



EL PASO COMMUNITY COLLEGE PROCEDURE

For information, contact Institutional
Effectiveness: (915) 831-6740

7.05.01.18 Student Code of Conduct

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Year of last review: 2017
AUTHORIZING BOARD POLICY: 7.05.01

Designated Contact: Vice President of Student and Enrollment Services

OBJECTIVE: To provide guidelines for appropriate student behavior and conduct while attending El Paso Community College.

PROCEDURE:

I. Appropriate Student Behavior

All students shall demonstrate academic integrity, observe standards of conduct appropriate for the College's function as an educational institution, obey the law, comply with EPCC policies and procedures, follow class rules, and comply with directives issued by an administrative official in the course of his or her authorized duties.

II. Acts That Constitute Misconduct: The following behaviors are examples of actions or activities that violate the El Paso Community College *Student Code of Conduct* with respect to Acts of Misconduct. This list is not meant to be all inclusive, but rather to serve as an aid in determining appropriate behavior. Examples of Acts of Misconduct include, but are not limited to, the following.

A. Academic Dishonesty

Academic dishonesty shall constitute a violation of rules and regulations and is punishable as prescribed by Board Policies. Academic dishonesty shall include, but is not limited to: cheating on a test, plagiarism, making false statements and collusion.

1. Students may not cheat:

Cheating is defined as: Students not adhering to the guidelines provided by their instructors for completing academic work. Students may not claim as their own work any portion of academic work that was completed by another student. Students may only use materials approved by their instructor when completing an assignment or exam. Students may not present the same work for more than one course without obtaining approval from the instructor of each course. Students must adhere to all course regulations. Violations of this standard constitute cheating.

2. Students may not plagiarize:

Plagiarism is defined as: All ideas, arguments, and phrases, submitted without attribution to other sources, must be the creative product of the student. Thus, all text passages taken from the works of other authors (published or unpublished) must be properly cited. The same applies to paraphrased text, opinions, data, examples, illustrations, and all other creative work. Violations of this standard constitute plagiarism.

3. Students may not fabricate:

Fabrication is defined as: All experimental data, observations, interviews, statistical surveys, and other information collected and reported as part of academic work must be authentic. Any alteration, e.g., the removal of statistical outliers, must be clearly documented. Data must not be falsified in any way. Violations of this standard constitute fabrication.

4. Collusion is prohibited

Collusion is defined as: Students providing, seeking or accepting information about any academic work to or from another student without the authorization of the instructor. Students may only

collaborate on academic work within the limits prescribed by their instructors. Violations of this standard constitute collusion.

B. Offenses Against Persons:

1. Violations of the penal statutes of the State of Texas or of the United States occurring on District property or in connection with District-sponsored activities constitute violations of the District's rules and regulations when, such violations interfere with the educational process and goals of the District.
2. Possession or use of firearms on District-controlled property except as stated in College Procedure 5.01.07.10.
3. Threatening or causing physical harm or abuse to one's self or another person. Physical abuse includes, but is not limited to, personal injury, physical restraint against a person's will, and holding or transporting an individual against the individual's will.
4. Verbal Abuse in the form of "fighting words," abusive messages either written, verbal or by email, or words directed at an individual, which tend to incite an immediate breach of peace.
5. Harassing conduct of any kind including acts based on race, color, national origin, religion, gender, age, disability, veteran status, sexual orientation, or gender identity.
6. Stalking, that is, the repeated following or harassing of another person accompanied by the making of a credible threat with the intent to place that person in reasonable fear of death or serious injury.
7. Possessing or using weapons, ammunition, explosives, flammable substances, or other dangerous devices. "Weapons" means any object or substance designed or used to inflict a wound, cause injury, or incapacitate, including, but not limited to, all firearms, pellet guns, air pistols, air rifles, any dirk, bowie knife, switchblade knife, ballistic knife, or any other knife having a blade of three or more inches, black-jacks, metal knuckles, nunchaku, fireworks, explosives and biological agents. Replicas and facsimiles of weapons are also considered weapons and are therefore prohibited. The use of implements or substances not commonly used as a weapon or not expressly prohibited by this section may be a violation of this code if used as a weapon. The use of mace or tear gas will not be a violation of this code if used solely for self-defense.
8. Bullying, that is, severe or repeated use by one or more individuals of written, verbal or electronic communication, or a physical act or gesture or exclusion directed at an another individual. Bullying may cause physical or emotional harm, may create a hostile environment, and may infringe on a person's rights, and/or may disrupt the campus environment.
9. Gambling, this includes bookmaking, pool setting for profit, promoting or setting up a lottery for money or property, or winning or losing money or other valuables by play or hazard at any game.
10. Unauthorized or illegal possession, use, distribution, sale or transportation of narcotics, stimulants, depressants, hallucinogenic drugs, marijuana, intoxicating beverage or any other illegal drug(s) not prescribed by a physician on campus or while on a College-sponsored event or trip is a violation of this code.
11. Interference with teaching, research, administration, or the District's subsidiary responsibilities through "disorderly conduct" or "disruptive behavior."
12. Hazing with or without the consent of a student. A violation renders both the person inflicting the hazing and the person submitting to the hazing subject to appropriate discipline.
13. Endangering the health or safety of members of the District, community or visitors to the College's facilities.
14. Classroom Disruption Offenses. Students who engage in behavior that disrupts a classroom, laboratory, or other environment in which educational or research activity takes place may be subject to action under this *Code*. Disruptive classroom conduct means engaging in behavior that substantially or repeatedly interrupts either the instructor's ability to teach or student learning. For purposes of this provision, the classroom extends to any setting where a student is involved in work

