

SOUTH TEXAS COLLEGE STUDENT CODE OF CONDUCT

The Student Code of Conduct is an articulation of South Texas College's commitment to maintaining an environment that recognizes and supports the rights of its students, while providing a guide for defining behaviors the College considers inappropriate.

When students fail to act in accord with the rules and regulations of the South Texas College community, the College must hold them accountable for their actions. The purpose of the student conduct system is not solely to punish students for transgressions, but to help them understand and accept their obligations as citizens of an academic community. Whenever possible, sanctions for violations of the Student Code of Conduct will be educational in nature.

The Office of Judicial Affairs has primary authority and responsibility for the administration of student discipline.

Definition of Terms

Student - Any person who is taking or auditing classes at South Texas College, or who is registered to take or audit classes at the College, or who has submitted an application for enrollment to South Texas College.

Aggravated Violation - A violation of the Student Code of Conduct which resulted or could have resulted in significant damage to persons or property, or which otherwise posed a substantial threat to the stability and continuance of College activities. An act of violence is considered an aggravated violation.

Administrative Decision - Outcome of an investigation by the Office of Student Life. An administrative decision may be followed by a sanction.

Sanction - Penalty imposed on a student for violating the Student Code of Conduct that is intended to correct inappropriate behavior and ensure future compliance.

Office of Judicial Affairs - The Office of Judicial Affairs enforces South Texas College policies to promote a safe and supportive learning environment that treats each student fairly, equally, and with respect. The Office of Judicial Affairs nurtures student learning and growth by encouraging student accountability, academic integrity and responsible decision-making.

Office of Judicial Affairs

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Interim Suspension

When a College Administrator receives information that a student has allegedly violated the Student Code of Conduct or a College policy, or when the continuing presence of a student poses a danger to persons or property or disrupts the educational process, the College Administrator may impose interim suspension. The College Administrator may suspend the right of a student to be present on campus and to attend classes, or otherwise alter the status of a student when an emergency exists which requires immediate action to preserve safety and a conducive learning environment. This interim suspension will remain in effect until an investigation is completed and an administrative decision is reached by the Office of Judicial Affairs.

Student Conduct Process

When a student is alleged to have violated the Student Code of Conduct or a College policy that can result in disciplinary action, the Office of Judicial Affairs shall investigate the allegation.

The following process will be utilized in conducting an investigation:

1. The student will be notified of the charge against him/her. This notification may be verbal or in writing.
2. The Office of Judicial Affairs may seek professional assistance and advice or take other measures to insure fair disposition of the matter.
3. The investigation may consist of interviewing witnesses, and/or requiring documentation relating to the issue.
4. The student shall be afforded the opportunity to present information in support of his/her case and to admit or deny the accusation.
 - a. The student will meet at a time and location designated by the Office of Judicial Affairs.
 - b. The purpose of the meeting will be to review the complaint and hear witnesses (if called). During the meeting, formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court will not be used. The student must respond to inquiries from the Office of Judicial Affairs.
 - c. The Office of Judicial Affairs will render an administrative decision based upon a "clear and convincing" standard of proof. A "clear and convincing" standard of proof requires a finding that the facts asserted are highly probable, in contrast to a preponderance of the evidence standard, which requires a finding that the facts presented are probably true.
5. The Office of Judicial Affairs shall present an explanation of the administrative decision to the student detailing any sanction to be imposed upon the student. The explanation will include information regarding the appeal process should the student wish to challenge the decision.

Types of Misconduct

The College reserves the right to take necessary and appropriate action to protect the safety and well being of the College community. Such action may include pursuing disciplinary action for any violation of the Student Code of Conduct, whether on-campus, off-campus or on the internet, that affects the College's educational interests.

Violations affecting the health and safety of members of the College community are deemed to be the most serious. Therefore; acts of violence, threats or dangerous behavior are most likely to result in a suspension or expulsion from the College. Students committing acts of academic dishonesty may also face suspension or expulsion from the institution and/or a reduced or failing grade.

