

DISCIPLINE AND PENALTIES

FM
(LOCAL)

~~STUDENT
DISCIPLINARY
PROCESS STUDENT
CODE OF CONDUCT~~

~~Detailed information regarding procedures and guidelines related to the student discipline process is provided in Chapters 3-7 of the *Student Code of Conduct*.~~

~~Authorized disciplinary penalties for a violation(s) of the *Student Code of Conduct*, Board policies, laws, Collin College regulations, procedures or administrative rules and/or municipal, local, state or federal laws/regulations may be imposed by an authorized Collin College official, which is generally a representative from the Dean of Student Development Office. The severity of the penalty shall be in relation to the nature and gravity of the violation(s). Subject to additional considerations in rendering a disciplinary decision, Collin College shall administer penalties consistently. A student's record of previous violation(s), the severity of the violation(s), the nature and facts surrounding the violation(s) and other circumstances may factor into the determination of the penalty or penalties.~~

~~Procedures and guidelines related to the student discipline process are found in the *Student Code of Conduct*, Chapter 3.~~

~~INITIATION OF
DISCIPLINARY
PROCEEDINGS INITIAL
RESPONSE~~

~~To initiate disciplinary proceedings, alleged violations of the *Student Code of Conduct* shall be submitted to the Dean of Student Development Office in writing by completing the *Student Incident Report* located on the college's website, within 20 academic calendar days (not including weekends) of the alleged incident. When a violation of the *Student Code of Conduct*, Board policies, Collin College regulations, procedures, or administrative rules; and/or municipal, local, state, or federal laws or regulations is alleged, the dean of student development or designee will review the allegation(s) and initiate an investigation.~~

~~After the initial investigation, the Dean of Student Development Office will either:~~

- ~~1. dismiss the allegation(s);~~
- ~~2. resolve the allegation(s) through other appropriate avenues available at Collin College;~~
- ~~3. proceed administratively through the disciplinary process by notifying the student to schedule a meeting to review the allegation; or~~
- ~~4. issue a temporary immediate suspension pending a formal investigation.~~

~~To initiate disciplinary proceedings, alleged violations of the Student Code of Conduct shall be submitted in writing or via e-mail to the office of the dean of students within 20 academic calendar days (not including weekends) of the alleged incident.~~

~~Upon an alleged violation of rules, regulations, College District procedures, local, state, or federal laws or regulations, the designated dean/director/designee may investigate the matter and may:~~

- ~~1. Dismiss the allegation as being unfounded; or~~
- ~~2. Summon the student for a conference concerning the allegation, and after conferring with the student either dismiss the allegation; or~~
 - ~~a. Proceed administratively through the discipline hearing procedures FMA(LOCAL).~~
 - ~~b. Resolve the allegation through other appropriate avenues available at the College District.~~

~~An authorized College District official may take immediate interim disciplinary action by suspending the student from classes or from campus, or otherwise altering the status of a student, when such action is in the best interests of the College District.~~

**DISCIPLINARY
FILES/RECORDS**

Student referrals due to a violation of the Student Code of Conduct may result in a disciplinary file being created in the name of the accused student. Record(s) relating to violations that result in administrative re-assignment of an academic grade, permanent denial of a Collin College degree, and/or expulsion from Collin College will be retained permanently. Records relating to all disciplinary files, including those concerning investigations that do not result in disciplinary action, will be retained for three (3) years from the end of the academic calendar year of the most recent alleged incident. Records of crimes of violence, (as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. § 1092(f), see the student handbook, Section 6.8 Crime Statistics), or students found responsible of repeated violations of the Student Code of Conduct, Board policies, laws, Collin College regulations, procedures, or administrative rules may be kept longer than three (3) years, if required by law.

Authorized Collin College officials may disseminate student disciplinary information to officials at other schools without prior

consent, in accordance with the requirements of the Family Educational Rights and Privacy Act of 1974 (FERPA).

NOTIFYING A
STUDENT

If the allegation is substantiated, a student shall be notified to appear and provide information to assist in the investigation. *See Student Code of Conduct*, Chapter 3 for additional information regarding procedures for student notification and the initial meeting with the dean of student development or designee.

An authorized Collin College official may place a student on disciplinary probation or determine an appropriate penalty if the student fails, without good cause, to comply with instructions in the notification letter or otherwise fails to attend a scheduled meeting. In addition, an authorized Collin College official may proceed directly through the disciplinary process.

