, and/or programs.
    b. Using, during a test, materials not authorized by the person administering the test.
    c. Collaborating, without authorization, with another person during an examination or in preparing academic work.
    d. Knowing, and without authorization, using, buying, selling, stealing, soliciting, coping, transporting, or possessing, in whole or in part, the contest of an un-administered test.
    e. Substituting for another student; permitting any other person, or otherwise assisting any other person, to substitute for oneself or for another student in the taking of an examination or the preparation of academic work to be submitted for academic credit.
    f. Bribing another person to obtain an un-administered test or information about an un-administered test.
    g. Purchasing, or otherwise acquiring and submitting as one's own work, any research paper or other writing assignment prepared by an individual or firm. The section does not apply to the typing of the rough and/or final versions of an assignment by a professional typist.
    h. The unauthorized use of electronic devices during an examination.
    i. Engaging in any other activity intended unfairly or false to receive credit for academic work which is not reflective or representative of the student's own efforts.

3. "Plagiarism" means the appropriation of another person's work or idea and the unacknowledged incorporation that work or idea into one's own work offered for credit.

4. "Collusion" means the unauthorized collaboration with another person preparing work for credit.

5. “Abuse of resource materials” means the mutilation, destruction, concealment, theft, or alteration of materials provided to assist students in the mastery of course materials.

6. “Academic work” means the preparation of an essay, problem, assignment, or other project that the student submits as a course requirement or for a grade.

7. The procedures for administering an academic penalty for dishonesty differ from ordinary student discipline cases. Texas State University System and college policies permit academic dishonesty cases to be first considered and reviewed by the faculty member. If, after reviewing the case, the faculty member determines that the student is guilty of the charge, the faculty member may asses an academic penalty prescribed by the college. Students have the right to appeal the decision to the Department Chair, Dean (if applicable), and eventually the Vice President for Academic Affairs (whose opinion shall be final) before imposition of the penalty.

8. During the appellate process, the student shall be entitled to written notice of the offense and/or the administrative decision, an opportunity to respond, and an impartial disposition as to the merits of the case. The procedures for considering and disposing of a student’s appeal of an academic dishonesty decision are *not* the same as the procedures for resolving student grievances in matters relating to academic performance, i.e. the Student/Faculty Relations Committee is not involved.

9. After the process for assigning an academic penalty has been completed, and in particularly severe cases of academic dishonesty including but not limited to flagrant repeated violation, the Vice President for Academic Affairs may refer the matter to the Dean of Student Services for any additional discipline that may be appropriate. The process for considering disciplinary action shall not delay the consideration or implementation of an academic penalty.

10. Academic penalties for academic dishonesty are listed below.
    a. Requiring a student to retake all or part of an examination or resubmit all or part of an academic work;
    b. Assigning no credit, less than full credit, or a grade of “zero” to the part of the examination or academic work in question;
    c. Assigning a grade of “zero” to the entire examination or academic work in question;
    d. Assigning a grade of “F” for the course. In the case of a student’s first offense the decision to fail the student for cheating should be one shared between the instructor and the Department Chair prior to notifying the student. In the case of a student with repeated violations, the faculty member may make this decision without consulting with the Department Chair, but most immediately notify the Department Chair of the action taken and the circumstances that prompted it.

Academic Grievance Procedures

To provide for the resolution of alleged grievances in matters relating to the academic performance of students in a prompt and equitable manner, appropriate instructional departments and divisions of the institution follow the provisions of these grievance and appellate procedures. The grievance procedures described in this section do not establish a contractual relationship between students and the institution, or between students and employees acting in behalf of the institution. Absolute compliance with the provisions of this section is required of students filing a grievance, while substantive compliance on the part of the institution and its employees shall be satisfactory. The provisions of the section are subject to change by action of the President or Board of Regents with or without prior notice to students. Instances of academic dishonesty are not subject to the provisions of this policy.

There shall be in each division a Student/Faculty Relations Committee. It shall be comprised of up to seven faculty members and three students. The membership of each Student/Faculty Relations Committee, including designation of a chairperson, shall be determined by procedures established by the Deans of the respective divisions. The committee may be appointed annually, permanently, or as needed. The committee should become involved in an alleged grievance only after normal procedures for resolving issues have been exhausted.

A student who claims a grievance because of grading or other actions by a faculty member or department that affect his or her academic standing MUST adhere to the following procedures:

1. The initial step in the normal procedure is for the student to discuss the issue with the offending party (usually a faculty member). This discussion between faculty member and student should occur within two working days of the action by the offending party. If the issue is not resolved, the student's second step MUST be to consult with the offending party's Program Coordinator. If a Program Coordinator is not employed in that instructional area, or if the Program Coordinator is the offending party, the student MUST appeal the matter directly from the offending party to the Department Chair. An appeal from the final decision of the offending party MUST be made to the next level- Program Coordinator or Department Chair- no later than 5:00 p.m. on the second working day following the final decision of the offending party.

2. When consulting with the Program Coordinator the student has the right to state what he/she perceives to be the facts of the issue without the offending party being present. After hearing the student's appeal, the Program Coordinator may call both parties together for a face-to-face discussion of the matter, although this is not required, or may pursue other methods for obtaining the information necessary for resolving the matter.

3. If the Program Coordinator cannot resolve the grievance to the student's satisfaction, the student may appeal the matter to the Department Chair. The appeal to the Department Chair MUST be made no later than 5:00 p.m. on the working day following the Program Coordinator's decision. The student has the right to state privately to the Department Chair what he/she perceives to be the facts of the matter without the offending party being present. The Program Coordinator may attend this conference unless he/she is the offending party. After hearing the student's appeal the Department Chair may conduct a meeting with

the student, offending party, and Program Coordinator in attendance, or may use other methods as he/she deems appropriate for gathering the information necessary to reach a decision.

