

Chapter 13: Student Disciplinary Procedures

To view the Board policies associated with this chapter, go to <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=FMA>.

The [Student Disciplinary Process](#) flowchart on page 119 in this document provides an overview of Collin College's student disciplinary procedures.

Reports of Alleged Misconduct

Collin College faculty and staff will submit an alleged violation or violations of Collin College policies and procedures, including the rules for student conduct, committed by a student to the District Dean of Students Office within a reasonable time following an alleged incident. For more information, see [Chapter 12: Student Code of Conduct Violations](#) in this *Student Code of Conduct* and Board policy FLB (LOCAL) located at <https://pol.tasb.org/PolicyOnline/PolicyDetails?key=304&code=FLB>.

For the purpose of this policy, "a reasonable time" means within 15 College District business days of an alleged incident. In the case of scholastic dishonesty, "a reasonable time" means within 15 College District business days of the date the instructor discovers the alleged scholastic dishonesty. If scholastic dishonesty is alleged, the instructor has the option to also report allegations of scholastic dishonesty discovered in previous assignments completed by the student for the same course within the same semester.

The allegation(s) must be submitted in writing by completing the *Student Incident Report* form online at https://collin.guardianconduct.com/incident-reporting?incident_type=Student Incident Report, and must describe the violation(s) and any surrounding facts.

The district dean of students or designee will investigate the matter, as appropriate.

Exception

Reports of sex discrimination and sexual harassment will be submitted in accordance with Board policies DIAA (LOCAL) and/or FFDA (LOCAL), as appropriate. For more information, see Board policies DIAA (LOCAL) and FFDA (LOCAL) located at <https://pol.tasb.org/PolicyOnline/SearchResults/?key=304&query=title+ix> and [Chapter 10: Title IX Provisions](#) in this *Student Code of Conduct*.

Dismissal of Allegation

If an allegation is deemed to be unfounded, the district dean of students or designee will dismiss the allegation and will provide the student written notice that the allegation of misconduct was made against the student and that the allegation was dismissed.

Notifying the Student

If the district dean of students or designee determines the allegation warrants further consideration, the district dean of students or designee will summon the student for a notification conference to be held within a reasonable time, not to exceed 10 College District business days, following receipt of the allegation of misconduct.

The communication will describe the alleged violation(s), provide information regarding the purpose for the notification conference, and give additional instructions to the student, as appropriate. The communication will be sent to the student through one (1) or more of the following methods:

1. A written communication sent to the student's Collin College email account;
2. A letter mailed to the student's address as listed with the Student and Enrollment Services Office. The student is responsible for keeping the Student and Enrollment Services Office apprised of their current

home address;

3. A letter hand-delivered by the district dean of students or designee. The district dean of students or designee will document the date, time, and place of hand-delivery; and/or
4. A sealed letter given to one (1) of the student's professors for delivery at the end of class. The professor will be instructed to return the letter to the District Dean of Students Office immediately after the class if the student is not in attendance.

Observers at Disciplinary Proceedings

The student may appear at any disciplinary meeting(s) or appeal hearing(s) with an advisor, family member, or legal counsel (i.e., an observer). However, only the student may speak on their behalf. Should the student choose to appear with legal counsel, the student must notify the district dean of students or designee no fewer than three (3) College District business days prior to the disciplinary meeting(s) or appeal hearing(s) in order for the district dean of students or designee to also secure legal counsel.

Recording Disciplinary Proceedings

The student may make an audio recording of any disciplinary meeting(s) or appeal hearing(s). If the student intends to record any disciplinary meeting(s) or appeal hearing(s), the student will inform the district dean of students or designee prior to the start of the meeting(s) or appeal hearing(s). In these instances, the district dean of students or designee will also make an audio recording of the disciplinary meeting(s) or appeal hearing(s). The student and Collin College may each request a copy of the other's audio recording. Any other recording, electronic, digital media, telecommunication, and/or wearable devices (e.g., laptops, phones, smartwatches, Fitbits, Bluetooth devices, tablets) not previously approved by the district dean of students or designee must be completely turned off (not in silent or vibrate mode) during any disciplinary meeting(s) or appeal hearing(s).

Notification Conference

The purpose of the notification conference is to hear and receive information and/or other evidence from the student. At the notification conference, the district dean of students or designee will inform the student of the allegation(s), review the information in the *Student Code of Conduct* related to the case and the documentation obtained during the investigation, and provide the student an opportunity to respond and submit applicable documentation or evidence for consideration by the district dean of students or designee.

Failure to Appear for the Notification Conference

The district dean of students or designee may proceed with the disciplinary process and determine an appropriate disciplinary penalty or penalties if the student fails, without good cause, to comply with instructions in the notification letter(s) or otherwise fails to attend a scheduled meeting.

