

STUDENT CONDUCT AND DISCIPLINE PROGRAM

SECTION ONE GENERAL PRINCIPLES

1.01 Intent

It is the intent of the Student Conduct and Discipline Program to provide an educational and developmental response to student misconduct while ensuring a safe and appropriate teaching and learning environment.

1.02 Progressive Discipline

In keeping with the educational intent of the Student Conduct and Discipline Program, the College engages in progressive discipline to help students understand and behave in accordance with the College's conduct standards. The progressive discipline process includes (a) selecting a proportional response to a student's misbehavior and (b) increasing the level of response if the student subsequently misbehaves.

1.03 Exceptions to Progressive Discipline

Although the College generally engages in progressive discipline in the Student Conduct and Discipline Program, in circumstances wherein the College determines it is likely a student's behavior will continue (a) to be disruptive to the teaching and learning environment, (b) violate another person's rights, and/or (c) represent a potential threat to campus or individual safety and security, the College may expel the student for the first occurrence of misconduct.

1.04 Program Authority

The College President delegates authority and responsibility for administering the Student Conduct and Discipline Program to the Dean of Student Affairs.

1.05 Responsible Employees

A responsible employee is a College employee required to report allegations of student misconduct promptly to the Dean of Student Affairs. Responsible employees are not confidential reporting resources. At the Angelina College, responsible employees include, but are not limited to:

- administrators
- employees assigned an apartment in College student housing
- student success coaches
- coaches, and other athletic staff who interact directly with students
- faculty members
- police officers and security staff
- all supervisory staff

SECTION TWO PERSONAL CONDUCT

2.01 **Jurisdiction of the Student Conduct and Discipline Program**

The personal conduct of students is subject to the Student Conduct and Discipline Program in all of the following settings:

- on the grounds of any College site or campus, in any facility or building owned or operated by the College, and in any vehicle owned by or operated by the College;
- when participating in or attending College functions regardless of the location of the function; and
- when participating in recognized student organizations, college-sponsored groups or organizations, or intercollegiate athletic teams.

2.02 **Connection to the College**

The College may address the personal conduct of students through the Student Conduct and Discipline Program--regardless of where the behavior occurs--if the student has a clear connection to the College when engaging in the conduct and if such behavior may adversely affect the safety and security, programs, or reputation of the College.

2.03 **Expectations for Students Employed by or Representing the College**

The College may require students to meet appropriate behavioral expectations if the College employs them or engages them to represent the College as volunteers at events or programs. These expectations may include appropriate guidelines for the students' apparel and expression or speech that may otherwise be protected. If a student fails to meet these expectations, the College may take appropriate disciplinary action up to and including termination of the student's employment, may refuse to continue allowing the student to volunteer, and/or may hold the student accountable for his/her behavior through the Student Conduct and Discipline Program.

2.04 **Local, State, and Federal Laws and Ordinances**

The College expects students to obey all local, state, and federal laws and ordinances. The College may administer appropriate disciplinary sanctions through the Student Conduct and Disciplinary Program if a student violates a law or ordinance.

SECTION THREE EXAMPLES OF PROHIBITED BEHAVIOR

The following are examples of prohibited behavior. The College may conduct investigations, administer processes, and assign penalties related to behaviors that are not listed below but that the College finds are disruptive to the teaching and learning environment or College operations and/or present a threat to campus or individual safety and security.

3.01 **Academic Integrity and Honesty**

A college's intellectual reputation depends on maintaining the highest standards of academic integrity and honesty. Commitment to those standards is a responsibility of every

Angelina College student, instructor, and staff member. The College requires complete honesty from each student in all phases of coursework. Breaches of academic integrity and honesty include cheating, plagiarism, and the unauthorized possession or disposition of academic materials. The College considers any breach of academic integrity and honesty as a violation of acceptable student conduct, and instructors and/or the Dean of Student Affairs will address any violation.