Specific examples of misconduct occurring on-campus, off-campus or on the internet for which students may be subject to disciplinary action include, but are not limited to, the following:

1. Commission of any criminal offense under federal, state, or local law; or advocating or recommending, either orally or in writing, the conscious and deliberate violation of any federal, state, or local law.
2. Conducting one's self in a manner that significantly endangers the health or safety of other persons on campus or at an authorized function sponsored by the College. This includes threats of violence. Threats of violence are considered a serious infringement upon the learning environment and will be acted upon accordingly.
3. Commission of an act of violence. Acts of violence include:
 - a. Arson
 - b. Assault/Fighting
 - c. Burglary/Theft
 - d. Robbery
 - e. Kidnapping/Abduction
 - f. Forcible and Non-Forcible Sex Offenses
 - g. Criminal Homicide
 - h. Destruction, Damage, and Vandalism of Property
4. Causing, attempting to cause, or threatening to cause physical injury to one's self.
5. Committing an act of sexual misconduct, which encompasses a range of behavior including sexual harassment, sexual assault, and any conduct of a sexual nature that is nonconsensual, or has the effect of threatening or intimidating the person against whom such conduct is directed. Sexual misconduct may be found in a single episode, as well as in persistent behavior.
 - a. Sexual assault against the will of the victim, by force or without consent, or where the victim is incapable of resistance because of mental or physical incapacity.
 - b. Contact for the purpose of degrading or humiliating another person for sexual gratification.
 - c. Contact entailing use of a weapon, physical force, violence, or superior strength.
 - d. Non-consensual sexual advances, requests for sexual favors, or other verbal or physical conduct.

6. Destroying, defacing or damaging campus property or property belonging to another.
7. Theft of property or services and/or knowing possession of stolen property. Theft over \$50.00 is considered an aggravated offense.
8. Use of College equipment, computers or network resources for illegal or inappropriate purposes such as gambling; accessing pornographic web sites; sending or forwarding vulgar, pornographic or threatening e-mails; printing pornographic images; illegally downloading, sharing or printing copyrighted material.
9. Gambling in any form.
10. Failure to comply with the directive of a College official or Campus Security Officer acting in the performance of his/her duties. Failure to heed an official summons to the office of a College official or the Office of Judicial Affairs within the designated time.
11. Giving false testimony or other evidence at any College disciplinary proceeding.
12. Forgery, alteration, or misuse of College documents, forms, records or of College-issued identification cards.
13. Failure to meet financial obligations to the College, including the issuance of a check without sufficient funds.
14. Failure to maintain a current official mailing address and telephone number or giving a false or fictitious address or telephone number to the Office of Admissions and Records.
15. Misuse of fire or other safety equipment.
16. Unauthorized entry into or use of campus facilities; or possession of and/or making use of College keys for unauthorized purposes.
17. Unauthorized use or possession of ammunition, firearms, or other weapons, including knives.
18. Unauthorized possession, ignition, or detonation of any explosive device, fireworks, liquid, or object which is flammable, or which could cause damage by fire or explosion to persons or property.
19. Intentionally or recklessly subjecting any person to risk of bodily harm or severe emotional distress, or causing or encouraging any person to commit an act that would be a violation of law or College regulations for the purpose of initiating, promoting, fostering, or confirming any form of affiliation with a student group or organization (hazing).
20. Harassment by any means in which an individual intentionally threatens to take unlawful action against any person and by this action intentionally, knowingly, or recklessly annoys or alarms the recipient or intends to annoy or alarm the recipient.
21. Use of vulgar or abusive language (whether written, spoken, or displayed on clothing) that demeans or maligns others or interferes with fulfillment of the College's mission and purpose. This includes the use of fighting words and statements.

22. Willfully and repeatedly contacting or attempting to contact another member of the College community after being informed by the recipient that such contact, whether intended to be romantic or friendly, is not welcome; and when such contact reasonably and seriously annoys or alarms the recipient. This includes telephone calls, e-mails, text messaging, sending flowers, cards or gifts, or asking other individuals to deliver messages, flowers or gifts.
23. Use or possession of an intoxicating beverage or being intoxicated. Illegal possession, use, sale, or distribution of any quantity, whether usable or not, of any drug, narcotic, or controlled substance or being under the influence of said drug, narcotic, or controlled substance.
24. Intentionally and substantially interfering with the freedom of expression of others. The banning or obstruction of lawful speech cannot be justified on grounds that the speech or the speaker is deemed irresponsible, offensive, unscholarly, or untrue. There is no right to protest within a College building or at College sponsored activity in such a way that any College activity is disrupted.
25. Students are expected to respect the privacy of all members of the College. Use of a camera, camera phone or recording device in any of the following manners is prohibited and considered a violation of the Student Code of Conduct:
 - a. During class or during workshops or presentations without prior approval.
 - b. In public areas where people have a reasonable expectation of privacy such as bathrooms and locker rooms.
 - c. To record or transfer confidential information.
 - d. Photographing, filming or recording individuals without their knowledge and consent. This is considered an aggravated violation if the image, video or recording intentionally or unintentionally demeans or humiliates the subject.
 - e. Storing, sharing, distributing or displaying unauthorized images or recordings. This includes posting images, video or recordings on a web site.
 - f. Sharing, distributing or displaying an image or recording made with permission to individuals not authorized by the subject to have access to the recorded image or words. This includes posting images, video or recordings on a web site.
26. Knowingly initiating, communicating, or circulating a false alarm or report which would ordinarily result in action by an emergency response agency (Police, Fire Dept., etc.), place a person in fear of imminent serious bodily injury, prevent or interrupt the occupation of a building or room, or disrupt the normal operation of the College.
27. Disruptive activities that interfere with instructional activities or the functions that support instruction. This includes noise, acts of incivility, obstructing or restraining individuals, seizing control of a building or room, or other disruptive activities.