4. If the Department Chair cannot resolve the issue in the student's favor, the student may appeal the matter to the Dean of the division or directly to the Vice President for Academic Affairs if the Dean's position is vacant or if the Dean is absent. The appeal to the Dean MUST be in writing, MUST specify what actions of the offending party are being appealed, MUST state what remedies the student expects from the Dean, and MUST be received by the Dean on later than 5:00 p.m. on the second working day following the student's notification of the Department Chair's decision. The student has the right to meet privately with the Dean and state what he/she perceives to be the facts of the issue without the offending party being present; however, the Dean may invite the Department Chair and Program Coordinator, if applicable, to be present with the exception that if either is the offending party that person will not be included in the meeting. Later, the Dean may convene a meeting with the student, offending party, Program Coordinator, and/or Department Chair present, or may use other appropriate methods for gathering information necessary to reach a decision.

5. The Dean will provide a written response to the student. If the Dean cannot resolve the issue through negotiation and discussion in the student's favor, the student may appeal the matter to the divisional Student/Faculty Relations Committee. The appeal is made through the Division Dean.

6. The student may address a written statement of alleged grievance to the Dean of the division or directly to the Vice President of Academic Affairs if the Dean's position is vacant or if the Dean is absent that MUST be received no later than 5:00 p.m. on the second working day following the student's notification of the Dean's decision. The student's written statement MUST specific the acts which necessitated the grievance, MUST identify the desired remedies, and MUST request that the Dean refer the grievance to the appointed Student/Faculty Relations Committee for action. The Student/Faculty Relations Committee shall represent the division that includes the department responsible for the course in which the offending act occurred.

7. The Student-Faculty Relations Committee will fully investigate the alleged grievance to determine if it has a basis in fact and results from an incorrect application of a departmental or institutional policy or procedure, an incorrect action by Lamar-Port Arthur personnel, or a combination of these factors. In the event that any member of the committee is a party to the alleged grievance, the Dean shall appoint a substitute member or ask a previously appointed alternate to serve as a substitute. After conducting its inquiry the committee shall present such findings and recommendations to the Dean of the Division as it, by majority vote, finds appropriate. If the committee determines that the grievance has a basis in fact due to these reasons it shall recommend specific redress to the Dean.

8. The Dean shall notify all involved persons and the Vice President for Academic Affairs by separate communication of the committee's findings and recommendations.

9. To assure prompt resolution of alleged grievances, the Student-Faculty Relations Committee shall make a reasonable effort to complete the committee report within two weeks (ten working days) from the date it receives the statement of grievance from the Dean. If this schedule cannot be followed the committee chairperson should notify the Dean and provide an estimate of the projected date on which the committee's work will be completed.

10. The Student/Faculty Relations Committee is not obligated to conduct a hearing as part of its investigation. However, in the event that the committee conducts a hearing the following procedures will be in place:
    a. A minimum of three faculty members must be present to constitute a quorum.
    b. The committee chair will vote only if his/her vote can change the outcome.
    c. The Dean of the division or appropriate department chair if the Dean's position is vacant or if the Dean is absent may open the hearing with an overview of the history of the case, the reasons for the hearing, and the prescribed hearing procedures, or may delegate this responsibility to the committee chair.
    d. The committee members may interrupt statements at any time for the purpose of asking questions or for clarification.
    e. The student will open the hearing by stating the reasons for the appeal/grievance. The student will then present his/her version of the facts of the case.
    f. The student may present witnesses to substantiate his/her case. Witnesses shall not be present in the hearing room either before or after making their statements. Witnesses presented by the student must testify to circumstances surrounding the act that caused the grievance and/or to corroborate the statements of the student, and shall not be character witnesses.
    g. Following the student's presentation and any questions by the committee, the alleged offending party (or Program Coordinator or Department Chair if the grievance resulted from a program or departmental decision) may present the reasons for the acts that caused the grievance to be filed.
    h. The committee has the power to ask other witnesses, students and employees to attend the hearing and provide additional information either before or after the student and offending party have made their presentations.
    i. Following the presentations and questioning, the committee chair will allow both parties to make a brief closing statement.
    j. After the closing statements the committee chair will ask all parties other than the committee members to leave the hearing room. The committee will then decide to deliberate immediately, determine if more facts are required, or postpone deliberations until another date.

11. The Student/Faculty Relations Committee shall at the conclusion of its considerations and deliberations report to the Dean one of the following:

    In the considered opinion of the Student/Faculty Relations Committee, the alleged grievance has a basis in fact and results from (select one) an

incorrect application of a departmental or institutional policy or procedure, an incorrect action by Lamar-Port Arthur personnel, or a combination of these factors, and the specific redress recommended by the committee is …

Or,

In the opinion of the Student/Faculty Relations Committee, the alleged grievance is not in fact a grievance resulting from an incorrect application of a departmental or institutional policy or procedure, an incorrect action by institutional personnel, or a combination of these factors and the appeal is rejected.

12. The decision and recommendation of the Student/Faculty Relations Committee is not binding on the administration of the institution. However, the Dean will give careful consideration to its findings when making a decision regarding the final disposition of the alleged grievance.

13. The Dean shall provide the student with a written account of the committee's recommendations and the Dean's decision concerning the final disposition of the alleged grievance.

14. Any alleged grievance regarding grades must be handled only in accordance with policies stated in the Faculty Handbook and Policy Manual. In most circumstances grades remain as recorded and are changed only by the instructor. In the event the instructor is no longer employed, the Department Chair and Division Dean are charged with the responsibility for changing grades. However, grades may be changed by the Department Chair and Dean when the Student/Faculty Relations Committee determines that a faculty member has failed to follow a previously established grade policy or has violated a departmental or institutional policy. The Division Dean and the Vice President for Academic Affairs have the authority to order the reinstatement of a student into a technical or allied health program.