Cheating: Cheating is the act of using unauthorized materials or receiving unauthorized assistance during an examination or any other academic exercise. Examples of cheating include: copying the work of another student during an examination or any other academic exercise, or permitting another student to copy one's work; taking an examination for another student, allowing another student to take one's examination, or facilitating this behavior among other students; possessing unauthorized notes, study sheets, examinations, or other materials during an examination or other academic exercise; collaborating with another student during an academic exercise without the instructor's consent; falsifying examination results; or otherwise acquiring or submitting as one's work any research paper or writing assignment prepared by another individual or firm.

Plagiarism: Plagiarism is defined as the use of another's ideas or words without appropriate acknowledgment. Examples of plagiarism include: failing to use quotation marks when directly quoting from a source; failing to provide appropriate citation when using distinctive ideas from a source, including websites, message boards, or the social media accounts of others; and fabricating or inventing sources.

Unauthorized Possession or Disposition of Academic Materials: Unauthorized possession or disposition of academic materials may include: selling or purchasing examinations, papers, reports or other academic work; taking another student's academic work without permission; possessing examinations, papers, reports, or other materials not released by an instructor; and/or submitting the same paper for multiple classes without advance instructor authorization and approval.

3.02 Alcoholic Beverages

The College prohibits student possession or consumption of alcoholic beverages on College property. Behavior subject to disciplinary action include the possession and/or consumption of alcoholic beverages and/or being under the influence of alcohol at a campus or site or while representing the College during an off-campus activity.

3.03 Illegal Substances

The College prohibits the possession, distribution, or use of any illegal substance on campus or at any College function on or off campus.

3.04 Tobacco

Angelina College is a *Tobacco Free* campus. The College prohibits the use of tobacco products on all College property.

3.05 Vapor and e-cigarettes

The College prohibits use of vapor and e-cigarettes on all College property.

3.06 Housing and Residence Life

The College prohibits violations or breaches of the Angelina College Residential Contract by students living in College housing.

3.07 Animals on Campus

The College prohibits pets and other privately-owned animals in any College building unless the Vice President of Academic Affairs (VPAA) makes a specific exception for academic purposes. When the VPAA makes an exception, animals on campus must be on a leash or be otherwise under the direct and positive control of the owner.

The College permits service animals assisting individuals with disabilities in all College facilities, programs, and events. Students with disabilities should contact the Office of Student Success and Inclusion to obtain guidelines and regulations related to service animals.

3.08 Children in the Classroom

The College prohibits students bringing children to class without prior consent from the instructor.

3.09 Discrimination and Harassment

In accordance with federal and state law, the College prohibits unlawful discrimination, including harassment, on the basis of race, color, religion, national origin, gender, including sexual harassment, age, disability, citizenship, and veteran status. Pursuant to College policy, the College also prohibits discrimination on the basis of sexual orientation, gender identity, and gender expression. Angelina College also fosters an environment of open communication and is committed to protecting individuals from retaliation who participate or engage in protected activities.

Interested individuals should also see the following College policies and regulations:

- AF (Local) - Equal Employment and Educational Opportunities Statement
- AFA (Local) - Title IX: Prohibited Discrimination and Harassment
- FFD (Regulation) - Student Freedom from Discrimination, Harassment, and Retaliation
- FLD (Local) - Student Complaints

3.10 Disruptions

The College prohibits use of force, violence, tactics, or behavior that cause obstruction or disruption of teaching, administration, disciplinary procedures, or other authorized activities on College premises.

3.11 Distribution of Literature, Advertising, Selling or Solicitation

Selling and soliciting are only permitted on the College's campus and sites with official authorization. The College prohibits solicitation of students, faculty, or staff members by personal contact or through the distribution of advertising leaflets or handbills on any College property or in any buildings to promote sales without prior approval of Dean of Student Affairs or his/her designee.

3.12 False Reports

The College prohibits false reporting of incidents including intentional activation of fire alarms or fire suppression systems on campus when a threat is not imminent.

3.13 Falsification of Records

The College prohibits knowingly furnishing false information to the College by forging or altering a document, record, or identification.

