

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT CONDUCT

FLB
(LOCAL)

Definitions

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

“Accused Student”	An “accused student” shall mean any student or student organization formally charged with an alleged violation of the Student Code of Conduct and/or College District policies.
“Adviser”	An “adviser” shall mean any person the accused student or victim/complainant chooses to assist him or her throughout the student conduct process. The adviser shall not represent or speak on behalf of the accused student or victim/complainant.
“Appellate Body”	An “appellate body” shall mean any person, persons, or committee authorized by the vice chancellor of student services or designee or as provided for in College District policy to conduct a review of hearing proceedings or to make decisions regarding such proceedings as prescribed in this policy.
“Charge”	A “charge” shall mean an allegation of a violation of the Student Code of Conduct or College District policies that occurs once the vice chancellor of student services or designee determines there is sufficient information to hold a hearing to determine whether the student has violated the Student Code of Conduct or College District policies.
“College District”	The “College District” shall mean North Central Texas College, including all campuses and properties owned, leased, or controlled by the College District. [See AB(LOCAL)]
“College District Community”	The “College District Community” shall mean any student, faculty member, staff, visitor, volunteer, or other person employed by the College District.
“College District-Sponsored Activity”	A “College District-Sponsored Activity” shall mean any activity, event, function, program, or service on or off College District properties that is organized, sponsored, supervised, or directly initiated by the College District, including its employees on behalf of the College District or registered student organizations.
“Complainant”	A “complainant” shall mean any person submitting information indicating that a student allegedly violated the Student Code of Conduct or College District policies where the incident is covered under Title IX regulations or involves an alleged act of violence or harassment, including, but not limited to, sexual misconduct, harassment, endangerment, stalking, or hazing.
“Faculty Member”	A “faculty member” shall mean any person employed by the College District; full time, part time, or contractually; to conduct classroom, laboratory, or clinical instruction.

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“Hearing”	A “hearing” shall mean an informal or formal conduct proceeding conducted by a hearing body pursuant to the Student Code of Conduct.
“Hearing Body”	A “hearing body” shall mean any person, persons, or committee authorized by the vice chancellor of student services or designee, or as provided for in College District policy, to conduct hearings, make decisions regarding whether a student has violated the Student Code of Conduct, and render sanctions as prescribed in this code. [See FMA]
“On Campus” and “Premises”	“On campus” and “premises” shall mean any and all campuses, buildings, facilities, land, grounds, parking lots, and adjacent sidewalks and streets that are owned, leased, or controlled by the College District.
“Policy”	A “policy” shall mean any written statement governing the operations of the College District that has been approved and adopted by the Board or as found in the course catalog, student handbook, college housing rules, and other written requirements of departments, student organizations, and clubs.
“Student”	A “student” shall mean any person currently enrolled in or taking any course in the College District, including non-credit bearing, certificate, professional, life-long learning, or distance education courses. “Student” also includes and encompasses student organizations. 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 or any person not enrolled in the College District but continues to have a relationship with the College District if the student has not completed the course or program in which the student was enrolled.
“Student Organization”	A “student organization” shall mean a student club, society, group, or sports team approved, registered, or recognized or going through the process to be recognized through student life, an academic unit, or other administrative department. The term “student” shall also include student organizations.
“Victim”	A “victim” shall mean any person submitting information indicating a student allegedly violated the Student Code of Conduct or College District policies where the incident is covered under Title IX regulations or involves an alleged act of violence or harassment, including, but not limited to, sexual misconduct, harassment, endangerment, stalking, and/or hazing.

Authority The Board shall have the overall authority, governance, and responsibility for providing a Student Code of Conduct and student

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conduct system in the interest, welfare, and safety of the College District community.

The Chancellor shall be responsible for implementing procedures for maintaining student discipline and investigating alleged conduct violations. The Chancellor may delegate this responsibility to the vice chancellor for student services or designee.

Hearing bodies shall be authorized by the vice chancellor of student services or designee to conduct informal and formal disciplinary proceedings.

Appellate bodies shall be authorized by the Chancellor or designee to conduct appeal reviews.

Responsibility

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.