ADMINISTRATIVE
DECISION OF A
VIOLATION

The dean of student development or designee shall use a preponderance of the evidence standard when determining whether or not a violation occurred. The dean of student development or designee may administratively address any alleged violation(s) by:

1. finding the student not responsible of the allegation(s);
2. addressing the case in an informal manner; and/or
3. finding the student responsible of the allegation(s).

If the dean of student development or designee determines the student is found not responsible of the alleged violation(s), the student will not receive an authorized disciplinary penalty from the dean of student development or designee and/or an academic penalty (for scholastic dishonesty cases) from the faculty member. An administrative decision of the dean of student development or designee finding the student is not responsible or addressing the case in an informal manner is final, binding, and non-appealable.

If the dean of student development or designee determines that the alleged violation(s) should be addressed informally, the student will not receive an authorized disciplinary penalty from the dean of student development or designee and/or an academic penalty (for scholastic dishonesty cases) from the faculty member. However, the dean of student development or designee may assign behavioral directives to

support compliance with the Student Code of Conduct. If assigned, the student will be required to comply with all directives specified in the administrative decision letter. In informal cases, a student will be required to sign an acknowledgement form stating that he or she will comply with the Student Code of Conduct for the remainder of his or her tenure with Collin College and the decision of the dean of student development or designee is final, binding, and non-appealable. A student's failure to comply with the directives and/or the acknowledgement form will lead to formal disciplinary action.

If the dean of student development or designee determines the student is found responsible of the alleged violation(s), the dean of student development or designee may impose an authorized disciplinary penalty or penalties). In addition, if the student is found responsible of violating the *Code*, the student may also receive an academic penalty in the course where the scholastic dishonesty took place. The faculty member will determine the appropriate academic penalty.

If a student accepts the administrative decision of the dean of student development or designee, he or she will sign a statement that he or she understands the violation(s), his or her student rights, the right to an appeal or to waive the same, and the authorized disciplinary penalty or penalties imposed by the dean of student development or designee. This statement must be signed no later than the third (3rd) academic calendar day (not including weekends) following the administrative decision of the dean of student development or designee. Once this statement is signed, the student will not be allowed to appeal the administrative decision at a later date, and he or she will be expected to comply with all disciplinary penalties listed in the administrative decision.

If a student appeals the administrative decision of the dean of student development or designee, he or she will submit the online *Disciplinary Appeal Form* located on the college's website, on or before the third (3rd) academic calendar day (not including weekends) following the administrative decision.

If a student does not sign an administrative decision acceptance statement or submit the online *Disciplinary Appeal Form* located on

DISCIPLINE AND PENALTIES

FM
(LOCAL)

the college's website, by the third (3rd) academic calendar day (not including weekends), the original administrative decision issued by the dean of student development or designee will stand. In addition, since the student did not submit a signed disciplinary appeal form requesting an appeal within the designated time period, the student will not be allowed to appeal at a later date, and he or she will be expected to comply with all disciplinary penalties and/or obligations in the administrative decision.

TEMPORARY
IMMEDIATE
SUSPENSION

An authorized Collin College official may issue a temporary immediate suspension to a student without advance written notice (e.g., verbally direct a student's immediate removal from Collin College) pending a formal investigation, notification meeting, and administrative decision. See *Student Code of Conduct*, Chapter 3.

CLASSROOM
DISMISSAL BY
FACULTY MEMBER

If a student is disruptive in class (i.e., his or her behavior is disruptive or inappropriate in the class setting and interferes with the teaching/learning process), a faculty member has the right to temporarily dismiss the student from class (not to exceed one (1) class).

AUTHORIZED
DISCIPLINARY
PENALTIES

Authorized disciplinary penalties for a violation(s) of the *Student Code of Conduct*, Board policies, laws, Collin College regulations, procedures, or administrative rules may be imposed by an authorized Collin College official. The severity of the penalty shall be in relation to the nature and gravity of the violation(s). Subject to additional considerations in rendering a disciplinary decision, Collin College will administer penalties consistently. A student's record of previous violation(s), the severity of the violation(s), the nature and the facts surrounding the violation(s), and other circumstances may factor into the determination of the penalty or penalties. Authorized disciplinary penalties imposed may include one (1) or more of the following:

Level One

1. written warning;
2. referral;
3. educational project assignment;
4. disciplinary probation;
5. restitution;

Level Two

6. withholding of transcript or degree;
7. bar against admission or readmission;
8. suspension of privileges;
9. suspension of eligibility for participation in official athletic and non-athletic extra-curricular activities;
10. administrative re-assignment of an academic grade;
11. suspension;
12. permanent denial of a Collin College degree; and/or

Level Three

13. expulsion

Definitions of authorized disciplinary penalties can be found in the current *Student Code of Conduct*.

