

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT CONDUCT

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(LOCAL)

Definitions

Definitions of terms used in this policy shall be as follows.

“Student”

A “student” shall mean one who is currently enrolled in the College District. These policies and regulations shall also apply to any prospective or former student who has been accepted for admission or readmission to any component institution while he or she is on the premises of any component institution.

“Premises”

The “premises” of the College District is defined as all real property over which the College District has possession and control.

“Disorderly Conduct”

“Disorderly conduct” shall include any of the following activities occurring on premises owned or controlled by the College District:

1. Behavior of a boisterous and tumultuous character such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists.
2. Interference with the peaceful and lawful conduct of persons under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.
3. Violent and forceful behavior at any time such that there is a clear and present danger that free movement of other persons will be impaired.
4. Behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or fights.
5. Violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.
6. Willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to participate effectively in such assembly or meeting when there is reason to believe that such conduct will cause or provoke a disturbance.
7. Willful and malicious behavior that obstructs or causes the obstruction of any doorway, hall, or any other passageway in a College District building to such an extent that the employees, officers, and other persons, including visitors, having business with the College District are denied entrance into, exit from, or free passage in such building.

Responsibility

Each student shall be charged with notice and knowledge of, and shall be required to comply with, the contents and provisions of the College District’s rules and regulations concerning student conduct.

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All students shall obey the law, show respect for properly constituted authority, and observe correct standards of conduct. Each student shall be expected to:

1. Demonstrate courtesy, even when others do not;
2. Behave in a responsible manner, always exercising self-discipline;
3. Attend all classes, regularly and on time;
4. Prepare for each class and take appropriate materials and assignments to class;
5. Obey all classroom rules;
6. Respect the rights and privileges of students, faculty, and other College District staff and volunteers;
7. Respect the property of others, including College District property and facilities; and
8. Cooperate with and assist the College District staff in maintaining safety, order, and discipline.

Prohibited Conduct

Federal, State, and
Local Law

Violations of federal, state, or local law or College District policies, procedures, or rules, including the college catalog shall be prohibited.

Prohibited Weapons

Possession, distribution, sale, or use of firearms, location-restricted knives, clubs, or other prohibited weapons, as described in CHF, without prior approval shall be prohibited.

Drugs and Alcohol

The following behavior regarding drugs and alcohol shall be prohibited:

1. The use, possession, control, manufacture, transmission, or sale, or being under the influence, of a drug or narcotic through any or no device, as those terms are defined by the Texas Controlled Substances Act, or other prohibited substances described in FLBE, unless under the direction of a physician.
2. The use, possession, control, manufacture, transmission, or sale of paraphernalia related to any prohibited substance.
3. The use, possession, control, manufacture, transmission, or sale, or being under the influence, of alcohol or other intoxicating beverage without the permission of the College District.

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Debts	Owing a monetary debt to the College District that is considered delinquent or writing an “insufficient funds” check to the College District shall be prohibited.
Disruptions	“Disorderly conduct,” as defined above, or disruptive behavior shall be prohibited. Disrupting the orderly operations of a campus or College District facility shall be prohibited.
Behavior Targeting Others	The following behavior targeting others shall be prohibited: <ol style="list-style-type: none">1. Threatening another person, including a student or employee;2. Intentionally, knowingly, or negligently causing physical harm to any person;3. Engaging in conduct that constitutes harassment, bullying, or dating violence directed toward another person, including a student or employee; [See DIA series, FFD series, and FFE as appropriate]4. Hazing with or without the consent of a student; [See FLBC]5. Initiations by organizations that include features that are dangerous, harmful, or degrading to the student, a violation of which also renders the organization subject to appropriate discipline; and6. Endangering the health or safety of members of the College District community or visitors to the premises.
Property	The following behavior regarding property shall be prohibited: <ol style="list-style-type: none">1. Intentionally, knowingly, or negligently defacing, damaging, misusing, or destroying College District property or property owned by others;2. Stealing from the College District or others; and3. Theft, sabotage, destruction, distribution, or other use of the intellectual property of the College District or third parties without permission.
Directives	Failure to comply with directives given by College District personnel, and failure to provide identification when requested to do so by College District personnel shall be prohibited.
Smoke- and Tobacco-Free Environment	Possession, use, distribution, and/or sale of tobacco, smoke, and nicotine vapor products and devices, including but not limited to: cigarettes, cigars, pipes, water pipes, hookahs, electronic cigarettes, smokeless tobacco, snuff, chewing tobacco, or any other

inhalant products or devices, by any person on all premises owned, rented, leased, or supervised by the College District, including all College District facilities, buildings, and grounds shall be prohibited. This prohibition applies to all College District vehicles and to personal vehicles while on College District premises.

An electronic cigarette is any device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes:

1. A device described by this definition regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and
2. A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

Enforcement

The enforcement methods for noncompliance with the smoke- and tobacco-free environment provisions are as follows:

1. The violator may be fined \$25.
2. The violator may be escorted off campus/property.
3. The violator may be charged with criminal trespass.