Discipline

A student shall be subject to disciplinary action, up to and including suspension, in accordance with the Student Code of Conduct, if the student is found responsible for violating this policy:

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

Violations

Violations of the Student Code of Conduct shall include aiding, abetting, conspiring, soliciting, inciting of, or attempting to commit the following:

Academic
Dishonesty

Cheating

1. Academic dishonesty:
 - a. Cheating:
 - (1) Copying from or reviewing another student's examination prior to or during the examination.
 - (2) Copying from another student's paper, laboratory report, presentation, computer program, or other assignment.
 - (3) Using or possessing unauthorized notes, books, test materials, electronic devices, or other aids in any academic exercise or activity.
 - (4) Submitting the same paper, report, or other assignment for more than one course without the expressed permission of the faculty member.
 - (5) Collaborating with or seeking aid from another student during a test without permission from the test administrator.
 - (6) Knowingly using, buying, selling, stealing, or soliciting, in whole or in part, the contents of a paper, another assignment, or test, whether it has been administered or not.
 - (7) The unauthorized transporting or removal, in whole or in part, of the contents of a test, whether it has been administered or not.
 - (8) Substituting for another student, or permitting another student to substitute for one's self, to take a test.
 - (9) Bribing another person to obtain a test or information about a test, whether it has been administered or not.

Plagiarism

- b. Plagiarism:
 - (1) Appropriating, buying, receiving as a gift, or obtaining by any means another's work and the unacknowledged submission or incorporation of it into one's own written work.

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- (2) Copying or using the ideas, writings, paraphrases, data, reports, graphic designs, or computer codes of published or unpublished work of another person without appropriate citation or acknowledgments.
- (3) Reproducing or using the ideas, materials, works, paraphrases, data, reports, graphic designs, or computer codes prepared by another person or agency without authorization, permission, or acknowledgment.

Collusion

- c. Collusion: Unauthorized collaboration with another person in preparing written work for fulfillment of course requirements including a presentation, laboratory report, quiz, homework, take-home examination, project, or other work expected to be completed as an individual or independently.

*Academic
Falsification*

- d. Academic Falsification:
 - (1) Providing false, altered, or fabricated information or documentation in the context of an academic assignment, examination, or obligation, such as creating a false source for an assignment or citing a source one did not use.
 - (2) Altering grades on an assignment, examination, laboratory report, quiz, or other academic work and submitting such to a faculty member or College District employee.
 - (3) Using false or altered information, data, or identification in the context of an academic obligation.

*Intellectual
Property
Dishonesty*

- e. Intellectual Property Dishonesty:
 - (1) Altering, removing, or defacing College District library or educational materials.
 - (2) Selling, electronically posting, publishing, or distributing course lecture notes, handouts, recordings, or other materials or information from the faculty member of the course without the expressed permission of the faculty member.
 - (3) Removing or intentionally damaging the academic property of a faculty member or another student, including projects, books, papers, notes, laboratory assignments, clinical forms, or electronic hardware or software.

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- (4) Obtaining or using the password of a faculty member or another student to access course hardware or software.
- (5) Taking credit on a group assignment when one did not contribute toward completion of the assignment.
- (6) Violating the ethical standards of practices in professional programs (i.e., health sciences, nursing, emergency medical assistance, and the like).

Academic Dishonesty Facilitation

- f. Academic Dishonesty Facilitation: Assisting any person in the commission of academic misconduct, including but not limited to:
 - (1) Aiding, abetting, or attempting to commit an academic misconduct violation.
 - (2) Allowing another student to copy or use one's answers during an examination or in the completion of an assignment.
 - (3) Taking, completing, or attempting to take an examination or complete an assignment for another student.
 - (4) Listing another student on a group assignment when the student did not contribute in any manner toward completion of the assignment.

Nonacademic Misconduct

Alcohol

- 2. Nonacademic Misconduct:
 - a. Alcohol:
 - (1) Intent to or the actual possession, use, sale, manufacture, consumption, or being under the influence of alcohol or intoxicating beverages, regardless of age, in classroom buildings, residence halls, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, parking lots, or any other College District property or premises.
 - (2) Intent to or the actual possession, use, sale, manufacture, consumption, or being under the influence of alcohol or intoxicating beverages, regardless of age, at any College District-sponsored activity, on or off campus.