toward satisfaction of academic credit or continuing education course/program-based requirements or related activities.

C. Property Offenses:

1. Violation of traffic regulations: All individuals will comply with the Texas Motor Vehicle Laws and any other regulations established by the El Paso County Community College District.
2. Vandalism, malicious destruction, damage, defacing, misuse, or abuse of College's public, or private, property, including library materials, computer equipment, software, vending machines and vehicles.
3. Destroying or vandalizing property, or intending to destroy or vandalize property, including but not limited to, EPCC owned or leased property, fire alarms, extinguishers, and other safety devices.
4. Trespassing upon, forcibly entering, or otherwise proceeding into unauthorized areas of EPCC owned or leased buildings, facilities or their roofs.
5. Unauthorized or inappropriate use of EPCC property or the property of others.
6. Unauthorized or inappropriate use, duplication, or possession of keys, computer access codes, long distance caller identity codes, or other security mechanisms.
7. Theft or unauthorized possession of property or services.
8. Embezzling, defrauding, or using false pretenses to procure money, property, or services.
9. Knowingly purchasing or possessing stolen or embezzled property, money, or services.
10. Any willful or malicious burning of any property of another.

D. Public/College Order Offenses

1. Creating a fire, safety, or health hazard.
2. Falsely reporting a fire or other emergency situation by actions such as activating a fire alarm or pre-alarm cover when there is no reasonably perceived emergency.
3. Impeding or obstructing an investigation, or failing to identify oneself or to comply with the directions of EPCC officials, their authorized agents, EPCC or local police agencies acting in the performance and scope of their duties.
4. Having an animal on campus, except as permitted by EPCC policies and procedures.
5. Littering.
6. Causing any object to be ejected from windows, roofs, or balconies of EPCC owned or leased buildings.
7. Conveying information that the student knows or should know to be false, by actions such as lying or being dishonest, forging, altering, or causing any false information to be entered into an EPCC record or to be presented at an EPCC proceeding or to an EPCC official.
8. Possessing, providing, distributing, selling, or manufacturing any form of false EPCC, federal, or state-issued identification.
9. Impersonating any EPCC official.
10. Elimination of bodily fluids or waste, such as urine or feces in places or receptacles not designed for receipt of such substances.
11. Indecent exposure, including but not limited to "flashing." Indecent exposure is defined as, revealing one's genitals under circumstances likely to offend or shock others or in a public place.

12. Tampering with or misuse of any fire safety equipment, such as fire extinguishers, smoke detectors, carbon monoxide detectors, and fire alarms.
13. Failure to evacuate any building during a fire alarm.

E. Misuse of Computing Resources and Technology:

Unauthorized access or entry into a computer, computer system, networks, software, or data.

1. Unauthorized alteration of computer equipment, software, network, or data.
2. Unauthorized copying or distribution of computer software or data.
3. Use of computing facilities and resources that interferes with the work of another student, faculty member, or College official.
4. Viewing, downloading, or printing pornographic materials, photographs or video are strictly prohibited on College premises.
5. Use of computing facilities and resources to send obscene or defamatory messages.
6. Unauthorized accessing of College telephones to change a voice mail greeting.
7. Sending an email or text message using an email address or phone number belonging to another person with the intent to cause a recipient to reasonably believe that the other person sent or authorized the communication.
8. Cyber stalking, that is, use in electronic mail or electronic communication any words or language threatening to inflict bodily harm, physical injury to the property of, or extortion of money or other things of value to any person or the person's family or dependents; use of electronic mail or electronic communication for the purpose of threatening, terrifying, or harassing any person; or use of electronic mail or electronic communication to make false statements to any person or the person's family or dependents with the intent to threaten, terrify, or harass.

