STUDENT DISCIPLINARY ACTION

I. PURPOSE

Defines behavior that is subject to disciplinary action by the college; describes the procedures and processes for initial adjudication of alleged instances of student violations of approved college policy, rules, regulations, and standards; and delineates a Statement of Individual Rights, reproduced below.

The disciplinary procedure outlined herein is not explicitly designed for application to student behavior as part of academic performance in the classroom, laboratory, or similar educational settings. Student performance in the classroom or in the performance of academic work is a matter of concern of the faculty who are responsible for determining standards of acceptable behavior in their classrooms and similar settings.

II. LEGAL REFERENCE


III. DEFINITIONS

A. Vice President of Student Services (VPSS): the college administrator bearing this title or the college officer directly responsible for student affairs.

B. Student: a person who is currently enrolled in, or who has been accepted for admission or readmission to, any component or program of the college and at any location at which the college offers its programs or activities.

C. Campus: all real property over which the college has possession or control.

D. Official Identification: current Texas Driver License, current WCJC College issued identification, or current Texas Identification card.

E. Plagiarism: appropriating, buying, receiving as a gift, or obtaining by any means another's work and the unacknowledged submission or incorporation of it in one's own submitted work.

F. Collusion: unauthorized collaboration with another person in preparing written work for fulfillment of course or other academic requirements.

IV. POLICY

A. The college recognizes the necessity of establishing guidelines for conduct to insure the protection of rights for the individual and for the college as an educational institution. In addition to other formal rules and regulations, the following statements adopted by the college apply to all individuals of the college community, as well as its guests.
B. **Statement of Individual Rights:** The following rights of all members of the college community shall remain inviolable:

1. To learn, teach, study, and search for truth without interference or harassment.

2. To move about the campus and in campus buildings freely and without interference or harassment.

3. To express opinions freely and without interference, individually or in groups, as long as such expression does not interfere with any other individual rights hereby guaranteed or result in damage to property.

4. To be treated at all times with courtesy and respect, regardless of ethnic origin, cultural background, sex, creed or ideology, as long as one displays regard for the rights of others as provided in this statement of individual rights.

C. In enforcement of this regulation, care shall be exercised to avoid inhibiting the right of free speech guaranteed by the statement of individual rights above.

D. The college shall publish a list of unacceptable behaviors, practices and conduct. Actions in violation of this list shall be cause for imposing disciplinary measures. Each student shall be charged with notice and knowledge of the contents and provisions of rules and regulations concerning student conduct.

(POLICY APPROVAL: 4-19-95, Board of Trustees, amended 8-19-14)

V. **GUIDELINES**

A. Provisions of this regulation apply to student behavior on campus and at all college sponsored and college approved activities and events.

B. All students shall obey the law, show respect for College administration, faculty, staff and employees, and shall observe correct standards of conduct. In addition to activities prohibited by law and/or other College policies or regulations, the following types of behavior shall be prohibited and subject to disciplinary action, including but not limited to, possible dismissal from WCJC dormitories and/or the college:

1. Gambling, dishonesty, or the use of alcoholic beverages on campus or at any college sponsored event.

2. The illegal use, possession, and/or sale of a drug or narcotic on campus, as those items are defined by the Texas Controlled Substances Act.

3. Scholastic dishonesty, which shall include, but shall not be limited to, cheating on a test, plagiarism, and collusion. "Cheating on a test," includes, but is not limited to, the following:

   a. Copying from another student's test paper;

   b. Using materials or technology not authorized by the person administering the test;

   c. Collaborating with or seeking aid from another student during a test without permission from the test administrator;
d. Knowingly using, buying, selling, stealing, or soliciting, in whole or in part, the contents of a test;

e. The unauthorized transportation or removal, in whole or in part, of the contents of a test;

f. Substituting for another student, or permitting another student to substitute for oneself, to take a test;

g. Bribing another person to obtain a test or information about a test.

4. Owing a debt to the District or writing an "insufficient funds" check to the College. (Either instance may result in a student's being denied admission or readmission to the college until the debt is paid or the check redeemed.)

5. Violations of the Penal Statutes of Texas or of the United States occurring on college property or in connection with college sponsored or college supervised activities.

6. Possession or use of weapons or firearms on college property without prior written approval from the Vice President of Instruction.

7. Physical assault or threat of physical assault on anyone on college property or at a college event or college-sponsored activity.

8. "Hate messages" including, but not limited to, racial epithets or derogatory remarks attacking or belittling someone's religious beliefs, lifestyle, national origin, physical attributes, etc., whether delivered orally or in writing.

9. Physical obstruction or interference with teaching, research, administration, college activities, or the College's subsidiary responsibilities through “disorderly conduct” or “disruptive behavior.”

10. Initiations by organizations that include any feature that is dangerous, harmful, or degrading to the student. (A violation of this prohibition renders the entire organization, as well as individual participants, subject to appropriate discipline.)

