

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT CONDUCT

FLB
(LOCAL)

Purpose

The Dallas County Community College District exists to serve students and our community stakeholders. Students are important members of the College District environment. Each college of the College District supports a positive educational environment designed to encourage student completion. In order to ensure the protection of student rights and the health and safety of the college community, as well as to support the efficient operation of college programs and services, the College District has established a Student Code of Conduct. The purpose of policies about student conduct and discipline is to provide guidelines for the educational environment of the College District.

The College District views students in a holistic manner, encouraging and inviting them to learn and grow independently. Such an environment presupposes both rights and responsibilities. Every student should know his or her responsibility as a member of the College District community.

Definitions

Definitions to be used in this policy, and at FM(LOCAL) and FMA(LOCAL), are as follows:

1. "Designated administrator or DA" shall mean an administrator or the officer or officers directly responsible for student affairs in the College District. [See DNA]
2. A "student" shall mean one who is currently enrolled in the College District. This includes credit, noncredit, and dual credit students, regardless of method of delivery. 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 campus of any component institution.
3. A "complainant" is the person who makes the allegation or complaint.
4. A "respondent" is the person against whom an allegation or complaint is made.
5. The "Student Conduct System" includes standards of conduct established to protect the educational mission of the College District while protecting the rights and responsibilities of students. Students who are accused of violating College District standards of conduct may be referred to the "Student Conduct System" for review.
6. "College Title IX coordinator" shall mean the College District employee responsible for administering responsibilities re-

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lated to and compliance with Title IX of the Education Amendments of 1972. Each college within the College District has a Title IX coordinator.

7. "College District-sponsored activity" means any activity on or off campus that is initiated, aided, authorized, or supervised by the College District.
8. A "college" or "institution" means the colleges of the Dallas County Community College District.
9. "College District premises" means buildings or grounds owned, leased, operated, controlled, or supervised by the College District.
10. "Business days" means those days the administrative offices of the College District are open for business purposes—Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding weekends and holidays.
11. "Published College District regulation or policy" means standards of conduct or requirements located in the:
 - a. College District catalog;
 - b. Board policies and administrative procedures as may be set forth in the Dallas County Community College District Board Policy Manual or any amendment thereof;
 - c. Student handbook; or
 - d. Any other official publication of the College District.

As a member of the Dallas County Community College District, a student is free to take advantage of all of the educational opportunities available and to participate in all extracurricular activities sponsored by the College District for which the student is eligible. Members of the student body enjoy the same rights and privileges guaranteed to them as citizens of the United States and as residents of the state of Texas. They enjoy the same freedoms of speech and peaceable assembly as all citizens. However, by virtue of their membership in the college community, students are under certain legal obligations in the exercise of those freedoms.

Responsibilities

Each student and student organization shall be charged with notice and knowledge of the contents and provisions of the College District's policies, procedures, and regulations concerning student conduct, and shall be expected to abide by those policies, procedures, and regulations. In cases of noncompliance with the Student Code of Conduct, the college may impose discipline that is con-

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sistent with the impact of the offense on the College District community. The College District reserves the right to pursue criminal and/or civil action where warranted. Unfamiliarity with these policies and procedures shall not excuse a violation of the Student Code of Conduct.

Student Code of
Conduct Prohibited
Behaviors

All students shall obey the law, show respect for properly constituted authority, and observe correct standards of conduct. In addition to activities prohibited by law or by other published College District regulations and policies [see policies FLBA, et. seq.], the following types of behavior are expressly prohibited:

1. Failure to produce a College District-issued photo identification card when requested by a College District official. The College District shall issue each student a photo identification card at no cost to the student. Students shall visibly wear their College District-issued identification card while on College District property or at any College District-sponsored or related activity. The identification card shall be the property of the College District. Replacement identification cards shall be assessed a fee in accordance with administrative regulations.
2. Intentionally causing physical harm to any person on College District property or premises or at College District-sponsored activities, or intentionally or recklessly causing reasonable apprehension of such harm.
3. Except as may be permitted in any published College District regulations or policies or by applicable state laws, unauthorized use, possession, or storage of any weapon, as described in CHF, on College District property or premises or at College District-sponsored activities. This includes but is not limited to firearms, tasers, stun guns, explosives, location-restricted knives, clubs, other prohibited weapons, dangerous chemicals, or improper use of fire extinguishers on College District property or premises.
4. Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency on College District property or premises or at College District-sponsored activities.
5. Obstruction or disruption of teaching, lecturing, research, administration, disciplinary procedures, or other authorized activities on College District property or premises. Interference with the proper educational functions and the appropriate educational climate of the College District, including aiding and abetting another to breach the peace on College District-

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owned or -controlled property or premises, at functions sponsored/supervised by the College District, or off-campus conduct that adversely affects the College District community and/or the pursuit of the objectives. Such activity includes, but is not limited to, behavior in the classroom or instructional program that interferes with the instructor's or presenter's ability to conduct the class or program or the ability of others to benefit from the class or program.