3.14 Financial Responsibilities

The College prohibits students from failing to promptly address all financial responsibilities owed Angelina College. This prohibition includes any student unpaid debts, returned checks, overdue borrowed books, and other cases of financial irresponsibility.

3.15 Firearms, Fireworks, and Explosives

The College prohibits the unauthorized possession or use of firearms, fireworks, explosives, or unauthorized hazardous chemicals of any description on College grounds or property, including residence halls.

3.16 Food and Drinks

The College prohibits possession and consumption of food and drinks in the computer labs, classrooms, laboratories, shops, theatre, library, and other designated areas on campus without prior approval by appropriate College personnel.

3.17 Gambling

The College prohibits gambling in any form on College grounds and property, including College residence halls.

3.18 Lewd, Vulgar, Indecent, or Obscene Conduct & Expression

The College prohibits lewd, vulgar, indecent, or obscene conduct and expression infringing upon the rights of others to the point where the behavior is so severe, persistent or pervasive that it explicitly or implicitly affects an individual's employment or enrollment, unreasonably interferes with an individual's work or educational performance, or creates an intimidating or hostile work or educational environment. The College also prohibits lewd, vulgar, indecent, or obscene conduct that disrupts the campus learning environment, including all College activities conducted on and off campus property.

3.19 Misuse of Student Identification Card

The College prohibits the use of a student identification card by anyone other than the person to whom it is issued, and the failure to present or relinquish a student identification card to a member of the faculty, staff, or administration upon request.

3.20 Official Directives

The College prohibits failure to comply with the lawful directives of all College officials acting within the scope of their responsibilities.

3.21 Stalking

The College prohibits students from attempting to control or intimidate another student through behavior or threats. “Stalking” is a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s own safety or for the safety of others or would cause that person to suffer substantial emotional distress. A “course of conduct” means two or more acts in which a person 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. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the complainant. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

3.22 Student Dress

Classroom instructors and College staff in charge of College events may remove or debar a student from an activity if the student’s clothing may cause an unsafe learning environment for the student and/or for other students participating in the activity or contributes to creating an intimidating or hostile work or educational environment.

3.23 Terroristic and Bomb Threats

The College prohibits terroristic behavior such as sending threatening letters or electronic mail, communicating threats through telephone calls or text messages, and bomb threats.

3.24 Unauthorized Entry

The College prohibits unauthorized entry or use of College buildings, offices, or facilities.

3.25 Unauthorized Possession of Keys

The College prohibits possession by students of keys to College buildings or facilities that have not been issued by an authorized College official.

3.26 Vandalism

The College prohibits the willful malicious destruction, damage, or defacing of property whether it belongs to the College, a College employee, or another student.

3.27 Violent Behavior

The College prohibits the use or threat of physical violence against another person on College property or at College-sponsored events.

3.28 Inappropriate Use of College Information Resources

Each student is responsible for the use of the College information resources to which he/she is granted access. The College expects students to promote efficient use of information resources that is consistent with the instructional, public service, and administrative goals of the College. The College permits incidental use of College information resources, but such use must not interfere with the performance of official College business, result in direct costs to the College, expose the College to unnecessary risks, or violate applicable laws or College policies and regulations. Users have no expectation of privacy in any personal information stored on a College information resource, including College email accounts. The College prohibits the following:

- incidental use to conduct or promote a student's or an employee's outside employment, including self-employment;
- use of any College-provided information resource to do something illegal, threatening, or deliberately destructive;
- falsification of identity or enabling others to falsify identity using College information resources;
- unauthorized use or disclosure of confidential data or of data that are otherwise restricted;
- use of College information resources to send an unsolicited message(s) to a large number of recipients (known as "spamming"), consuming a disproportionate share of network resources without prior authorization, and deliberately causing any denial of service or introduction of computer viruses to College information resources.

3.29 Violation of Local Ordinances and of State or Federal Law

The College prohibits any action, event, or group of events that provides grounds for a charge or violation of local ordinances or of state or federal laws.