15. In the event that the student involved in the alleged grievance should seek to appeal the decision and/or recommendation of the Student-Faculty Relations Committee or the Dean, the written appeal shall be addressed to the Vice President for Academic Affairs. An appeal of the final disposition of the grievance shall be considered only if it addresses one or more of the following criteria:
    a. An allegation that the student was denied due process during the previous stages of appeal. If the Vice President determines that due process was denied the grievance shall be returned to the level at which due process was not granted, at which time it shall be afforded appropriate consideration. If the grievance cannot be resolved in the student's favor at this level the student has the right to repeat the appellate procedures through the Student/Faculty Relations Committee, if necessary.
    b. A grievance concerning the denial of a right guaranteed under state or federal law or the Texas State University System Rules and Regulations.

16. In matters of appeal regarding the denial of a right guaranteed under law or System policy, the Vice President for Academic Affairs shall notify the Dean of Student Services regarding an alleged grievance based on a prohibited action. The Dean of Student Services shall inform the person who presented the alleged

grievance, the major Department Chair, the Division Dean, the Vice President for Academic Affairs, and the President of the final decision and disposition of the appeal.

17. Additional appeal procedures are provided to Lamar-Port Arthur students in the following areas:
    a. Academic Dishonesty/Student Conduct/Lamar-Port Arthur Discipline Code
    b. Traffic and Parking Regulations
    c. Racial Harassment
    d. Sexual Harassment

Class Attendance And Absences

Regular and punctual class attendance is important to the attainment of the educational objectives of the college. Instructors formulate an attendance policy consistent with departmental policies, but suited to the needs of the particular course. The instructor's policy is to be enforced in a consistent and uniform manner. However, determination of whether an absence is excused or approved is the responsibility of the instructor, except in the case of an approved absence for a college-sponsored activity or religious holy day. When absences, other than approved absences, interfere seriously with the student's performance, the instructor may recommended to the Department Chair that the student be dropped from the course.

A list of absences, approved because of college-sponsored activities, is maintained in the office of the approving Dean. A list of absences approved by the Vice President of Academic Affairs because of college-sponsored extra-curricular activities is maintained in the Office of Student Services. Absences also may be approved by the instructor. Approved absences call for the privilege to make up examinations and written assignments without penalty. This privilege does not necessarily extend to unapproved absences. Students may request the Office of Student Services to notify faculty members prior to or during an EXTENDED absence due to personal or family illness, accident, hospitalization, etc. This notification does not constitute an excused absence from class; however, it does advise the instructor as to the reason the student is absent and of the expected date of return to class.

Students with absences approved for college-sponsored activities should present a properly completed Excused Absence Form to their instructors. Such forms, signed by the approving administrator, should be presented to the instructor prior to the absence, if possible (if this is not possible, the form should be presented immediately upon returning to class).

CAMPUS LIFE

Eligibility For Extracurricular Activities

An extracurricular activity is understood to be any activity representing the student body, a student organization, any department or division organization, or any general activity representing the College.

Any student not on disciplinary or scholastic probation, who is officially registered, is eligible to become a candidate and/or to hold student office, or to represent the College in any extracurricular activity provided such student has a grade point average of at least 2.0 for both the total of college work completed at Lamar and that of the preceding semester. For the purpose of establishing eligibility, two six-week summer terms may count as one semester.

Food Sales On Campus

All food sales will be limited to college-approved groups and will be subject to the following regulations:

1. All food date events must be approved by the faculty/staff advisor and the president of the organization.
    - An "Event Approval Form" must be submitted to the Director of Student Activities and be approved by the Dean of Student Services at least two (2) weeks in advance of the event.

2. Food events must meet the city and state regulations on preparation and sale of food.
    a. All organizations must maintain a valid health permit issued from the City of Port Arthur.

    b. All items to be sold must be individually wrapped.

    c. All items must be handled in a manner to protect them from contamination.

Gambling

Gambling is prohibited in the State of Texas as defined by the Texas Penal Code, Section 47.01. Students and visitors of Lamar State College are prohibited from participating in any form of gambling on College-owned or College-controlled property.

1. Definition
    a. A person commits a gambling offense if he/she:

        i. Makes a bet on the partial or final results of a game or contest or on the performance of a participant in a game or contest.

        ii. Makes a bet on the result of any political nomination, appointment, or election, or on the degree of success of any nominee, appointee, or candidate.

        iii. Plays and bets for money on other things of value at any game played with cards, dice, or balls.

b. “Lotteries” are also gambling and are defined as any scheme or procedure whereby one or more prizes are distributed by chance among persons who have paid for promised consideration for a chance to win anything of value, whether such scheme or procedure is called a pool, raffle, gift, gift enterprise, sales, policy game, or some other name.

2. Legal Consideration
   a. Under the state penal code, offenses range from Class C misdemeanor to a felony of the third degree depending on the severity of the violation.

   b. Gambling is a violation of College regulations as defined in the “College Student Conduct Code” and other College literature and therefore subjects a student to disciplinary action by the College.

Off-Campus Events

Lamar State College-Port Arthur recognizes the right of college-affiliated groups and organizations to sponsor and hold off-campus events. The college assumes no responsibility for the conduct of participants nor for the financial and/or contractual obligations associated with off-campus events; however, the College does hold each group/organization and its officers responsible for abiding by all state and local laws and college policies.

Sponsoring groups or organizations and their officers are responsible for conducting off-campus events in a manner that reflects favorable upon themselves and the College, and for arrangements for adequate safeguards at these events.

Sponsoring groups or organizations and their officers are responsible for fulfilling all financial and contractual obligations entered into in conjunction with off-campus events.

Violations of law, unacceptable conduct, and /or failure to meet financial or contractual responsibilities may subject a group or organization to disciplinary action by the college.

Off-Campus Speakers

The freedom of speech and assembly guaranteed by the first and fourteenth amendments to the United States Constitution shall be enjoyed by the students of Lamar State College-Port Arthur in respect to the opportunity to hear off-campus (outside) speakers on the campus. Free discussion of subjects of either controversial or noncontroversial nature shall not be curtailed.