6. Intentionally interfering with College District-sponsored activities, including but not limited to, studying, teaching, conducting research, duties of the College District administration, or fire, security, or emergency services.
7. Knowingly violating the terms of any disciplinary sanction imposed in accordance with College District policies, regulations, and procedures.
8. Intentionally or maliciously furnishing false information to the College District. Forgery, unauthorized alteration, or unauthorized use of any College District document or instrument of identification. Making, possessing, submitting, or using any falsified college document or record; or altering any college document or record, including identification cards. Attempted or actual financial aid fraud or corresponding behaviors that would allow a student to receive monetary benefit for which he or she is not eligible. Altering any College District document or record without permission is expressly prohibited, including, but not limited to, furnishing false personal or student organization registration information, withholding material information from the College District processes or procedures, or any other type of fraudulent act involving documentation provided to or for the College District.
9. Sexual misconduct, which includes, but is not limited to, the following offenses: gender-based or sexual discrimination or harassment, nonconsensual sexual intercourse (or attempts to commit same), nonconsensual sexual contact (or attempts to commit same), sexual exploitation, relationship violence, or other conduct that threatens the health and safety of any person on the basis of actual, expressed, or perceived gender identity. In the event of an allegation of sexual misconduct, the DA will coordinate with the college Title IX coordinator and the appropriate College District departments to apply the investigative, disciplinary, and disposition procedures governing sexual misconduct as set forth in College District rules and regulations. [See DIA series and FFD series]

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10. Unauthorized use of computer hardware or software or violation of the College District Technology Resources policy [see CR(LOCAL)].
11. Scholastic dishonesty, which shall constitute a violation of these rules and regulations and is punishable as prescribed by Board policies. Scholastic dishonesty shall include, but is not limited to, cheating on a test or other coursework as assigned, plagiarism, and collusion.

“Cheating on a test” shall include, but is not limited to:

- a. All forms of academic dishonesty, including but not limited to cheating, fabrication, facilitating academic dishonesty, plagiarism, and collusion.
- b. Copying from another student’s test paper.
- c. Using test materials not authorized by the person administering the test.
- d. Collaborating with or seeking aid from another student, technological aid, or electronic resource during a test without permission from the test administrator.
- e. Knowingly using, buying, selling, stealing, or soliciting, in whole or in part, the contents of an unadministered test.
- f. The unauthorized transporting or removal, in whole or in part, of the contents of the unadministered test.
- g. Substituting for another student, or permitting another student to substitute for one’s self, to take a test.
- h. Bribing another person to obtain an unadministered test or information about an unadministered test.

“Plagiarism” shall be defined as the 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 written work.

“Collusion” shall be defined as the unauthorized collaboration with another person in preparing written work for fulfillment of course requirements.

12. Intentionally and substantially interfering with the freedom of expression or association of others on College District property or premises or at College District-sponsored activities.
13. Theft of property or of services on College District property or premises or at College District-sponsored activities or being in

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- possession of stolen property on College District property or premises or at College District-sponsored activities. Sale, possession, or misappropriation of any property without the owner's permission is also prohibited.
14. Theft, sabotage, destruction, distribution, or other use of the intellectual property of the College District or third parties without permission.
 15. Intentionally or recklessly destroying or damaging College District property or premises or property of others while on College District premises or at College District-sponsored activities.
 16. Failure to comply with the direction of College District employees or officials, including but not limited to, college police or campus security/safety officers, and instructors or administrators, acting in performance of their duties. Students are required to produce identification for a college official when asked.
 17. Violation of published College District regulations or policies. Such regulations or policies include, but are not limited to, those relating to entry and use of College District facilities, use of vehicles and media equipment, campus demonstrations, misuse of identification cards, and all forms of smoking.
 18. Use, possession, distribution, manufacture, possession for purposes of distribution, or sale of any controlled substance or illegal drug on College District property or premises or at College District-sponsored activities, or being under the influence of marijuana, heroin, or narcotics or other controlled substances or illegal drugs, or alcohol, except as expressly permitted by federal or state law or College District policy or regulations, on College District property, premises, or at College District-sponsored activities.
 19. Use or possession of an alcoholic beverage on College District property or premises, with the exception of a specific beverage-related course within a College District-sponsored course of study; a course that requires the use of alcohol and is approved by the Texas Commission on Law Enforcement (TCOLE); or any College District-sponsored program or event when service of alcoholic beverages is permitted by College District policy or regulation.
 20. Nonpayment or failure to pay any debt owed to the College District with intent to defraud.

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(Appropriate personnel at the College District location may be designated by College District officials to notify students of dishonored checks, library fines, nonpayment of loans, and similar debts. Such personnel may temporarily block admission or readmission of a student until the matter is resolved. If the matter is not settled within a reasonable time, such personnel shall refer the matter to the DA for appropriate action under this code. Such referral does not prevent or suspend proceeding with other appropriate civil or criminal remedies by College District personnel.)