**SECTION FOUR
SPECIAL PROVISIONS**

4.01 Attempted Violations

In most circumstances, the College will treat an attempt to commit a prohibited behavior as if the actor had exhibited the behavior.

4.02 College as Complainant

As necessary, Angelina College reserves the right to initiate a complaint, to serve as complainant, and to initiate conduct proceedings without a formal complaint by the victim of misconduct.

4.03 Immunity for Victims and Witnesses

At the sole discretion of the Dean of Student Affairs, the College may choose to not issue charges nor to administer punishment for prohibited behavior to victims and witnesses of serious criminal activity.

4.04 Bystander Engagement

At the sole discretion of the Dean of Student Services, the College may choose to not issue charges nor to administer punishment for prohibited behavior when students report a dangerous situation to a College official or seek emergency assistance for themselves or other students.

4.05 Parental Notification

The College reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status, or conduct situation related to alcohol and/or drug violations. The College may also notify parents/guardians of nondependent students under age 21 of alcohol and/or drug policy violations. Where a student is nondependent, the College will contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk. The College also reserves the right to designate which college officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).

4.06 Interim Actions for Safety and Security

If the College receives evidence indicating a student's behavior presents a continuing danger to people or property or poses an ongoing threat of disrupting the academic process, the Dean of Student Affairs may take immediate interim protective action against the student pending a final determination of an alleged violation of this policy. Such protective/interim measures may include, but are not limited to, suspending the right of the student to be present on campus (including living in campus residence halls) and to attend classes, and otherwise altering the status of the student. Other protective measures may be implemented given the student's relationship with the College. When the Dean of Student Affairs temporarily removes or debars a student, the student will continue to be presumed innocent during the investigation and conference stages of the Student Conduct and Discipline Program process. When the Dean of Student Affairs exercises the authority described in this subsection, he/she will immediately notify the College President, and appoint an appropriate College employee to conduct an investigation on behalf of the College.

4.07 Notification of Outcomes

The outcome of a campus hearing is part of the educational record of the accused student, and is protected from release pursuant to the Family Educational Rights and Privacy Act (FERPA). However, the College observes the legal exceptions as follows:

- Complainants in nonconsensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking, and relationship violence incidents have an absolute right to be informed of the outcome, essential findings, and sanctions of the hearing, in writing, without condition or limitation.

- The College may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a college policy that is a “crime of violence,” including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/ damage/ vandalism of property and kidnapping/abduction.

SECTION FIVE PENALTIES FOR MISCONDUCT

Penalties for student misconduct include, but are not limited to the following:

5.01 Warning or Reprimand

Warning or Reprimand may include, but is not limited to, counseling with or writing a letter to the student. These actions are cumulative and are considered official college actions that are recorded in the Office of the Dean of Student Affairs.

5.02 Restriction

Restriction involves specifically prohibiting a student from attending campus activities, occupying campus facilities, or using campus equipment or services.

5.03 Community Service

Community service is an assignment of unpaid work on campus or in the community with a restorative intent.

5.04 Disciplinary Probation

Disciplinary probation is applied for a stated period with or without specified restrictive conditions. Restrictive conditions may include but are not limited to:

- removing the right of the student to receive any college award, scholarships, or financial aid;
- removing the right to occupy any position of leadership in any college or student organization or activity; and
- debarment from enrolling in courses based on the delivery modality (i.e., in person, online, or hybrid).

Disciplinary probation will become a part of the student’s permanent academic record.

5.05 Removal from College Housing

In certain instances, the college may remove a student from College housing and allow him/her to continue attending classes.

5.06 Course Grade Reduction

Faculty members may reduce a student’s course grade in response to student behaviors that violate standards set forth in the course syllabus and/or prohibited in this policy.

5.07 Administrative Course Withdrawal

Administrative course withdrawal results in a “W” grade. Angelina College reserves the right to withdraw students from a class or all classes if, in the judgment of the appropriate

college official, such withdrawals are in the best interests of students and the college. Students may be withdrawn for reasons of lack of attendance, irresponsible financial conduct, personal misconduct, academic integrity violations, or other academic infractions.