28. Academic dishonesty. Incidents involving academic dishonesty are decided by the course instructor or academic department. Students committing academic dishonesty may face additional sanction by the Office of Judicial Affairs, up to and including suspension or expulsion from the College.

A student's lack of understanding is not a valid defense to a charge of academic dishonesty. Types of academic dishonesty include, but are not limited to:

a. Cheating

Using or intending to use unauthorized materials, information, notes or study aids in any academic exercise; or any other actions taken to gain unfair advantage over others.

- Copying from another student's exam or quiz or providing answers to another student during an exam or quiz.
- Substituting for another person, or permitting another person to substitute for one's self, in taking an exam or completing an assignment.
- Using, buying, stealing, transporting or soliciting some or all of the contents of an un-administered test, homework answer sheet, computer program or answer key.
- Looking at another student's paper, talking or using an external aid such as notes, books, calculators or cell phones (unless the course instructor has indicated in advance that this will be allowed) during an exam or quiz.
- Obtaining answers or information for a homework assignment, exam or quiz from an unauthorized source. This includes, but is not limited to, using commercial term paper companies, purchasing answer sets to homework from tutoring companies, and obtaining information from students who have previously taken the course.
- Reviewing previous copies of an exam or quiz without the permission of the course instructor.

b. Plagiarism

Using someone else's words, ideas or images and then submitting that work for credit as if it were one's own without appropriate acknowledgment to the author.

- Submission of any written assignment or oral presentation implies that the work is the result of that student's own thought.
- Use of someone else's words, ideas and images must be documented by proper use of quotation marks, references, and footnotes. This includes Internet sources.
- Students must be able to authenticate their work if requested by their course instructor.

c. Fabrication

The intentional and unauthorized falsification or invention of information or citation in an academic exercise.

- Inventing data or results, and recording or reporting them as factual.
- Inventing or altering citations, footnotes, etc.
- Providing a fabricated document to a course instructor in order to obtain an excused absence or to satisfy a course requirement.

d. Multiple Submissions

Submission of the same or substantially the same work for credit in two or more courses, without prior approval from the course instructors. This includes work previously submitted for academic credit at South Texas College or a different institution.

e. Collusion

Unauthorized collaboration with another person in the preparation of an academic assignment. All assignments are to be completed individually unless the course instructor indicates otherwise.

f. Complicity

Assisting or attempting to help another student commit academic dishonesty.

- Providing information about test questions before a scheduled exam or quiz unless authorized to do so by the course instructor.
- Allowing another student to copy from one's paper during an exam, quiz or homework assignment.
- Taking an exam or quiz for another student.
- Signing another student's name on an academic exercise or attendance sheet.
- Conspiring with one or more persons to commit, or to attempt to commit, any act of scholastic dishonesty.

g. Failing to Report Academic Dishonesty

Failing to report an incident of academic dishonesty to your course instructor

29. Violations of other published College regulations or policies. Such regulations or policies may include computer use, use of College facilities, parking rules and regulations and regulations governing student organizations.

30. Facilitating in the committing of any of the types of misconduct included in this Student Code of Conduct. This includes the planning, attempting or acting as an accessory to any of the types of misconduct and being present while the offense is committed and instigating or encouraging the act.

Types of Sanctions

Should the investigation by the Office of Judicial Affairs determine the allegation(s) to be factual, the Office of Judicial Affairs will issue an administrative decision imposing one of the following sanctions:

1. Oral or Written Warning
Continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
2. Probation
Imposed for a definite period of time. Violation of the terms of probation or any other violation of the Student Code of Conduct or College policy during the period of probation may result in suspension or expulsion from the College.
3. Suspension
Temporary removal of a student's right to be present on campus, attend classes and participate in College activities for a specified period of time. Violation of the terms of suspension or any other violation of the Student Code of Conduct or College policy during the period of suspension may result in expulsion from the College.
4. Expulsion
Permanent removal of a student's right to be present on campus, attend classes and participate in College activities.