Since, however, there is no absolute right to assemble or to make or hear a speech at any time or place regardless of the circumstances, context of speech, purpose of assembly, or probable consequences of such meeting or speeches by outside speaker(s), the issuance of invitations to outside speaker(s) shall therefore be limited in the following ways:

1. Outside or off-campus speakers are not permitted to speak on campus unless specifically invited to do so by a recognized College group or organization.

2. A person who has been convicted of a felony must be granted special approval by the Dean of Student Services to speak before a campus or group/organization.

3. No contract or formal commitment between any recognized group/organization and an outside speaker can be issued to an outside speaker without prior written approval by the Dean of Student Services. Requests may be obtained from the Director of Student Activities Office or go to the link on the Lamar-Port Arthur webpage at http://www.lamarpa.edu/Lamar/media/Lamar/Files/SPEAKER-REQUEST-FORM.pdf

4. A "Speaker Request" form, signed by the student organization advisor must be turned in to the Director of Student Activities at least one week in advance of the speaking engagement. Publicity regarding the event should not be done prior to approval, and will not be approved for posting on campus prior to approval.

5. The Dean of Student Services may, at his/her discretion, require that the meeting be chaired by a member of the administration or faculty, and may further require a statement to be made at the meeting that the views presented are not necessarily those of the institution or of the sponsoring group. By acceptance of the invitation to speak, the speaker shall assume full responsibility for any violation of the law committed by him/her while on campus.

6. The College reserves the right to assign facilities for all activities on campus.

7. A request made by a group/organization may be denied for failure to comply with the policy or if it is determined that the proposed speech will constitute a clear and present danger to the institutions orderly operation by the speaker's advocacy of such action as:

    a. The violent overthrow of the government of the United States, the State of Texas, or any political subdivision thereof; or,

    b. The willful damage or destruction, or seizure and subversion, of the institution's buildings or other property; or,

    c. The forcible disruption or impairment of, or interference with the institutions regularly scheduled classes, or educational or service functions; or,

    d. The physical harm, coercion, intimidation, or other invasion of legal rights, of the institution's officials, faculty, staff, or students; or,

    e. Other campus disorders of a violent nature.

In determining the existence of a clear and present danger, all relevant factors will be considered, including whether such speaker has incited violence resulting in bodily harm to individuals and/or in the destruction of property or has willfully caused the forcible disruption of institutions. Consideration may also be given the climate of the campus in making a determination of probability of advocacy prompting a group or individual to action.

8. If an organization's request for an outside speaker is denied, the organization shall, upon written application to the President, obtain a hearing at the earliest possible time following the filing of its appeal. The President shall either concur or reverse the decision of the Dean of Student Services.

Social Events

All social events of college groups or organizations are subject to the following regulations:

A. General Policy Statements

1) For the purpose of this policy, “groups or organizations” shall be defined as those approved and registered in the Office of the Dean of Student Services and the Office of Student Activities.

2) For the purpose of this policy, “social events” shall be interpreted as dances, mixers, receptions, and banquets. Business and/or routine meetings are not considered social events unless such meetings in fact become so, as a result of the activity itself.

3) It is the responsibility of the officer(s) of an organization and/or leader(s) of a group to inform the faculty/staff advisor of organizational/group social events; one of the functions of an advisor is to advise the leadership and/or members of an organization/group of the acceptability of a planned course of action; the final responsibility, however, for an acceptable social function and the conduct of those attending an events rests with the group/organization, with the individual officers of the organization, and ultimately with the individual members and their guests.

4) Groups or organizations hosting dances or major social events must provide adequate security service at their own expense. It is the responsibility of the officers of the organization to advise the Campus Security or police officer(s) of their responsibilities and of special regulations which they are expected to enforce.

   a) A minimum of two officers are required for all dances/mixer-type events. If fewer than 200 are in attendance during the first hour of the dance or event, one officer may be dismissed; the sponsoring organization, however, must pay the dismissed officer the minimal “show up” fee.

   b) The Dean of Student Services is authorized to make adjustments to police/security requirements as contained in Section 4i above. All adjustments shall be communicated in writing to the officer and to the advisor and/or officers of the sponsoring organization.

   c) Organizational/group leaders and/or officers should report to an event thirty minutes prior to its beginning and remain thirty minutes after the end of the event.

   d) When a dance or event is held in any college facility or outdoors, the security/police policies governing events in that facility are to be enforced.

5) Dancer/mixer-type events are subject to the following regulations:

   a) Admission is by identification card and is restricted to members of the Lamar State College-Port Arthur community.

b) Admission may be permitted to non-Lamar State College community persons under the following conditions:
   1. a guest, eighteen (18) years of age or older, of a Lamar State College-Port Arthur community member or

   2. one who presents an invitation/bid ticket from the group/organization sponsoring the function.

6) It is the responsibility of the sponsoring organization and its officers to see that the social event is in compliance with College regulations. Failure to enforce College rules and regulations subjects the sponsoring organization/group to disciplinary action by the College.

7) Hours of social events:
   a) Sunday through Thursday—Events must end by midnight.
   b) Friday through Saturday—Events must end by 2 a.m.

B. Procedure for Use of Campus Facilities
   1) A "Room Request" and/or "Event Approval" form must be signed by the groups' or organizations' faculty/staff advisor(s) or their faculty/staff designate.

   2) When a campus facility is to be used that requires a special set up, the "Room Request" and/or "Event Approval" form must be submitted at least one week in advance to the Director of Student Activities.

   3) If security is needed, contact the Office of Student Services at 409-984-6157.

C. Violations

   See "Student Conduct".

Social Events With Alcohol

All social events where alcoholic beverages are to be served are subject to the following regulations in additional to the above:

A. Facility Reservations
   1) Use of college facilities where alcoholic beverages are to be served or consumed will be granted only to groups or organizations which have the prior written approval of the appropriate building coordinator and the Dean of Student Services.