5.08 Disciplinary Suspension

Suspension is for a stated period, but never less than the remainder of the semester in which the offense is committed. During suspension, the student shall not attend classes, participate in any college related activity, or be on campus for any reason except application for readmission. Readmission on probation may be granted at the end of the suspension period. Disciplinary suspension will become a part of the student's permanent academic record.

5.09 Expulsion

Expulsion is the permanent removal from Angelina College with no opportunity for readmission. Expulsion will become a part of the student's permanent academic record.

**SECTION SIX
PROCEDURES FOR STUDENT CONDUCT AND DISCIPLINE PROGRAM**

6.01 Authority

The Dean of Student Affairs shall administer the Angelina College Student Conduct and Discipline Program. At his discretion, the Dean of Student Affairs may appoint trained College employees to conduct investigations or proceedings as described below on a case-by-case basis.

6.02 Student Conduct Panel

Each year, the Dean of Student Affairs shall request the Angelina College Student Affairs Standing Committee assign not less than three (3) faculty members and three (3) professional staff members to the Student Conduct Panel to serve one year terms. A faculty or professional staff member may serve additional one year terms at his/her request if the Dean of Student Affairs approves. The Dean of Student Affairs will recruit and appoint not less than three (3) currently enrolled students to serve on the Student Conduct Panel during each semester. The Dean of Student Affairs or designee shall conduct thorough, appropriate training with the Student Conduct Panel each semester. If a panelist cannot complete his/her term for any reason, the Dean of Student Affairs shall appoint and train a panelist from the exiting panelist's group (i.e., faculty, professional staff, student) who will serve the remainder of the exiting panelist's term. The Student Conduct Panel shall elect a Chief Panelist each semester by majority vote.

6.03 Rules of Evidence and Burden of Proof

Disciplinary decisions will be based on the preponderance of evidence. "Preponderance of Evidence" means it is more likely than not that an alleged incident occurred. The College will use a totality of all available and relevant evidence to reach findings of responsibility. The burden and responsibility for gathering and evaluating evidence rests with the College. Accused students may elect not to self-incriminate and may present relevant evidence to support their positions. Witness statements that are unsigned and/or undated will not be

considered in discipline process; however, if an investigation stemming from an unsigned and/or undated statement results in the discovery of evidence that misconduct may have occurred, the student responsible for that misconduct may be subject to disciplinary action.

6.04 Manner of Correspondence

The College shall send all “in writing” correspondence related to this Policy to the email address assigned by the College to the student who is the intended recipient of the correspondence. Students may submit verbal or written complaints to the Dean of Student Affairs or to any responsible employee (see Subsection 1.05 of this Policy).

Students must file appeals in writing to the Dean of Student Affairs. Hand-delivered filings shall be timely filed if received by the close of business on the deadline. Email filings shall be timely filed if received by the close of business on the deadline, as indicated by the date/time shown on the email message. U.S. Mail filings shall be timely filed if postmarked by U.S. Mail on or before the deadline and received no more than three (3) days after the deadline. The following are the addresses for each manner of correspondence:

Hand-delivered: Administration Building Office 104

Email: shudman@angelina.edu

U.S. Postal Service: Angelina College Dean of Student Affairs; PO BOX 1768;
Lufkin, TX 795902-1768

6.05 College Business Days

Throughout the process outlined in Subsection 6.08 of this Policy, a “day” shall mean a College business day according to the official College calendar. In calculating timelines under this policy, the day a College official sends a correspondence is “day zero.” The following business day is “day one”, and so forth.

6.06 Scheduling Conferences

The College will make reasonable attempts to schedule conferences at a mutually agreeable time for all intended participants. If a student fails to appear at a scheduled conference, the College may hold the conference and issue a decision in the student’s absence.

6.07 Penalties during Appeals

All penalties imposed by a College official or Student Conduct Panel will be in effect during any appeal. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made by the College to restore the student to his/her prior status, recognizing that some opportunities lost may be irretrievable in the short term.