21. Bullying, harassment, and conduct or expression (verbal or written) that threatens or endangers the health or safety of any person. Cyberbullying, which is willful harassment and/or intimidation of a person through the use of digital technologies, including but not limited to, email, blogs, texting, social websites, chat rooms, "sexting," instant messaging, recording another person without his or her consent, and transmitting images of another person without his or her consent.
22. Stalking another person, which, for purposes of this Code of Conduct, shall be defined as purposefully engaging in a course of conduct directed at a specific person or persons that the person engaging in such conduct knows or should know would cause a reasonable person to (a) fear for his or her safety or the safety of a third person; or (b) suffer other emotional distress. Cyberstalking, which is engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of email or other digital technologies, directed at or about a specific person, causing emotional distress to that person. "Course of conduct" shall mean two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to, or about, a person, or interferes with a person's property.
23. Discrimination, harassment, and offense conduct against any person, student, or staff member on the basis of race, creed, sex, age, marital status, religion, disability, national origin, gender identification, or sexual orientation.
24. Retaliation or retaliatory harassment, which is any adverse action taken against a person because of the person's participation in a complaint or investigation of a complaint.
25. Engaging in hazing, which, for the purposes of this Code of Conduct shall be defined as an act that endangers the mental

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or physical health or safety of a student, or that destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition of continued membership in a group organization and/or sport. No student or person associated with the Dallas County Community College District or attending a DCCCD college shall commit any act that injures, degrades, or disgraces a member of the College District community. The express or implied consent of the victim shall not be accepted as a defense for violation of this policy. Apathy or acquiescence in the presence of hazing is not a neutral act; each is a violation of the Student Code of Conduct.

26. Unauthorized entry in or use of college facilities and/or any college property or premises, including unauthorized possession, duplication, or use of keys to any college property. Unauthorized entry into, presence in or use of college facilities, equipment, or property that has not been reserved or accessed through appropriate college officials is prohibited.
27. The use of college resources to infringe upon copyright laws (print, digital, and internet). This applies to all forms of electronic media, including but not limited to, software, electronic encyclopedias, image files, video files, and sound files.
28. Conduct that is indecent or obscene, including:
 - a. The use of any device to capture audio, video, or digital record or photograph of any person while on College District property or premises or college events where there is a reasonable expectation of privacy (i.e., restrooms, locker rooms).
 - b. The storing, sharing, and/or distributing of such unauthorized records by any means.
 - c. Making obscene remarks, exposing oneself in an indecent manner, urinating or defecating in public, and/or engaging in sexual activities in public places.
29. Violation of federal, state, and local laws. Engaging in conduct that violates any municipal or county ordinance, federal, or state law.
30. Misusing, failing to comply with, disrupting, or jeopardizing Code of Conduct procedures, sanctions/interventions, or interfering with Code of Conduct proceedings. Abuse of the Student Conduct System includes, but is not limited to:

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- a. Failure to comply with an order or decision of the Student Conduct officer or hearing committee.
- b. Falsification, distortion, or misrepresentation of information.
- c. Disruption or interference with the orderly conduct of a hearing.
- d. Knowingly filing a false and/or malicious complaint.
- e. Attempting to influence or discourage an individual's participation in or use of the Student Conduct System.
- f. Attempting to influence the impartiality of a member of the Student Conduct Committee or the DA prior to, during, and/or after a proceeding.
- g. Any form of harassment (and/or intimidation) of a member of the Student Conduct Committee or a College District representative prior to, during, and/or after a proceeding.
- h. Failure to comply with the sanction(s) imposed under the Student Code of Conduct.
- i. Influencing or attempting to influence another person to violate or otherwise abuse the Student Conduct System.

Discipline

Any student violating this policy shall be subject to disciplinary sanctions including suspension, in accordance with policy. [See FM and FMA] A "violation" means an act or omission that is contrary to a published College District regulation or policy, including but not limited to, any violation of this Student Code of Conduct.

Repeated or aggravated violations of any provision of this code may also result in expulsion or suspension or in the imposition of such lesser penalties as are appropriate.

"Aggravated violation" means a violation that resulted, or could have resulted if foreseeable, in significant damage to persons or property or that otherwise posed a substantial threat to the stability and continuance of normal College District-sponsored activities.

The following sanctions may be imposed upon any student found to have violated the Student Code of Conduct:

1. Written warning — A notice in writing to the student that the student is violating or has violated institutional regulations.
2. Probation — A designated period of time that includes the probability of more severe disciplinary sanctions if the student

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is found to have violated any institutional regulation(s) during the probationary period.

3. Loss of privilege/restriction — Denial of specified privilege or access for a designated period of time.
4. Restitution — Reimbursement for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
5. Discretionary sanctions — Work assignments, service to the college or community, or other related discretionary assignments. Such assignments must have the prior approval of the vice president of student services.
6. Suspension — Separation of the student from the college for a definite period of time after which the student is eligible to return. Conditions for readmission may be specified.
7. Removal from program of study — The student may also be subjected to disciplinary procedures set forth by specific programs with specialized admissions requirements.
8. Expulsion — Permanent suspension of the student from the college.