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- (3) Public intoxication or being under the influence of alcohol or intoxicating beverages, or appearing in a state of intoxication.
- (4) Possession, display, sale, or use of alcohol paraphernalia or devices designed for the excessive consumption of alcohol such as funnels, beer bong, vaporizers, and the like.
- (5) Violation of other College District policy while under the influence of alcohol.
- (6) Other violations of any College District alcohol and drug policies.

*Conduct
Unbecoming*

- b. Conduct Unbecoming: Behavior or actions, on or off campus, that demonstrate indecency, contempt for the generally accepted values, or disrespect for the normal standards of the College District and its community.
- c. Discrimination: Unfair or unlawful treatment of another person or group on the basis of race, color, religion, gender, age, national origin, disability, or any other basis prohibited by law that adversely affects the student, including but not limited to, a student's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment; the intent to substantially or unreasonably interfere with the student's academic performance; or adversely affects the student's educational or cocurricular opportunities.

*Disruptive
Behavior*

- d. Disruptive Behavior:
 - (1) Behavior of a boisterous, disorderly, lewd, indecent, or tumultuous character such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists.
 - (2) 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.
 - (3) 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.

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- (4) 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.
- (5) Behavior that disrupts, disturbs, impairs, obstructs, or impedes the orderly processes, business, or functions of the College District or members of its community, including the role of an employee carrying out the normal or orderly processes and functions of his or her job.
- (6) Behavior that disrupts, disturbs, impairs, obstructs, or impedes the orderly processes, business, or functions of the classroom, laboratory, clinical site, educational lab, or other academic setting.
- (7) Behavior that impedes or interferes with the role of a faculty member to carry out the normal or orderly processes and functions of his or her job in an educational setting.
- (8) Unauthorized campus demonstrations or participation in a campus demonstration that disrupts the normal operations of the College District.
- (9) Engaging in any conduct that College District officials reasonably believe will substantially disrupt the College District program or incite violence.

Drugs

e. Drugs:

- (1) The use or possession of an illegal drug or controlled substance as defined by the Texas Controlled Substances Act, or other prohibited substances described in FLBE, unless under the direction of a physician.
- (2) The use or possession of prescription drugs or medications belonging to another person.
- (3) The misuse or abuse of prescription drugs or medications.
- (4) Being under the influence of an illegal drug, controlled substance, or other prohibited substances described in FLBE(LOCAL).
- (5) The manufacture, transmission, or sale of an illegal drug, controlled substance, prescription drug or

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medication, or other prohibited substances described in FLBE(LOCAL).

- (6) The use, possession, control, manufacture, transmission, or sale of paraphernalia related to any illegal drug.

Endangerment

f. Endangerment:

- (1) Physical harm to or forceful behavior toward another person or group.
- (2) Threatening another person.
- (3) Behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or fights.
- (4) Behavior that endangers or threatens the welfare, safety, well-being, or physical or mental health of another person or group.
- (5) Interference with the ability of another person or group to move about in a manner free from harm and considered lawful or reasonable within the College District community.
- (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.

Failure to Comply

g. Failure to Comply:

- (1) Failure to comply with a request or directive of any law enforcement official or College District personnel in the performance of his or her duties.
- (2) Failure to comply with a notice, request, directive, or sanction from a student conduct hearing or appellate body.

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- (3) Failure to comply with College District rules and procedures for the registration and recognition of student organizations, use of College District facilities or space, and public assembly.
- (4) Failure to provide identification when requested to do so by College District personnel.

*Falsification /
Fraud /
Misrepresentation*

h. Falsification/Fraud/Misrepresentation:

- (1) Providing false, fraudulent, or misleading information, documents, or materials to any law enforcement official, hearing, or appellate body, or College District employee.
- (2) Reproduction, alteration, forgery, or inappropriate use of another person, group of College District documents, keys, codes, electronic access devices, or property.
- (3) Misrepresentation of another person's identity including misuse of another person's identification. This also includes allowing another person to use one's identification information.
- (4) Acting on or pretending to act on behalf of another person, group, or the College District without expressed consent or authorization.
- (5) Any other acts of falsification, misrepresentation, fraud, or false testimony.