Misuse of
Technology

The following behavior regarding misuse of technology shall be prohibited:

1. Violating policies, rules, or agreements signed by the student regarding the use of technology resources;
2. Attempting to access or circumvent passwords or other security-related information of the College District, students, or employees or uploading or creating computer viruses;
3. Attempting to alter, destroy, disable, or restrict access to College District technology resources including but not limited to computers and related equipment, College District data, the data of others, or other networks connected to the College District's system without permission from a properly authorized administrator;
4. Using the Internet or other electronic communications to threaten College District students, employees, or volunteers;

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5. Sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal;
6. Using e-mail or websites to engage in or encourage illegal behavior or threaten the safety of the College District, students, employees, or visitors; and
7. Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten the safety of the College District, students, employees, or visitors.

Dishonesty

The following behavior regarding dishonesty shall be prohibited:

1. Making false accusations or perpetrating hoaxes regarding the safety of the College District, students, employees, or visitors;
2. Intentionally or knowingly providing false information to the College District; and
3. Intentionally or knowingly falsifying records, passes, or other College District-related documents.

Gambling and Other Conduct

Gambling or engaging in any other conduct that College District officials might reasonably believe will substantially disrupt the College District program or incite violence shall be prohibited.

Discipline

A student shall be subject to discipline, including suspension, in accordance with FM and FMA if the student violates this policy:

1. While on College District premises;
2. While attending a College District activity; or
3. While elsewhere if the behavior adversely impacts the educational environment or otherwise interferes with the College District's operations or objectives.

Classroom Conduct
Civility Statement

The College District has adopted Civility and Civility Notification statements and a statement of Incivility Protocol. The Civility Statement (also included in the Master Course Syllabus Outline) reads as follows: "Members of the Blinn College community, which includes faculty, staff, and students, are expected to act honestly and responsibly in all aspects of campus life. Blinn College holds all members accountable for their actions and words. Therefore, all members should commit themselves to behave in a manner that recognizes personal respect and demonstrates concern for the personal dignity, rights, and freedom of every member of the College community, including respect for College District property and

the physical and intellectual property of others.” This Civility Statement is to be placed in the course syllabus of every course the College District offers.

Discipline and Penalties

In the case of incivility, the College District’s Incivility Protocol provides for removal of the uncivil student immediately from the classroom to maintain student/teacher integrity and essential pedagogical decorum. For the purpose of this policy, incivility is defined as any words or behavior that disrupts teaching or learning in the classroom (face-to-face or distance learning). Some examples of incivility include, but are not limited to, the following:

1. Heckling;
2. Making distracting noises; or
3. Otherwise interfering with the orderly process or respectful climate of the classroom.

This policy also applies to all class-related functions sponsored by the College District.

If the incident is threatening or violent, Blinn College Police have jurisdiction and should be notified immediately, and the Blinn College discipline code takes precedence. If the incident is one of common incivility, the student removed from class must arrange a conference with his or her instructor to discuss and resolve the problem resulting from the uncivil incident before being readmitted to the class. For the appeals procedure, refer to the Blinn College Catalog and the Administrative Procedure Manual.

Appeal Process

Notice of any action taken under this protocol by Blinn College or its employees may be delivered by hand, through the U.S. Postal Service, or electronically to the student’s BlinnBuc e-mail account. Notice shall be deemed received upon actual receipt, upon deposit in the U.S. mail, or upon entering the information processing system used by Blinn College for BlinnBuc e-mail accounts, whichever first occurs.

Level One

A student removed from class for uncivil behavior shall contact his or her instructor within two school days to make an appointment. The instructor may request a third party be present if the instructor deems it necessary. The incident must be resolved before the student may return to class. If there is no resolution, the process moves to appeal level two. If the instructor is an assistant dean or department head, level two shall be bypassed. If the student fails to make an appointment with the instructor or does not appear for the appointment, the student shall be dropped from the class.

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Level Two

If no resolution is reached at level one, the student has two school days to make a written appeal to the dean or division designee. At this meeting, the student shall meet with the dean or designee and the instructor. If there is no resolution, the process shall move to appeal level three. If the student fails to make an appointment with the dean or division designee, or does not appear for the appointment, the student shall be dropped from the class.

Level Three

At level three, the student shall have two school days to appeal to the respective dean. This dean shall assemble an appeals committee, or use a standing committee formed for this purpose, chosen by the Vice Chancellor of Student Services or his or her designee. This ad hoc committee shall be composed of three faculty members from three separate divisions, one of whom must be from the technical area. The instructional dean shall notify in writing the student, the faculty member, and the Vice Chancellor of Student Services. The instructional dean shall submit to the committee copies of all written documentation obtained from the student and the faculty member and notify all members of the hearing date and location. If the student fails to make an appointment with the dean or does not appear for the appointment, the student shall be dropped from the class. The hearing shall provide an opportunity for both the student and faculty member to speak. No new written evidence may be submitted at the hearing. If witnesses are to be presented, a list must be provided to the chairperson 48 hours prior to the scheduled hearing.

The appeals committee shall make a recommendation to the Vice Chancellor of Student Services, who shall then make a final decision and notify the student and faculty member in writing.

Publication

The student conduct rules contained in this policy and any other conduct rules of the College District developed by the Chancellor shall be published in the college catalog.