Penalties of denial of degree, bar against admission or re-admission, suspension, and expulsion shall be reserved for major violations (or repeated violations) of the *Student Code of Conduct*, Board policies, Collin College regulations, procedures, administrative rules; and/or municipal, local, state, and federal laws.

The imposition of Level One disciplinary penalties may be appealed to Collin College's Discipline Appeals Task Force (DATF) through the process outlined in the *Code*, Chapter 5, *Appealing Authorized Disciplinary Penalties*. A decision made by the DATF with respect to the disciplinary actions imposed is final, binding, and non-appealable.

The imposition of Level Two and/or Three disciplinary penalties, may be appealed to Collin College's DATF through the process outlined in the *Code*, Chapter 5, *Appealing Authorized Disciplinary Penalties*. A decision made by the DATF with respect to disciplinary penalties imposed may be appealed by the student to the vice president of student development through the process outlined in Chapter 6, *Appeal of a Level Two and/or Three DATF Decision*, of this *Code*. A decision made by the vice president of student development with respect to the disciplinary penalties imposed is final, binding, and non-appealable except when expulsion is recommended.

DISCIPLINE AND PENALTIES

FM
(LOCAL)

~~LEGAL
REPRESENTATION~~

~~Students have the right to representation before the discipline appeals task force. The purpose of the hearing, however, is for the discipline appeals task force to hear the student.~~

~~AUDIO RECORDINGS~~

~~Students have the right to make an audiotape recording of disciplinary proceedings. The student shall inform the parties to the disciplinary proceedings in advance. The student and the College District may each request a copy of any such recording from the other.~~

~~SUSPENDED
STUDENTS~~

~~Suspension is a penalty. A suspended student shall not:~~

- ~~1. Be initiated into a College District honorary or service organization;~~
- ~~2. Enter a College District campus except in response to an official summons;~~
- ~~3. Register for credit or noncredit classes or seminars, or~~
- ~~4. Earn academic credit in any form from the College District for a designated period of time.~~

~~No former student who has been suspended for disciplinary reasons from the College District shall be permitted on the campus or other facilities of the College District during the period of suspension without the prior written approval of the College President or a designated representative.~~

~~A student may be summoned to appear in connection with an alleged violation by any of the following methods:~~

- ~~1. A sealed letter sent through campus mail in care of one of the student's professors for delivery in class. The professor shall be informed to return the letter immediately after the class if the student is not in attendance.~~
- ~~2. A certified letter mailed to the student's address as listed with the admissions and records office. The student shall be responsible for keeping the admissions and records office apprised of his or her current home address.~~
- ~~3. A communication between the student and the dean/director issuing the summons, as documented by the dean of students or designee.~~

~~The letter, message, or communication shall direct the student to schedule an appointment with the dean of students' office not less than three calendar days after the date of the communications. The communication shall also describe the alleged violation and/or provide information regarding the purpose for the summons.~~

DISCIPLINE AND PENALTIES

FM
(LOCAL)

~~ADMINISTRATIVE
DISPOSITION OF A
VIOLATION
(EXCERPTS FROM
STUDENT
HANDBOOK)~~

~~The authorized college official (ACO) may place a student on disciplinary probation or determine an appropriate penalty if the student fails, without good cause, to comply with a letter or summons.~~

~~In addition, the ACO may also proceed against the student through the discipline hearing procedures FMA(LOCAL).~~

~~The designated dean/director may administratively dispose of any violation by:~~

- ~~1. Taking no formal disciplinary action;~~
- ~~2. Handling the case in an informal manner;~~
- ~~3. Initiating disciplinary action; or~~
- ~~4. Referring the matter to the discipline appeals task force (DATE).~~

~~During a conference with the student, the designated dean/director shall advise the student of his or her rights as detailed in this document.~~