Fire and Safety

i. Fire and Safety:

- (1) Setting an unauthorized fire on College District property or premises.
- (2) Making false accusations or reporting, or perpetrating hoaxes regarding the safety of the College District, students, employees, or visitors.
- (3) Unlawfully removing, damaging, tampering, or using fire safety or emergency equipment.
- (4) Unlawful or inappropriate activation of fire safety or emergency equipment.
- (5) Failure to evacuate a College District facility or building following a fire alarm sound or notification.

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- (6) Use or possession of fireworks, incendiary devices, or explosives on College District property or premises.

Gambling

- j. Gambling:
 - (1) Raffles where a person or group has paid, including donations, with a promise or communication to win or receive an item of value for such purchase or donation.
 - (2) Hosting, coordinating, advertising, or participating in casino nights or sporting event bracket pools.
 - (3) Other activities that violate College District policy, or federal, state, or local laws regarding gambling.

*Harassment /
Bullying*

- k. Harassment/Bullying (nonsexual misconduct):
 - (1) Behavior, not of a sexual nature, whether verbal, non-verbal, physical, written, or electronic that places another person or group in reasonable fear of physical or mental harm or creates an intimidating, hostile or threatening environment, or prevents another person or group from normal participation in work, academic, cocurricular programs, living or other activities, including but not limited to, stalking, bullying, cyberstalking, cyberbullying, and harassment.
 - (2) Aiding, abetting, assisting with, attempting, or supporting of, whether passive or active, the action of harassment or bullying.

Hazing

- l. Hazing:

Any intentional, knowing, 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 the 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 other students. The term includes:

 - (1) Any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity.

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- (2) 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.
- (3) Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- (4) Any activity that intimidates or threatens the student with ostracism; subjects the student to extreme mental stress, shame, or humiliation; adversely affects the mental health or dignity of the student; 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 above.
- (5) Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of federal, state, or local laws; rules; or regulations.

Pets and Animals

- m. Pets and Animals: Bringing any animal into or on any College District property or premise, including parking lots, except for an authorized service animal being used pursuant to College District policy and federal, state, or local laws, or as explicitly authorized by the vice chancellor of student services or designee. "Service animal" means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

*Recreational
Mobility and
Transportation*

- n. Recreational Mobility and Transportation:
 - (1) Operation or use of skateboards, skates, bicycles, or motorized vehicles inside of any College District buildings, including residence halls.
 - (2) Operation or use of motorized vehicles on walkways, sidewalks, lawns, or grass.

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*Posting /
Promotions /
Solicitation*

- (3) Removal of property from another person, group, or the College District without expressed consent or permission.
- (4) Possession or sale of stolen property.
- o. Postings/Promotions/Solicitation:
 - (1) Solicitation (i.e., passing or handing out flyers/promotional material, and the like) on College District premises without prior approval from the appropriate College District official. This includes, but is not limited to, the disbursement of any forms of promotional or informational material on College District premises or objects (e.g., motor vehicles) on such premises.
 - (2) Posting of flyers, posters, banners, cards, or any promotional/informational material on College District property, including but not limited to, the exterior and interior of College District housing facilities, buildings, trees, walls, sidewalks, vehicles, windows, stairwells, stairs, display cases, vending machines, doors, classrooms, departmental and unauthorized bulletin boards, railings, elevators, bathrooms, and art/sculptures.
 - (3) Use of chalk or powder-like substance on the sidewalks, grass, exterior or interior of any College District facility or any public area.
 - (4) Use of "A" signs or free standing signs in public areas, sidewalks, grass, or the exterior of any College District building without prior approval from the appropriate College District official.

Property Misuse

- p. Property Misuse:
 - (1) Intentionally, knowingly, or negligently defacing, damaging or destroying College District property or property owned by others, including acts of vandalism.
 - (2) Gaining access or attempting to gain entry to College District facilities or property without authorization.
 - (3) Possession, use, or duplication of College District keys, access cards, or other material used to gain

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access to College District facilities without authorization.

