

### **Chapter 13: Student Disciplinary Process General Procedures for All Cases of Student Misconduct**

Board policy [FMA \(LOCAL\)](#) is associated with this chapter.

#### **Reports of Alleged Misconduct**

Collin College faculty and staff will report and submit an alleged violation or violations of Collin College policies and procedures, including the *Student Code of Conduct*, committed by a student to the District Dean of Students Office within a reasonable time following an alleged incident. For more information, see Board policy [FLB \(LOCAL\)](#) and [Chapter 12: Student Code of Conduct Violations](#) in this *Student Code of Conduct*.

For the purpose of reporting violations under this policy, “a reasonable time” means within 15 College District business days of the date of an alleged incident.

For the purpose of reporting violations of scholastic dishonesty under this policy, “a reasonable time” means within 15 College District business days of:

1. The date of an alleged incident; or
2. 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, and must describe the violation(s) and any surrounding facts.

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

#### **Exception**

Reports of sex discrimination and/or sexual harassment will be submitted in accordance with Board policies [DIAA \(LOCAL\)](#) and/or [FFDA \(LOCAL\)](#), as appropriate. For more information, see [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.

#### **Interim Disciplinary Action**

At any time during the adjudication process under this policy, the district dean of students or designee may take immediate interim disciplinary action including, but not limited to, temporary immediate suspension pending a hearing, against a student for policy violations if the continuing presence of the student poses a danger to any persons or property or an ongoing threat of disrupting the educational environment.

#### **Classroom Dismissal by a Faculty Member**

A faculty member has the authority to temporarily dismiss a student from class if the student engages in disruptive or inappropriate behavior in the classroom setting or interferes with the teaching and learning process. The temporary classroom dismissal will not exceed one (1) class period. If the student’s behavior is so disruptive it is believed they should be dismissed from more than one (1) class period, the faculty member must submit a [Student Incident Report](#) to the District Dean of Students Office and notify the appropriate program director, associate academic/workforce dean, and/or academic/workforce dean.

### No-Contact Directive

If appropriate, the district dean of students or designee may issue a no-contact directive to a student. The no-contact directive will instruct the student to have no contact with the other party or parties involved in the disciplinary matter through any means (e.g., emails, having anyone else initiate contact with the other party, online postings, phone calls, physical contact, stalking, text messages). The no-contact directive will remain in effect until revoked or altered by the district dean of students or designee.

### Temporary Immediate Suspension

When the district dean of students or designee issues a temporary immediate suspension, the student is afforded a three (3) College District business day grace period prior to meeting with the district dean of students or designee. If the student wants to meet during the grace period, the student should contact the District Dean of Students Office at 972.881.5604 or [dos@collin.edu](mailto:dos@collin.edu) for appointment availability.

If a student on temporary immediate suspension receives a favorable administrative decision or favorable appeal, once the case is final the student may seek reinstatement into their course(s) and/or Collin College. For more information, see [\*Chapter 18: Reinstatement Procedures\*](#) in this *Student Code of Conduct*.

### **Evidence in All Cases of Student Misconduct**

For all reports and allegations submitted under this policy, evidence will be handled in accordance with the following:

1. Legal rules of evidence do not apply unless otherwise required by applicable law or regulations.
2. The district dean of students or designee, Disciplinary Appeals Committee (DAC) chair or associate chair, Honor Council panel chair, designated leadership team member, and/or College District President or designee may admit evidence or exclude evidence considered to be hearsay, irrelevant, immaterial, unduly repetitious, or needlessly cumulative.
3. For all cases, Collin College will be required to prove by a preponderance of the evidence (i.e., more likely than not to have occurred) that the charges are true.
4. A student may not be compelled to testify.

### **Standard of Evidence**

The district dean of students or designee, Disciplinary Appeals Committee (DAC), Honor Council, designated leadership team member, and Collin District President 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.

### **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 his or her 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., phones, smart/AI eyeglasses, smartwatches, Fitbits, digital watches, Bluetooth devices, laptops, 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 Process**

If the district dean of students or designee determines the allegation(s) 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 five (5) College District business days, following receipt of the allegation of misconduct.

At the notification conference, the district dean of students or designee will inform the student of the allegation(s) and provide the student an opportunity to respond and submit applicable documentation or evidence for consideration by the district dean of students or designee.

The notification conference process will be utilized by the district dean of students or designee for allegations involving:

1. First-time scholastic dishonesty violations and
2. Other alleged violations of the *Student Code of Conduct*.

All subsequent or repeated allegations involving scholastic dishonesty will be referred to the Collin College Honor Council, as outlined in this policy.