III. Emergency Suspension

If a student's actions pose an immediate danger to any member of the EPCC community, the appropriate Vice President or a designee may immediately suspend the student pending a meeting. Except in extraordinary circumstances, that meeting will be scheduled within two academic calendar days. At this meeting, the student will be informed of the nature of the alleged violation, presented with available evidence, and given the opportunity to make a statement and present evidence. If the emergency suspension is continued, the student will be offered a hearing option. If the student elects this option, the appropriate Vice President shall notify the student concerned by certified letter or personal delivery of the date, time and place of the hearing, which shall take place no fewer than ten class days after the date of notification.

IV. Disciplinary Sanctions

Sanctions serve to promote safety or to deter students from behavior which harms or threatens people or property. Some behavior is so harmful to the El Paso Community College community or so detrimental to the educational process that it may require more serious sanctions, such as removal from specific courses or activities, suspension from El Paso Community College, or expulsion.

Disciplinary sanctions will be based upon the seriousness of the offense, the student's attitude, the impact of the misconduct on the College environment, the student's overall record at the College (including prior discipline, if any) and the statutory or other legal requirements, if any.

1. Written warning: A formal notice that the *Code* has been violated and that future violations will be dealt with more severely.
2. Disciplinary probation: A sanction that indicates that the individual's standing with the College is in jeopardy and that further violations may result in suspension or expulsion.

3. Restitution: A sanction that requires the student to compensate an injured party for loss, damage or injury in the form of money, service, or material replacement.
4. Community service: Performance of a specified number of hours or tasks designed to benefit the College community and/or to help the student understand why his or her behavior was inappropriate.
5. Class or workshop attendance: Enrollment and completion of a class or workshop designed to help the student understand why his or her behavior was inappropriate.
6. Educational project: Completion of a project specifically designed to help the student understand why his or her behavior was inappropriate.
7. Suspension of privileges: Loss of privileges, such as loss of library privileges, or the privilege to attend athletic or other extracurricular events.
8. Removal from courses or activities: Removal from specific courses or activities, including revocation of eligibility to represent the College in athletic or other extracurricular activities.
9. Counseling referral to pursue assistance in helping the student understand why his/her behavior is inappropriate and to obtain the skills necessary to avoid repeated offenses.
10. Failing grade for a test, assignment, or course.
11. Restrictions on access: Restriction from entering specific College areas and/or all forms of contact with certain persons.
12. Suspension: Separation from the College for a specified period of time or until certain conditions are met.
13. Expulsion: Permanent separation from the College whereby the student is not eligible for re-admission.
14. Revocation of Degree and withdrawal of diploma.

These sanctions do not diminish or replace the penalties available under generally applicable civil or criminal laws. Students are reminded that many violations of the *Code*, including harassment and other discriminatory behavior, also may violate local, state and federal laws and may subject the student to additional penalties.

V. Records

A. Records of Disciplinary Actions:

Records of present or former students of El Paso Community College are confidential and are not public information. Therefore, the following regulations regarding student disciplinary records shall apply.

1. Disciplinary records are considered educational records under the Family Educational Rights and Privacy Act (FERPA). As a result, these records are kept confidential in accordance with this law.
2. Disciplinary records will be filed in the student's or student organization's disciplinary file in the office of the appropriate Vice President. The file will consist of the following: a statement of charges, summary of the information presented at the disciplinary hearing as outlined in College Procedure 7.05.01.10, findings and sanctions of the hearing body, records of appeals and rationale for the decisions.
3. Student disciplinary records are normally maintained in the office of the appropriate Vice President for a period of seven years, after which the file records may be purged. Records may be maintained for a longer time at the discretion of El Paso Community College except that the tape recording of any discipline hearings as per College Procedure 7.05.01.10, may be destroyed one semester following exhaustion of all appeals. Records of students who were suspended or expelled from El Paso Community College are retained permanently.
4. If a student is suspended or expelled, a notation will be made on the student's academic record. The notation of suspension will be removed at the time the student is readmitted to El Paso Community

College.

5. Individual student disciplinary records are confidential; nothing from them appears on a student's academic transcript.

B. Request to Review a Disciplinary Record:

Because the Family Educational Rights and Privacy Act (FERPA) defines the records of a student engaged in a disciplinary process as confidential, information about the disciplinary process may only be shared with the student found responsible, his/her parents if a dependent, his/her academic College dean or adviser and school officials with a legitimate educational interest.

Other persons desiring access to disciplinary records may do so by securing a written waiver from the student whose record is requested unless otherwise permitted by federal or state law.

C. Other College Records:

A disciplinary file is only one form of information maintained by El Paso Community College related to student records. The College *Catalog* contains more information related to student records and other confidential information.

D. Obtaining a copy of your Student Records:

The office of the Vice President of Student and Enrollment Services does not give copies of student files. Students can view their file by scheduling an appointment to do so, under the supervision of the Vice President of Student and Enrollment Services or his/her designee.