

**LONE STAR COLLEGE SYSTEM DISTRICT
BOARD POLICY MANUAL
Fourth Edition**

may be removed by the College's Police Department. The instructor must submit a written report documenting the incident to the Chief Student Services Officer. The report must include the date, time, place, and describe the circumstances of the classroom disruption.

VI.E.1.05 Off-Campus Activities

Students are not under the College's control when not on the College's property or when such students are not participating in a College-sponsored activity. The College assumes no responsibility for the off-campus activities or its students' personal conduct. Students who break the law risk the related consequences of so doing. The College may, however, take disciplinary action against students whose conduct at a non-college-sponsored event poses a serious and substantial danger to any student.

VI.E.1.06 Professionalism

Students assigned to healthcare or other facilities, as part of clinical courses or serving in internships as part of a course, are expected to behave in a professional manner. Students must adhere to professional norms for the particular professional field. A student's performance evaluation includes a professional conduct component.

LSCS Policy Manual Section VI adopted by the Board of Trustees on March 3, 2016

VI.F STUDENT DISCIPLINE FOR NON-ACADEMIC MISCONDUCT

VI.F.1 General Provisions

VI.F.1.01 Student Discipline Policy for Non-Academic Misconduct

The College shall maintain safety, order, and integrity by enforcing conduct standards. Non-academic misconduct subjects students to discipline under this section. The College shall respect each person's dignity and rights throughout the discipline process. When possible, members of the College community should try to resolve minor allegations of non-academic misconduct informally. Section VI.F does not apply to matters addressed by Section IX.

VI.F.1.02 Definitions

- (a) **Appeal** means to request in writing that the Executive Vice Chancellor review a decision of suspension or expulsion, stating why it should be modified or reversed.
- (b) **Chief Conduct Officer** means a college Vice-President to whom the college President gives primary responsibility for student discipline for non-academic misconduct.
- (c) **Discipline Committee** means a panel appointed from each college to review suspensions and expulsions imposed by other colleges.

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- (d) **Due process** means a student's procedural and substantive constitutional protections.
- (e) **Effective notice** means written notice served in person, emailed to a person's College email address, or mailed to a person's address.
- (f) **Expulsion** means permanent exclusion from any or all College classes and activities.
- (g) **Non-Academic Misconduct** means violating minimum standards of student conduct required to maintain safety, order, and integrity.
- (h) **Period of disruption** means any period in which it reasonably appears that there is a threat of destruction to institutional property, injury to human life on the college or facility, or a threat of willful disruption of the orderly operation of the college or facility.
- (i) **Sanction** means a penalty against a student, including oral or written warning, probation, suspension, expulsion, or other proper penalty.
- (j) **Suspension** means temporary exclusion from any or all College classes and activities.

VI.F.1.03 How to Report Non-Academic Misconduct

Anyone may report non-academic misconduct in writing to a Chief Conduct Officer. Reports shall include all known relevant facts, including dates, times, and places. The reporter shall supply available evidence and shall commit to participate in the investigation or hearing. False reports are non-academic misconduct.

VI.F.1.04 Investigation

After receiving a written report alleging non-academic misconduct, the College shall investigate the allegations and issue a written decision either dismissing the allegations or finding the student responsible for non-academic misconduct and imposing sanctions. If the decision imposes suspension or expulsion, the student may request a Discipline Committee hearing.

VI.F.1.05 Hearing

The College shall give the student effective notice of the date, time, and place of his or her Discipline Committee hearing. Notices shall set forth specific allegations, list all evidence of non-academic misconduct including all witnesses who may testify against the student, and provide copies of all documents to be used against the student. The College must prove non-academic misconduct to the Discipline Committee by preponderance of the evidence. Accused students shall have the right to confront and question their accusers during the hearing unless a legally recognized exception to this right applies. After the hearing, the Discipline Committee will issue a written majority decision either dismissing the matter or finding the student responsible for non-academic misconduct. A decision finding a student responsible for non-academic misconduct shall explain the specific non-academic misconduct and evidence thereof and recommend sanctions. Either party may appeal the Discipline

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Committee's decision. The College may hold a joint hearing for two or more students alleged to have participated in the same incident(s) of non-academic misconduct.

VI.F.1.06 Effect of Sanctions

Unless otherwise specified in writing, suspension or expulsion shall have College-wide effect. A student suspended or expelled from one college may not enroll at another college without the Executive Vice Chancellor's permission unless the sanction has expired by its own terms or has been reversed on appeal. Any student facing unresolved discipline for non-academic misconduct may not register without the College's permission. The College may agree at any time to impose certain sanctions if a student admits to non-academic misconduct, and the student and Chief Conduct Officer shall sign any such agreement. In addition to sanctions, the College may pursue any and all remedies at law or equity.

VI.F.1.07 Due Process Requirements

Students have a protected interest in receiving an education. Except during periods of disruption, students must receive due process before they may be suspended or expelled. Due process requires notifying students of charges against them, explaining evidence against them, and giving students a fair opportunity to present their side of the story. Due process is not required for sanctions that do not affect students' interest in receiving an education, such as warnings or exclusion from extracurricular activities. Except during a period of disruption, no suspension or expulsion will take effect before the investigation, hearing, and appeal process ends.

VI.F.1.08 Autonomy

Non-academic misconduct may also violate federal, state, or local laws, and students subject to discipline may also face civil or criminal legal penalties. Civil or criminal proceedings—or the lack thereof—related to alleged non-academic misconduct will not determine discipline.

VI.F.1.09 Periods of Disruption

During periods of disruption, the powers and procedures in Texas Education Code Chapter 51, Subchapter E-1 shall apply and shall prevail over this section if they conflict. Students must receive due process as soon as practicable during periods of disruption.

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VI.G STUDENT RECORDS

VI.G.1. Student Records

The College will comply with the Family Educational Rights and Privacy Act of 1974 (FERPA) when collecting, maintaining, and releasing student records. Students have rights regarding their records.

- (a) The right to inspect and review their education records within 45 days of the College's receipt of a written request for access.