   2) An "Event Approval" form must be signed by the organization president and the college advisor for the organization and turned into the Director of Student Activities; a reservation requested by a college-related organization must be signed by an appropriate official of the group.

   3) Reservations for use of the Student Center building are made in the Office of the Dean of Student Services on the third floor of the Student Center building (409-984-6157). Requests for use of the Sam and Linda Monroe Performing Arts Theater are made in the office of the Director of

Theater (409-984-6351). Requests for the use of the Music Hall are made in the office of the Chair of Music Department (409-984-6520). Requests for the Carl Parker Center and all other campus buildings are made in the office of the Parker Center Coordinator (409-984-6291).

4) Reservation forms must be submitted to the appropriate office at least one week prior to the scheduled event.

B. Stipulations regarding time and place

1) Alcoholic beverages may be served Monday-Thursday, 5 p.m. until midnight; Friday- Saturday, 5 p.m. until 2 a.m. Sunday, noon until midnight. Ordinarily facilities are unavailable during holiday periods. Beverage and bartender service will be discontinued thirty minutes prior to the scheduled ending time of an event.

2) No alcohol may be served, possessed or consumed in or near an area used for classroom instruction while classes are being held in such an area.

3) Alcoholic beverages may be served in the following approved areas: Student Center building 4th floor meeting room, Gates Library, Vuylsteke Home, and Lamar Theater.

4) Alcoholic beverages are restricted to the specific area designated on the reservation form.

C. Food Service

1) Food must be served at all events with alcoholic beverages. Arrangements for food should be made in advance. When alcoholic beverages are served, each group/organization is responsible for providing the alcoholic beverages in advance of the event. Time and place of delivery and pick-up will be designated by the building coordinator at the time the reservation is made. Alcoholic beverages must be delivered in bulk form by a representative of a sponsoring organization. Individual members or guests may not individually bring alcoholic beverages to a social function.

2) An admission fee cannot be charged at an event where alcohol is served unless an alcohol sales license has been provided for and permission has been given by appropriate college officials. The Dean of Student Services must have prior notification.

D. Responsibilities

1) The president of the organization is responsible for the delivery/pick-up of the bulk quantities of alcohol to the building coordinator or the president's designate.

2) Signatures indicate full acceptance of responsibility for the organization's use of the facilities and compliance with state regulations regarding the consumption and distribution of alcohol.

3) A minimum of two police officers are required at all dances/mixer-type events where alcohol is served or where the building coordinator, advisor, or Dean of Student Services deems necessary.

4) All adjustments to these regulations shall be communicated in writing to the advisor and/or officers of the sponsoring group or organization and have prior approval of the Dean of Student Services.

5) The group or organization reserving a facility is responsible for any charges for damages and clean-up which result from an organization's function.

6) Any violation of these policies will be referred to the Dean of Student Services for disciplinary action. Violations may result in denial of the use of facilities and/or disciplinary action.

E. Legal Considerations

1) No state funds may be used to purchase alcoholic beverages or services connected with use of alcoholic beverages.

2) When alcoholic beverages are served, a fee may not be charged for the event except when provided for by license.

3) If alcoholic beverages are served or made available to minor(s), the one serving or the group providing the beverage is liable to a Class A misdemeanor punishable by a fine up to $4,000, and/or confinement up to a year in jail.

The Dean of Student Services or designate has the prerogative of making adjustments in these policies in the best interest of the College.

Solicitation

Solicitation is selling, advertising, or obtaining contributions on campus through personal, telephone, and/or mail contact. Uncontrolled solicitation is not allowed. Any campus solicitation by private businesses or by students or student organizations acting as an agent of private business may be permitted by subject to approval of the Dean of Student Services. Solicitors must register their request with the office of the Dean of Student Services and upon approval will be issued a solicitation permit.

At the discretion of the Dean of Student Services or designate, an "Itinerant Vendor's Permit" from the City of Port Arthur may be requested before a solicitation permit is issued.

Procedure

All applications must be filed in the office of the Dean of Student Services at least one week prior to the requested date(s) of solicitation. All applications will be reviewed, and applicants will be notified of the approval or disapproval within three business days after the application has been filed.

Solicitors may be held liable for any false advertising and fraudulent and/or illegal conduct as it relates to the sale of their merchandise.

DISCIPLINE

College Discipline Code

Student discipline at Lamar State College-Port Arthur is based on an educational philosophy of helping students grow and mature into responsible citizens. When a student behaves in a manner which might require disciplinary action, a careful investigation of all facts is made and the student afforded every opportunity to assist in arriving at just and equitable decisions. A counseling conference with parents and/or instructors, conferences with peer groups, and other techniques as may seem appropriate may be employed in making discipline an educational experience.

Violations of the Law

By enrolling in a college, the individual gives up neither their rights nor their responsibilities as a citizen. Neither does the student acquire any sort of special status which exempts them from the requirement of all citizens to obey the laws of the land. In fact, students place themselves in a position of also accepting the rules and regulations of the college in which they elect to enroll. Such rules and regulations as may be adopted by the college are for the benefit of an orderly academic community. There can be no conflict between college rules and regulations and law. A student who violates a law and at the same time is in violation of college rules and regulations may expect to be dealt with by both civil authority and the institution since each has its own jurisdiction and responsibilities.

Delineation of Responsibilities

1. By delegation of the President of the College, the Dean of Student Services is designated as the official who has primary responsibility for student conduct and discipline. This delegation does not exclude members of the teaching faculty and staff from assisting in the promotion and promulgation of acceptable student conduct, not only as interpreters of policy but also as examples of responsible college and community citizenship

2. The chief college officer charged with responsibility for the cases of students conduct is the Dean of Student Services who is assisted by the Director of Student Activities in student conduct and disciplinary proceedings.