6.08 Steps in the Student Conduct Process

Report/Complaint & Investigation

1. An employee submits a written report of alleged student misconduct, or a student, guest, or vendor of the College (hereinafter “complainant”) submits a verbal or written complaint or report about alleged misconduct.
2. Dean of Student Affairs or designee (hereinafter “College Official”) investigates alleged student misconduct.

Level One Process - College Official

3. If the College Official finds sufficient evidence of misconduct by a student, he/she issues a notice to the student (hereinafter “respondent”) to attend a conference. Failure to appear at the scheduled conference without prior authorization from the Dean of Student Affairs is a violation of *Subsection 3.20 Official Directives* of this Policy.
4. College Official conducts conference with the respondent during which he/she explains the respondent’s right to due process, reviews appeal procedures, lists the charge(s), and presents all evidence collected during his/her investigation. The respondent may present evidence, call witnesses, and/or address witness statements and any evidence presented. Complainants may present witnesses and other evidence during the conference. The College Official may temporarily suspend the conference for a reasonable timeframe, as determined solely by the College Official, to allow the respondent to obtain witness statements, gather evidence, or otherwise prepare to respond to the charge(s) and/or evidence.
5. The outcome of the conference will be one of the following:
 - a. The respondent admits misconduct. The College Official will assign an appropriate penalty in writing to the respondent.
 - b. The College Official finds the evidence and testimony provided by the respondent presents a preponderance of all evidence that the respondent is not responsible for the alleged misconduct. The College Official will dismiss the charge(s) against the respondent in writing.
 - c. After considering all evidence, the College Official finds the preponderance of evidence supports the charge(s). The College Official will assign an appropriate penalty in writing to the respondent.
6. The respondent or complainant may appeal the finding and/or penalty to the Student Conduct Panel in writing to the Dean of Student Affairs within five (5) business days of when he/she receives the notice (see Subsections 6.04 and 6.05).

Level Two Process - Student Conduct Panel

7. When the Dean of Student Affairs receives an appeal by a respondent or complainant, the Dean will request the Chief Panelist of the Student Conduct Panel appoint a subpanel comprising three members of the Panel

to conduct a conference addressing the appeal. The subpanel shall include at least one (1) student but not more than two (2) students.

8. The subpanel will conduct a conference. During the conference, the College Official will present the charge(s) and all evidence collected during the investigation. The subpanel will allow the complainant to present witnesses and other evidence during the conference. The respondent may present evidence, call witnesses, and/or address witness statements and any evidence presented. The outcomes of the conference may be one of the following:
 - a. The subpanel finds the preponderance of evidence supports the charge(s) and assigns appropriate discipline in writing.
 - b. The subpanel finds the preponderance of evidences does not support the charge(s) and dismisses the charge(s) in writing.

Level Three - College President

9. A respondent or complainant may appeal the subpanel's findings or discipline assignment in writing to the College President within five (5) business days of receiving documentation from the subpanel. The following are the only grounds for appeal to the College President.
 - a. A procedural error occurred that significantly impacted the outcome of the conference(s). Examples of procedural errors include substantiated bias by the College Official, failure by the College Official or the Student Conduct Panel to document findings, and material deviation from established procedures.
 - b. New evidence unavailable during the original conference or investigation that could substantially impact the original finding or discipline assignment becomes available. A summary of this new evidence must be included in the written appeal.
 - c. The assigned discipline is materially disproportionate to the severity of the violation.
10. The College President will review the charge(s), the written findings of the College Official and of the subpanel, and the written appeal from the respondent or complainant to decide the merits of the appeal. At his/her sole discretion, the President may meet with the respondent and complainant during his/her deliberation of the appeal. Pursuant to authority delegated to the College President by the Angelina College Board of Trustees, the decision of the College President is final. If the College President does not make a decision regarding the appeal by the end of the tenth business day, the lack of a response by the College President upholds the decision(s) reached prior to the appeal to the College President.