In addition to the sanctions above, the administrative decision may include additional requirements including, but not limited to the following:

- Requirement that the student complete a special project or activity which may be, but is not limited to, writing an essay, attending a special class or lecture, viewing a presentation and successfully passing a quiz, registering and successfully completing a college course, attending counseling sessions, or completing a community service project.
- Exclusion from participation in privileged or extra-curricular institutional activities or other student activities for a specified period of time, including ineligibility from participation in a student organization for a specific period of time.
- Loss of eligibility for a student grant or loan.
- Bar against re-admission to the College or a College program for a specific period of time.
- Restitution, whether monetary or by specific duties, for damage to or appropriation of College, student, or employee property.
- Withholding of an official transcript, degree, or certificate of completion; or denial, non-recognition or revocation of a degree. The College reserves the right to revoke an awarded degree for fraud in receipt of the degree, or for serious disciplinary violations committed by a student prior to the student's graduation.
- Withdrawal from a course or courses with a grade of "W" (Withdrawal) or "F" (Failing).
- Placing the student on a monitored supervision plan.

Appeal Process

The student may appeal the decision of the Office of Judicial Affairs to the Vice President for Student Affairs and Enrollment Management. This appeal must be made in writing and received in the Vice President's office within 5 working days of receiving notice of the Office of Judicial Affairs' decision. Appeals received after the deadline may be rejected without review.

Upon receipt of the appeal, the Vice President may review the appeal or appoint an ad hoc committee to review the appeal and make a recommendation. The review may include hearing witnesses, but it will be predominantly based upon the written appeal. The decision of the Vice President concludes the approved South Texas College disciplinary appeal process. An appeal to the Vice President for Student Affairs and Enrollment Management may result in one of the following:

1. Affirm the action of the Office of Judicial Affairs.
2. Dismiss, reduce, modify, or increase the sanction imposed by the Office of Judicial Affairs.

Student Discipline in the Classroom

South Texas College supports the right of faculty to maintain discipline in the classroom. When a student is being disruptive in the classroom, clinical or other academic setting, the course instructor or clinical supervisor may temporarily or permanently remove that student from class according to procedures outlined in this Student Code of Conduct.

The primary responsibility for managing the classroom environment rests with the course instructor. Each course instructor determines what behavior is appropriate or not appropriate in their classroom. Inappropriate behavior may include speaking on a cellular telephone, using a camera during class, persistently speaking without being called upon, refusing to be seated, disrupting the class by leaving and entering the room without authorization, etc. When a student exhibits inappropriate behavior in the classroom, clinical or other academic setting, the course instructor may temporarily or permanently remove that student from class according to the following procedures:

1. Upon the first occurrence, the course instructor will:
 - a. Speak with the student and inform them that they have violated appropriate standards of classroom behavior.
 - b. Verbally warn the student that a repeat occurrence may result in permanent removal from the class.
 - c. Obtain a commitment from the student that the inappropriate behavior will cease.
 - d. If the infraction is serious enough to warrant immediate removal from class, the course instructor may drop the student from class and assign a grade of "W" or "F" on the first occurrence.
 - e. Refer the situation to the Office of Judicial Affairs if the student has committed an aggravated violation of the Student Code of Conduct.
 - f. Document the situation and the conversation with the student.

2. Upon the second occurrence, the course instructor may:
 - a. Drop the student from class and assign a grade of "W" or "F."
 - b. Document the situation and the conversation with the student.
 - c. Notify the Office of Judicial Affairs. The Office of Judicial Affairs may impose additional sanctions, up to and including suspension or expulsion from the College.

Student Discipline in the Classroom - Appeal Process

The student may appeal the decision of the course instructor to the appropriate Program Chair. This appeal must be made in writing and received in the Program Chair's office within 5 working days of the student's receiving notice of the course instructor's decision. Upon receipt of the appeal, the Program Chair shall review the appeal, hear witnesses if he/she so chooses, and render a decision. The decision of the Program Chair concludes the approved South Texas College disciplinary appeal process.

An appeal to the Program Chair may result in one of the following:

1. Affirm the action of the course instructor.
2. Dismiss, reduce, modify, or increase the penalty imposed by the course instructor.