3. The campus Student/Faculty Relations Committee has authority for the disposition of cases involving infractions or breaches of conduct and violation of law which may properly come before it. The committee shall serve as an appellate body of the institution and shall convene when its deliberation may be required. When convened, the committee shall consist of up to seven (7) faculty members and three (3) student members. *Refer to the Faculty Handbook for more information.*

4. The Dean of Student Services may delegate jurisdiction to appropriate student judicial bodies. Judicial bodies recognized as having jurisdiction in disciplinary action proceedings are:
    a. Student Supreme Court
    b. Student Traffic Court, and
    c. Departmental or committee

Discretionary Review

The Dean of Student Services, The President or the Board of Regents may on their initiative review any disciplinary case, then upon such review may approve, reject, or modify the lower decision, or may remand the decision to the hearing for presentation of additional evidence and reconsideration of the decision.

Student Rights and Responsibilities

Upon enrolling at Lamar State College-Port Arthur, the student neither loses the right, nor escapes the duties and responsibilities of a citizen. As benefactor of great opportunities, partially at the expense of the State of Texas, students-citizens have a responsibility to themselves, to fellow students, to the laws of the land, and to the institution in which by choice, they have enrolled. The college holds the rights and responsibilities of students to include

1. Rights
    a. The right to expect an education of the highest quality,

    b. The right to develop their potential to the best of their abilities,

    c. The right to inquire about and to recommend improvement in policies, regulations, and procedures affecting the welfare of students. This right is best exercised through the use of appropriate channels provided by Student Government and college officials and

    d. The right to counsel, a fair hearing, and appeal when a disciplinary action is applied individually or as a group member.

2. Responsibilities
    a. The responsibility to be fully acquainted with regulations published in the official college publications and to comply with them in the interest of an orderly and productive academic community,

    b. The responsibility of knowing that a student's conduct reflects not only upon the student, but also upon the institution and its citizenry,

    c. The responsibility to follow tenets of common decency and behavior expected of any citizen in a democratic society, particularly in view of the aspirations implied by a college education,

    d. The responsibility to respect the rights and property of others and

    e. The responsibility to accept full responsibility for the consequences of any action which might be detrimental to the student, to the institution and its students, and to society at large.

Student's Right to Challenge Impartiality

The accused student may challenge the impartiality of the Hearing Officer of a member of the Hearing Committee at any time prior to the introduction of any evidence. The Hearing Officer or member of the Committee shall by the sole judge of whether they can serve with fairness and objectivity. In the event the challenged Hearing Officer or member of the Hearing Committee chooses not to serve, a substitute will be chosen in accordance with procedures adopted by the College.

Breaches of Conduct

Listed below are some examples of behavior that are unacceptable and not in keeping with the educational aims, purposes, and philosophy of the college and which subject student(s) to disciplinary action:

Breaches of Conduct

a) Commission of an act which would constitute an offense under appropriate federal, state, or municipal law.

b) Violation of any Regent's rule, regulation, or order of College policy, rule, or regulation.

c) Failure to comply with the direction of a College official acting in the performance of his or her duties.

d) Giving false testimony or other evidence at a campus disciplinary or other administrative proceeding.

e) Failure to meet financial obligations to the College.

f) Unauthorized throwing of any objects in or from College facilities.

g) Misuse of fire or other life-safety equipment on College property.

h) Unauthorized use of possession of ammunition, firearms, or other illegal weapons on College community or of visitors on the campus.

i) Stealing, destroying, defacing, damaging, or misuse of College property or property belonging to another.

j) Possession of or making use of College keys for unauthorized purposes.

k) Engaging in hazing or voluntarily submitting to hazing.

l) Using, without authorization according to the College policy, intoxicating beverages in a classroom building, laboratory, auditorium, library building, or faculty or administrative office, residence hall or apartment, intercollegiate and intramural athletic facility, or any other public campus area, or being intoxicated in any public area of the campus.

m) Gambling in any form on College property.

n) Illegal possession, use, sale, or distribution of any quantity, whether usable or not, of any drug, narcotic, or controlled substance.

o) Advocating or recommending either orally or in writing, the conscious and deliberate violation of any federal, state, or local law. Advocacy means addressing an individual or group from imminent action and stealing it to such action as opposed to the abstract espousal of the moral propriety of a course of action.

p) Forgery, alteration, or misuse of College documents, forms, records, or identifications cards.

q) Any attempt to commit these prohibited acts.

r) An initiation by an organization which includes any dangerous, harmful, or degrading act to a student. Violation of this prohibition renders the students involved and the organization subject to discipline

s) Violation of any rule or regulation governing residential living in College-owned facilities or breach of a residential living contract.

t) Unauthorized possession, ignition, or detonation of any explosive device, fireworks, liquid, or object which is flammable or which could cause damage by fire or explosion to person or property on College property.

u) Unauthorized entry into or use of College building, facilities, equipment or resources.

v) Failure to heed an official summons to the office of an administrative officer within the designated time.

w) Failure to maintain a current official mailing address in the Registrar's office or giving false or fictitious address to such office.

x) False alarm or report where the person knowingly initiates, communicates, or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that is known is false or baseless and that would ordinarily cause action by an official or volunteer agency organized to deal with emergencies; place a person in fear of imminent serious bodily injury; or prevent or interrupt the occupation of a building, room or aircraft, automobile, or other mode of conveyance.

y) Harassment where the individual intentionally threatens, in person, by telephone, in writing, or by other means, to take unlawful action against any person and by this action intentionally, knowingly, or recklessly annoys or alarms the recipient or intends to annoy or alarm the recipient.

z) Issuance of a check without sufficient funds.

aa) Academic dishonesty (see section of this Handbook dealing with Academic Dishonest).

bb) Campus disruptive activities (see section of this Handbook dealing with College Prohibiting Disruptive Activities).

cc) Disorderly conduct on College-owned or controlled property or at a College-sponsored or supervised function which inhibits or interferes with the educational responsibility of the college community or the college's social-educational activities shall include but not limited to: using abusive, indecent, profane, or vulgar language; making offensive gestures or displays, which tend to incite a breach of the peace; penetrating fights, assaults, abuse, or threats; or evincing some obviously offensive manner, or committing an act, that causes a person to feel threatened.

dd) Using authority granted state law, by system rule, or by college policy, to deprive any person of his or her civil rights.

ee) Violation of College policy relating to electronic network facilities such as local area networks and the Internet.