Administrative Decision

Standard of Evidence

The district dean of students or designee will use the "preponderance of the evidence" standard (i.e., more likely than not to have occurred) when determining whether a student committed misconduct that violates the *Student Code of Conduct*, Board policies, laws, and/or Collin College procedures.

Not Responsible Administrative Decision

After conferring with the student, if the district dean of students or designee determines the student did not commit a violation, the student will be found not responsible and will not be issued a disciplinary penalty. For more information on disciplinary penalties, see [Chapter 15: Disciplinary Penalties](#) in this *Student Code of Conduct*.

The student will be provided written notice of the not responsible administrative decision. A not responsible

administrative decision from the district dean of students or designee will be final and binding.

Informal Resolution

If the district dean of students or designee determines that addressing the allegation(s) informally is more appropriate, the district dean of students or designee will recommend an Informal Resolution of the allegation(s). The district dean of students or designee may recommend behavioral directives to support compliance with Collin College's *Student Code of Conduct*. If the student agrees to comply with all recommended behavioral directives, the district dean of students or designee will issue an *Informal Resolution Agreement* and the student will not be issued a disciplinary penalty. For more information on disciplinary penalties, see [Chapter 15: Disciplinary Penalties](#) in this *Student Code of Conduct*.

The student will be allowed 10 College District business days to review and respond to the *Informal Resolution Agreement*. As part of the *Informal Resolution Agreement*, the student will be required to sign an *Acknowledgment Statement* indicating the student will comply with the *Student Code of Conduct* for the designated time or for the remainder of their attendance at Collin College. Once the *Acknowledgment Statement* is signed, the *Informal Resolution Agreement* will be final, binding, and the student will not be allowed to appeal the Informal Resolution.

If the student does not sign the *Acknowledgment Statement* by the stated 10 College District business days deadline, the terms listed in the *Informal Resolution Agreement* will be final, binding, and the student will not be allowed to appeal the Informal Resolution. The student will be expected to comply with all behavioral directives and obligations set forth in the *Informal Resolution Agreement*.

Formal Administrative Decision and Misconduct Warranting a Disciplinary Penalty

If the district dean of students or designee determines the student committed misconduct that warrants a penalty or penalties, the district dean of students or designee will provide the student a written administrative decision with notice of the penalty or penalties and the student's options, including the right to appeal to the Disciplinary Appeals Committee (DAC). For more information on disciplinary penalties, see [Chapter 15: Disciplinary Penalties](#) in this *Student Code of Conduct*.

Student Chooses to Appeal the Administrative Decision

If the student chooses to appeal the administrative decision of the district dean of students or designee, they must submit the *Disciplinary Appeal Request Form* contained in the administrative decision documents on or before the tenth College District business day following the administrative decision. Once the deadline for filing an appeal has passed, the administrative decision of the district dean of students or designee will be final, binding, and the student will not be allowed to appeal that decision. The student will be expected to comply with all disciplinary penalties and obligations set forth in the administrative decision.

Student Chooses to Accept the Administrative Decision

A student who chooses to accept the administrative decision rendered by the district dean of students or designee will sign an *Acceptance of the Administrative Decision Statement* indicating they understand:

1. The *Student Code of Conduct* violation(s),
2. The disciplinary penalty or penalties imposed, and
3. That by signing the *Acceptance of the Administrative Decision Statement* they voluntarily waive the right to appeal.

The *Acceptance of the Administrative Decision Statement* must be signed no later than 10 College District business days following the administrative decision. Once the *Acceptance of the Administrative Decision Statement* is signed, the administrative decision of the district dean of students or designee will be final, binding, and the student will

not be allowed to appeal that decision. The student will be expected to comply with all disciplinary penalties and obligations set forth in the administrative decision.

Student Chooses to Take No Action

If the student does not sign the *Acceptance of the Administrative Decision Statement* or submit the *Disciplinary Appeal Request Form* by the stated deadline, the administrative decision of the district dean of students or designee will be final, binding, and the student will not be allowed to appeal that decision. The student will be expected to comply with all disciplinary penalties and obligations set forth in the administrative decision.

Scholastic Dishonesty Violations

If the student was found responsible for a scholastic dishonesty violation, as defined in [Chapter 7: Scholastic Dishonesty](#) in this *Student Code of Conduct*, the student may also receive a scholastic penalty in the course where the scholastic dishonesty took place. The faculty member will determine the appropriate scholastic penalty, which may range from a grade of zero (0) on the assignment to failing the course. For more information, see [Chapter 15: Disciplinary Penalties](#) in this *Student Code of Conduct*.