11. Endangering the health or safety of members of the College community or visitors to the campus.

12. Damaging or destroying College property.

13. Forgery, alteration, or misuse of District documents, records, or identification.

14. Theft of property of the District or of a member of the college community or campus visitor.

15. Failure to comply with reasonable directions from college officials acting in the performance of their duties.

16. Disorderly conduct that provokes a disturbance, threatens abuse or assault of another, or is otherwise abusive, indecent, profane, or excessively boisterous.

17. Unauthorized use of College facilities, buildings, or grounds.

18. Failure to possess official identification. (Students are required to produce identification
upon the request of a faculty member, staff member, or security officer.)

19. The presence of the opposite sex in a student's dorm room or other private areas of the residence hall.

20. Sexual Assault as defined in the Texas Penal Code, and pursuant to College Regulation 593.

C. Dorm rooms, motor vehicles, and lockers may be inspected by College personnel if reasonable cause exists.

V. PROCEDURES

A. Reports and Investigation of Alleged Misconduct

1. College faculty and staff shall submit allegations of student misconduct to the VPSS within a reasonable time following an alleged incident, not to exceed ten (10) business days from the date that College faculty and staff knew or should have known that the incident occurred. The allegations must be submitted in writing, through traditional or electronic means, and must describe the violation and any surrounding facts.

2. The VPSS or designee shall investigate the allegations as described in this regulation. If an allegation is deemed to be unfounded upon an initial review, the VPSS or designee shall dismiss the allegation and shall provide the student written notice that the allegation of misconduct was made and that it was dismissed.

3. If, however, the VPSS or designee determines that the allegation warrants further investigation, the VPSS or designee shall schedule a conference with the student within ten (10) business days of the date of receipt of the allegation of misconduct. The VPSS or designee may also interview other parties involved in the complaint.

4. If the VPSS or designee determines that the allegations are unfounded, he or she shall dismiss the allegation and shall provide the student with written notice of the dismissal. If the student is exonerated, the student will be allowed to make up missed class work. Any other outcome results in forfeiture of the right to make up work.

5. If the VPSS or designee determines that the student committed misconduct that warrants a penalty, the VPSS or designee will assess an appropriate penalty, including the following:

a. Reprimand: A verbal or written warning to the student following a rule violation. Repetition of such misconduct may result in more severe disciplinary action.

b. Specific Restrictions: Specific academic, social or behavioral restrictions may be assigned without placing the student on disciplinary probation.

c. Restitution: Assessment of a specific monetary fine or restitution for damage to College District property.

d. Community Service: Assignment of specific work hours or community service.

e. Disciplinary Probation: Placement on disciplinary probation will include notice to the student that any future infraction of the College District’s Student Code
of Conduct, rules, policies or procedures, or violation of the terms of disciplinary probation may result in suspension or expulsion from the College District. Disciplinary probation may be imposed in addition to the penalties described above, including social and behavioral restrictions, restitution for harm caused by the student's misconduct, or specified community service. Disciplinary probation will be for a specified length of time or until stated conditions are met. Failure to fulfill the terms of probation may lead to immediate suspension or expulsion.

f. Suspension: Forced withdrawal from the College District for a definite period of time or until stated conditions have been met. Suspension from the College District prohibits, during the period of suspension, the suspended student from entering any District facility without prior written approval from the VPSS, being initiated into an honorary or service organization, and receiving credit at a component of the College District system for scholastic work completed.

g. Dismissal from College District Programs.

h. Expulsion: Permanent forced withdrawal from the College District. A student receiving disciplinary expulsion shall have the action noted in his or her permanent record.

6. The VPSS shall inform the student in writing of the outcome of the investigation within five (5) business days, including a statement of the decision, brief rationale for the decision, and, if needed, an explanation of necessary conditions for reinstatement. The faculty member involved in the incident, the department head, division chair, and VPI will also receive notice of the disciplinary action.

7. Disciplinary action may be appealed by the student under the provisions of Reg. 664, Appeal of Disciplinary Action.

8. The VPSS is responsible for maintaining files for all disciplinary issues.

B. Conduct Requiring Immediate Action

1. Conduct Constituting a Threat of Harm Self or Others

a. If a faculty or staff member has reason to believe that a student’s conduct may constitute a threat of harm to the student or others, that faculty member or employee must call security immediately to remove student from classroom or area (if the incident occurs outside of the classroom).

b. The faculty or staff member witnessing the conduct shall inform department head, division chair, VPI and VPSS of the incident via email within 24 hours. If campus security is involved, a report shall be generated within 24 hours of the incident.

c. If an infraction is considered to be sufficiently serious, the student may be temporarily removed from Campus upon approval of the College President. The College President shall inform the Board of Trustees.

d. The student shall be referred to the VPSS for investigation in accordance with the procedures outlined in this Regulation.
2. Non-Threatening Disruption
   a. A faculty or staff member may take action to prevent conduct in violation of college policy, rules, regulations, or standards.
   b. First disruption: The faculty or staff member witnessing such conduct may issue the student a verbal warning and/or reprimand, and document the disruption for their own records.
   b. Second/continued disruption (may occur on the same day or a different day): The faculty member or employee witnessing the conduct shall refer the student to the VPSS for investigation in accordance with the procedures outlined in this Regulation. A faculty member witnessing a disruption under this provision may dismiss the student for the remainder of the class period.