College Policy Prohibiting Disruptive Activities

The College reserves the right to take disciplinary action against individual students and/or groups who are involved in disruptive activities. Such disciplinary action may be taken independently of state or local prosecution and the penalties provided in Section 4.30, Texas Education code which provides:

A. No person or group of persons acting in concert may willfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any private or public school or institution of higher education or public vocational and technical school or institute.

B. For the purposes of this section, disruptive activity means:
   1) Obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school;

   2) Seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity;

   3) Preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the school administration;

   4) Disrupting by force or violence or the threat of force or violence a lawful assembly in progress; or

   5) Obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization

of the administration of the school.

C. For the purpose of this section, a lawful assembly is disrupted when any person in attendance is rendered incapable of participation in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

D. A person who violates any provision of this section, is guilty of a misdemeanor and upon conviction is punishable by a fine not to exceed $200.00 or by confinement in jail for not less than 10 days nor more than 6 months, or both.

E. Any person who is convicted the third time of violating this section shall not thereafter be eligible to attend any school, college or university receiving funds from the State of Texas for a period of two years from such third conviction.

F. Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitutions of the United States or the State of Texas.

Group Offenses

A. Student societies, clubs, living groups, and other student organizations are responsible for conducting their affairs in a manner that reflects favorably upon themselves and the College. Such responsibilities include:

1) Compliance with college regulations,

2) Taking reasonable steps, as a group, to prevent violations of law or college regulations by its members and

3) A willingness to deal individually with those members of the group whose behavior reflects unfavorably upon the group or upon the College.

B. Failure to accept the responsibilities of group membership may subject the organization to permanent or temporary withdrawal or college recognition and/or support, social probation, denial of use of college facilities, or other appropriate action.

C. The Dean of Student Services or designate has responsibility for initiating the expediting disciplinary action in any group offense case.

In order to ensure the safety of persons and property and to prevent any disruption of the educational and service functions of the college, all assemblies, demonstrations, marches, rallies, sit-ins, or other events on the campus must be registered with the Dean of Student Services.

Sponsoring groups or organizations and their officers or spokesmen will be responsible for the conduct of such events, including arrangements for adequate safeguards. in the case of individual students not acting in the name of the organization, the student(s) registering and/or organizing the event will be held as primarily responsible for the activities of the event and for the behavior of participants. Additionally, individual students will bear responsibility for their own behavior. Failure to register for such events will result in disciplinary action hearings.

Judicial Procedures

A. Violations of law and of the standards of student conduct may be reported to the Office of Student Services for consideration and referral. This does not preclude direct referral of such matters to appropriate disciplinary agencies by faculty and students.

B. The college distinguishes its responsibility for student conduct which is in violation of law as cases of separate jurisdiction. When a student or group of students stand in violation of law, they may be subject to college disciplinary action.

C. The Office of Student Services shall insure that the best interests of any offending students are served by making use of appropriate college counseling and professional services and judicial agencies.

D. In those cases of student conduct involving psychological or mental disturbance or other unusual circumstances, the Office of Student Services may take action other than the initiation of judicial proceedings.

E. If information indicates that an offense has occurred, the following procedures shall be initiated:
    1. An official of the Office of Student Services will conduct an investigation of the alleged offense and ascertain all pertinent facts. In the course of the investigation, the student shall be advised of the purpose of the investigation and invited to assist in its resolution. Students will be afforded an opportunity to state their case informally or present information in support of their position, including mitigating circumstances.

    2. If it is determined that original jurisdiction should rests with other judicial bodies, the college official may refer the case directly to the proper agency for investigation.

    3. If the college official determines that disciplinary action should be taken, the student shall be advised in writing of the charges against him and afforded the opportunity to offer information that might be relevant to the necessity for, and extent of, disciplinary action.

Disciplinary Actions

The following disciplinary actions may be imposed by the College:

A. Permanent expulsion from the College,

B. Suspension from the College for a definite period of time. Students under disciplinary suspension are required to disassociate themselves from the college except for counseling appointments.

C. Disciplinary probation with or without loss of designated privileges for a specific period of time. Violation of terms of disciplinary probation or any college rule during the period of such probation subjects a student to suspension and/or

D. Loss of privileges:

1) Denial of the use of automobile on campus for a designated time.

2) Removal from elective or appointive office.

3) Removal from residence hall or other college housing.

4) Loss of such other privileges as may be consistent with the offense committed and the rehabilitation of the student.

E. Written admonition and warning

F. Notification of parents.

G. Such other actions as may be approved officers with the Division of Student Services.

Appeal Procedures

The student shall have the right to appeal and to be represented by counsel at the appeal hearing.

A. The Student/Faculty Relations Committee shall serve as the appellate body to hear appeals from the college judicial agencies.

1. If the student wishes to appeal, a student may do so within five (5) days from the date of disciplinary action by notifying the Dean of Student Services of their intention to appeal.

2. The Student/Faculty Relations Committee shall meet as soon as practical to consider an appeal. Ordinarily, consideration shall be limited to review of the initial hearing and decision.

3. The Student/Faculty Relations Committee may
   a. Affirm the action,

   b. Reduce or modify the action,

   c. Dismiss the charges if determination is made that action was taken on grounds not supported by substantial evidence and/or

   d. Return case to original judicial agency for further consideration

4. The appellate decision of the Student/Faculty Relations Committee shall be final. However, the student may appeal the decision of the committee to the Dean of Student Services:
   a. A question concerning procedural due process and/or

   b. A desire on the part of the student to introduce new information

   c. A case heard initially by the Student/Faculty Relations committee as a matter of original jurisdiction may be appealed to the Dean of Student Services, whose decision is final.