- (4) Propping open exterior or interior doors to the residence halls or other College District facility or room for the purpose of unauthorized entry or that may allow unauthorized entry.
- (5) Use of College District property for activities prohibited by federal, state, or local laws.

Retaliation

q. Retaliation:

- (1) Retaliation against another person or group as a result of filing a complaint or involvement in the alleged misconduct.
- (2) Retaliation against a hearing body or appellate body that is of disciplinary proceedings.

*Sexual
Misconduct*

r. Sexual Misconduct:

- (1) Any unwarranted or unwelcome sexual act that occurs against another person or group.
- (2) Any sexual act that occurs against another person or group who are unable to give consent due to but not limited to being: under the influence of alcohol, drugs, prescribed medications or other substances; unconscious or incapacitated; underage; or impaired due to mental, developmental, or physical disability.
- (3) Behavior that is lewd, obscene, or indecent, including but not limited to, the display or depiction of sexual organs or acts that would reasonably be offensive to others. This also includes any form of electronic communications.
- (4) Behaviors of a sexual nature that create a hostile, intimidating, or offensive environment for another person or group including unwanted, unwelcome, inappropriate sexual or gender-based behaviors, actions, pictures, photos, or comments. This also includes any form of electronic communications.
- (5) Any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that occurs when submission to or rejection of such behavior results in adverse educational, cocurricular, or employment action.

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- (6) Any violation of Title IX regulations or federal, state, or local laws.
- Smoking and Tobacco* s. Smoking and Tobacco: Use, sale, or distribution of tobacco products, including chewing tobacco, vapors, or other smokeless products on College District premises.
- Technology Misuse* t. Technology Misuse:
- (1) Allowing another person to use one's College District username and password.
 - (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.
 - (4) Using the Internet or other electronic communications to threaten College District students, employees, or volunteers.
 - (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.
 - (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.
 - (8) Unauthorized alteration or degradation of computer equipment, software, network, data or system performance.
 - (9) Unauthorized copying or distribution of computer software or data.
 - (10) Unauthorized use of College District computer resources for commercial purposes or personal fi-

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nancial or other gain. This includes, but is not limited to, advertising a product or service on personal web pages, spam, unsolicited electronic communications, fundraising or advertising on behalf of unsanctioned non-College District organizations, publicizing of unsanctioned non-College District activities, the reselling of College District resources to any non-College District individuals or organizations, and the unauthorized use of the College District's name or logos.

- (11) Use of the College District's network for any of these purposes, even if the user is using his or her own personal computer, constitutes an offense.
- (12) Unauthorized distribution of copyrighted materials, including but not limited to, unauthorized peer-to-peer file sharing. Unauthorized distribution is a violation whether the user is using his or her own personal computer or the College District's information technology system for the unauthorized distributions.
- (13) Any other violation of policies, rules, or agreements signed by the student regarding the use of technology resources.

Weapons

- u. Weapons:
 - (1) Possession, distribution, sale, or use of firearms, location-restricted knives, clubs, or other prohibited weapons, as described in CHF, without prior approval.
 - (2) Use of any object, including school or College District supplies, used in a way that threatens or inflicts bodily injury on another person or group.

*Shared
Responsibility /
Guests*

- v. Shared Responsibility and Guests:
 - (1) Aiding, abetting, conspiring, soliciting, inciting of, or attempting to commit any violation of the Student Code of Conduct, College District policies, or federal, state, or local laws.
 - (2) Students shall be responsible, where applicable, for any behavior of their guests violating any College District policy or Student Code of Conduct rule.

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- (3) Children shall not be allowed in classrooms while classrooms are in session.
- (4) Children shall not be allowed in or at high-risk areas, including but not limited to, laboratories, clinical sites, or construction sites.
- (5) Children shall not be left unattended while the parent or guardian is attending class or conducting any business on College District premises.

Other Violations

3. Other Violations:

- a. Violation of any College District policy or written rules governing student behavior, including but not limited to, academic/administrative units, residence halls, athletic teams, and student organizations.
- b. Violation of any federal, state, or local laws, ordinances, rules, or regulations.

Publication

The student conduct rules contained in this policy and any other conduct rules of the College District shall be published in the student handbook.