~~If a student refuses administrative disposition by the designated dean/director, the student is entitled to a hearing.~~

~~If a student accepts the designated dean/director's administrative disposition, he or she sign a statement that he or she understands the violation charges, his or her rights and right to a hearing or to waive the same, the penalty imposed by the designated dean/director, and his or her waiver of the right to appeal. This statement must be signed no later than the third class day following the designated dean/director's administrative disposition.~~

~~If a student does not sign an administrative disposition statement or request in writing a hearing by the third academic calendar day following the dean/director's administrative disposition, the disposition stands and no further appeal be allowed.~~

~~IMMEDIATE
SUSPENSION
(EXCERPTS FROM
STUDENT
HANDBOOK)~~

~~The authorized college official (ACO) may temporarily suspend (e.g., verbally order) a student's immediate removal from the College District pending a formal administrative disposition and/or investigation.~~

~~The causes for immediate suspension include, but are not limited to, the following:~~

- ~~1. Failure to comply with a summons for a hearing;~~
- ~~2. An attempt to cause or actually causing bodily harm to anyone at the College District;~~

DISCIPLINE AND PENALTIES

FM
(LOCAL)

- ~~3.—An attempt to or actually possessing, manufacturing, delivering, distributing, selling, purchasing, using, or being under the influence of, alcoholic beverages, illegal controlled substances (as defined in the Texas Controlled Substances Act), steroids, substances referred to as “designer drugs,” and inappropriately or illegally using over-the-counter medications, prescription medications, inhalants, herbal/“natural” euphoricants, look-alike products (what is represented to be any of the above-listed substances), at the College District, on College District property, or while attending College District-sponsored activities on or off-campus.~~
- ~~4.—Destruction or theft of College District property or another person’s property;~~
- ~~5.—Possession of intoxicating beverages at the College District, on College District property or at College District-sponsored events and activities on or off-campus;~~
- ~~6.—Causing a major disruption or disturbance; and~~
- ~~7.—An alleged violation of the Student Code of Conduct that the administrator considers to be a major violation or an immediate threat to the campus climate.~~

~~The student shall be summoned by the dean/director no later than five academic calendar days from the action of temporary suspension.~~

~~If the suspended student receives a favorable administrative disposition or favorable hearing, reasonable efforts shall be made to ensure that the student will be permitted to make up class work required for satisfactory completion of a course(s) he or she began prior to the onset of the disciplinary process.~~

~~If a student is disruptive in class (his or her behavior is disruptive or inappropriate in this setting and inhibits the teaching/learning process), a faculty member has the right to temporarily dismiss the student from class (not to exceed one class). If a faculty member finds it necessary to dismiss a student from a class, the appropriate instructional dean shall be notified as soon as possible.~~

~~A faculty member may not suspend a student from more than one class without notification to the academic dean and the initiation of disciplinary proceedings. If the student’s behavior is so disruptive that it is believed that the student shall be suspended for more than one class, then the instructional dean and the faculty member shall collectively contact the office of the dean of students to initiate the student discipline processes. Suspension for more than one class requires formal disciplinary action.~~

DISCIPLINE AND PENALTIES

FM
(LOCAL)

~~SEARCHES~~

~~A law enforcement officer with probable cause shall be authorized to search a student's personal possessions for the purpose of enforcing this code or investigating allegations. Searches by law enforcement officers of student's possessions shall be only as authorized by law.~~

~~Other administrative searches of a student's personal possessions for the purpose of enforcing this code or investigating allegations may be conducted based on an administrator's reasonable suspension with the student's consent, when practicable.~~

~~These restrictions shall not apply to searches of College District property or facilities. [See FLC(LOCAL)]~~

~~College District officials may question a student regarding the student's own conduct or the conduct of other students. In the context of school discipline, students have no claim to the right not to incriminate themselves.~~

~~All persons are responsible for the security of any vehicle, bag, or other item they own, possess, or bring onto College District property or to a College District event. No person shall own, possess, place, keep, or maintain any article or material that is prohibited by law or College District policy in items, vehicles, or on College District property or at a College District-sponsored event.~~

~~If a vehicle subject to search is locked, the student shall be asked to unlock the vehicle. If the student refuses to permit the vehicle to be searched, the College District may contact the college police department and/or local law enforcement officials and turn the matter over to them.~~