Disciplinary Records

All records pertaining to disciplinary cases are maintained by the Student Services office. They are periodically reviewed and destroyed when it is evident that they are no longer relevant.

Except in cases of expulsion, records of disciplinary actions are never permanently attached to official transcripts or other official documents attesting to the academic work of the student. Any transcript issued during a period of temporary suspension will carry the notation. “Disciplinary Suspension until. . .” This notation is removed at the end of the suspension period. Notations of disciplinary probation are not attached to transcripts.

COPYRIGHT POLICY

A. Purpose and Scope.

The purpose of the Lamar State College-Port Arthur copyright policy is to outline the respective rights of the institution and the member of its faculty, staff, and student body have in copyrightable materials created by them while affiliated with LSC-PA.

B. General Policy Statement.

Copyright is the ownership and control of the intellectual property in original works of authorship that is subject to copyright law. It is the policy of Lamar-Port Arthur that all rights in copyright shall remain with the creator of the work except as otherwise provided in Section X.C of the Faculty Handbook.

C. Ownership of Copyright.

Lamar-Port Arthur has developed the following policy regarding the ownership of copyrighted materials.

1. The Texas State University System and Lamar-Port Arthur claim no ownership of fiction, popular nonfiction, poetry, music compositions or other works of artistic imagination that are not institutional works. For other materials that are totally faculty generated with no college equipment or aid other than that routinely used by faculty in duties associated with teaching, the faculty member holds the copyright and complete intellectual property rights.

2. If the work is contracted in writing by the college of the employee on a work for hire basis, the college then owns the copyright and all benefits of the materials.

3. Copyright of materials (including software) that are developed with the significant use of funds, space, equipment, or facilities administered by the college, including but not limited to classroom and laboratory materials, but without any obligation by the college to others in connection with the support, shall be held by the college.

4. For the purpose of this policy, the provision of office or library space alone shall not be construed as constituting a significant use of funds, substantial resources, space, equipment, or facilities, except in those situations where the office or library facilities were provided specifically to support the development of the materials in question. Substantial resources shall include, but shall not be limited to, the purchase of new technology software or equipment not normally needed for the employee's duties, and/or a substantial monetary award explicitly for the creation of the work.

5. Copyright ownership of all materials (including software) developed in the course of or pursuant to a sponsored research or support agreement (i.e., an agreement which provides funds, space, equipment, or facilities for research purposes), shall be determined in accordance with the terms of such agreement, or, in the absence of such terms, the copyright shall be

held by the college. The agreement may grant an employee a non-exclusive educational license allowing the employee to share royalties from third parties using the materials.

D. Ownership of Copyright Mediated Courseware.

1. Mediated courseware includes, but is not necessarily limited to, instructional material delivered over the Internet, synchronous or asynchronous video or audio courses, components of courses, or instructional support materials.

2. Copyright of mediated courseware developed without specific direction of significant support of Lamar State College-Port Arthur shall remain with the employee. No royalty, rent, or other consideration shall be paid to the employee or former employee when that mediated courseware or a modification thereof is used for instruction by the college. The employee or former employee shall take no action that limits the college's right to use the instructional materials and shall provide written notice on the courseware itself of the institution's right of use. See Chapter V, Paragraph 4.76 of the System Rules and Regulations and Section III of the Faculty Handbook for policies on noncompetitive use of employee-owned, mediated courseware.

3. Copyright of mediated courseware developed at the specific direction or with the substantial resources of the college shall be jointly held by the college and the employee, unless otherwise specified at the time commissioning of the work, and shall not be used without written consent of the college. The college shall have the right to modify the courseware and decide who will utilize it in instruction. Royalties or revenues generated from the licensing of such mediated courseware may be jointly shared with the employee as noted in Section III, Paragraph 11 of the System Rules and Regulations.

4. For the purpose of this policy, the provision of an office or library facilities alone shall not be construed as constituting substantial resources, space, equipment, or facilities, unless they were provided specifically to support the development of the material in question.

E. Distribution of Copyright Royalties

1. Creators of copyrightable material not owned by Lamar State College-Port Arthur, or to which the college has relinquished any ownership claim, own the copyrights in their work and are free to publish them, register the copyright, and receive any revenues which may result therefrom.

2. Royalty income received by Lamar-Port Arthur through the sale, licensing, leasing, or use of copyrightable material in which the college has a property interest will normally be shared with the author and the institution.

a. The net royalties or other net income received by the college will, in most cases, be distributed under a formula of 50 percent to the author and 50 percent to the institution.

b. Any distribution which grants the author more than 50 percent of net royalties requires the approval of the Board of Regents.

c. In the event of multiple authors, the proper distribution of the 50 percent author's share shall be determined by the President, as appropriate.

d. Disposition of the 50 percent dedicated to the institution is within the President's discretion.

3. In the event that an author contributes a personal work to the college, a written agreement accepting such contribution shall be executed. The terms of the agreement shall include a statement governing the division of royalties between the institution and the author.

4. In cases of external funding, the terms of the funding agreement shall govern the division of any royalties that may result in commercialization of materials resulting therefrom. In the event that the funding agreement vests royalty rights in Lamar-Port Arthur, the author shall be entitled to the same proportionate share he or she would have received if the work had not been extramurally funded. Such a royalty payment to the author, however, may not violate the terms of the funding agreement. Such share shall be a proportion of whatever share is owned by the college under the terms of the funding agreement and this policy.

F. Revision of Materials.

Materials owned by the college under the terms of this policy shall not be altered or revised without providing the author a reasonable opportunity to assume the responsibility for the revision. If the author declines the opportunity to revise such material, the President will make the assignment of responsibility for the revision.

G. Withdrawal of Materials.

Materials owned by the college shall be withdrawn from use when the college, in consultation with the author, deems such use to be obsolete or inappropriate.

H. Student Work

A student shall retain all rights to work created as part of a class or using college technology resources.

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