

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

SECTION VI – STUDENTS

VI.A. ADMISSIONS

VI.A.1.01 Admissions Policy

The College is an open-enrollment community college system. It identifies, attracts, enrolls, and retains students reflecting the College's diverse population. The College does not consider race, color, sex, sexual orientation, gender identity, national origin, religion, disability, age, or military status in admissions.

VI.A.1.02 Definitions

- (a) **Academic Fresh Start** means the College does not average grades from courses taken 10 or more years before the start of the applicant's first semester. The College may not give any applicant under this program course credit for courses older than 10 years.¹ The applicant must be a Texas resident.
- (b) **Active Military Service** means active service as a U.S. Armed Forces or the Texas National Guard member. A student withdrawing from the College to complete training exercises as a Texas National Guard member does not qualify.²
- (c) **Chief Student Services Officer** means the official on a member-college's campus who has been designated as such in corresponding procedures.
- (d) **Potential Students** are people that may enroll in the College's coursework.
 - 1. High school, secondary education, GED, or home school program graduates.
 - 2. High school students enrolled in dual-credit or early-college programs.
 - 3. Special admissions may be granted for (a) students aged 16 years or younger, or (b) non-high school graduates if the College finds the applicant is able to do College-level work according to the same general standards as those students who graduated from public high school.

The College may enroll potential students with valid immigration visas if they qualify under (c)(1) through (c)(4).³

This definition applies only to the College's general admission policy. Special admission requirements are required for some of the College's specific programs, degrees, and certificates. Those special rules are detailed in the College's annual course catalog.

¹ Texas Education Code § 51.931 (September 1, 1995).

² Texas Education Code § 51.9111 (June 17, 2005).

³ Texas Education Code § 54.051 (September 1, 2005).

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- (e) **Texas Common Admission Application Form** means the adopted Texas Higher Education Coordinating Board electronic common admission application form.⁴

VI.A.1.03 Admission Grievance Policy

Admission rejections are rare because the College is an open-enrollment institution. However, individuals should direct admission grievances to a member-college's Chief Student Services Officer.

VI.A.1.04 Returning from Active Military Service⁵

The College welcomes back veterans after active military service by waiving reapplication and readmission fees. This waiver expires one year after the veteran ends active military service. The veteran must remain otherwise eligible to enroll. The College has two additional duties under this policy.

- (a) Provide the student a financial aid packet similar to the one for which the student was eligible before withdrawing for military service. This assumes the student meets the current financial aid eligibility requirements and conditions.
- (b) Allow the student the same academic status the student had before the student withdrew for military service. This includes any course credit the College awarded the student.

VI.B. TUITION AND FEES

VI.B.1.01 Policy

The College's Board of Trustees sets tuition and fees for the College's courses.⁶ Texas residents pay lower tuition and fees than out-of-state residents or international students. Likewise, out-of-district Texas residents pay higher tuition and fees than in-district Texas residents. Texas law, Texas Higher Education Coordinating Board rules, and this policy determine Texas residency.

VI.B.1.02 Definitions

- (a) **Adult** means a person aged 18 years or older.
- (b) **In-District Texas Resident⁷** means an adult Texas resident living in the College's taxing district boundaries on the census date in the semester in which the student enrolls. It can also mean a non-adult Texas resident whose parents or guardians live within those boundaries on the census date in the semester in which the student enrolls. It can also mean property owners, and their dependents, who pay the College's property taxes and are Texas residents. It can also mean the College's full-time employee's immediate

⁴ Texas Education Code § 51.762 (June 17, 2005).

⁵ Texas Education Code § 51.9242 (effective June 17, 2005).

⁶ Texas Education Code § 54.008 (effective September 2001).

⁷ Texas Education Code § 54.052 (effective September 2005).

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family members. Finally, it can also mean a Texas resident of the Acres Home Super Neighborhood attending the College's Victory Center.

(c) **Texas Resident** means—for this tuition and fee policy—a person who satisfies one of several circumstances.

1. A person who lived in Texas no less than 12 straight months before the semester's census date in which the person enrolls.
2. A dependent whose parent or guardian lived in Texas no less than 12 straight months before the semester's census date in which the person enrolls.
3. A non-citizen person who first graduated from a Texas public or accredited private high school, home school program, or a Texas high school diploma-equivalent program. And second, lived in Texas for 36 months right before graduating or receiving a diploma-equivalent. And third, lived in Texas for 12 months before the student's first academic semester's census date.
4. A nonresident of Texas employed by a business or organization established in Texas under a Texas economic development and diversification program along with their spouse and children are eligible to pay resident tuition. It is irrelevant how long the person has lived in Texas. The enrolling student must file a letter of intent to establish Texas residency with the College.
5. A person who lived in Texas no less than 12 straight months before the semester's 12th day in which the person enrolls. And who holds an immigration visa allowing him or her to live in the United States.
6. A person who has filed a Petition for Permanent Resident Status (I-130 or I-140). And who has lived in Texas no less than 12 straight months before the applicable semester's 12th day.
7. A person, ignoring immigration status, who satisfies (c)(3) above and provides the College an affidavit. The affidavit must promise that the person will apply for legal permanent residency as soon as eligible.
8. A person stationed in Texas who is an officer, enlisted, selectee, or draftee of the United States Army, Army National Guard, Air Force, Air National Guard, Navy, Marine Corps, Coast Guard, or a commissioned officer in the Public Health Service. This also applies to the person's spouse and dependent children. This definition does not apply to service members training in Texas in an isolated or routine manner.

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9. A member of the United States Armed Services whose Home of Record with the military is Texas is presumed to be a Texas resident, as are his or her spouse and dependent children. A member whose Home of Record is not Texas but who provides the institution Leave and Earnings Statements that show the member has claimed Texas as his or her place of residence for the 12 straight months prior to enrollment is presumed to be a Texas resident, as are his or her spouse and dependent children.
10. A Texas resident means a service member's spouse or child under certain circumstances. First, the service member is stationed outside Texas. Second, the member's spouse or child resides in Texas. Third, the spouse or child gives the College a letter of intent to establish Texas residency. It is irrelevant how long the spouse or child has lived in Texas if the letter-of-intent is filed.
- (d) **Out-of-District Texas Resident** means an adult Texas resident living outside the College's taxing district boundaries on the official enrollment reporting date. It can also mean a non-adult Texas resident whose parents or guardians live outside those boundaries on the official enrollment reporting date.
- (f) **Out-of-State Residents** means a person aged over 18 years who does not meet the Texas Resident definition under this section. This definition also includes persons aged less than 18 years whose parents or legal guardians resided outside of Texas for the 12 months before the applicable semester.

VI.B.1.03 Establishing Texas Residency and District Status and Grievance Policy

The College will provide applicants with a questionnaire, which becomes part of the applicant's admissions paperwork. The College can seek more information to answer questions raised by the applicant's responses.⁸ Students must also tell the admissions office on the student's campus when a student changes residences.⁹ Current and returning students may be required to prove their residency through supporting documents.¹⁰ A student that does not inform the admissions office can be disciplined under the Student Code of Conduct. The student must ensure that any residency issues are resolved before registering for classes, and file any grievance or objection with their Chief Student Services Officer. The Chief Student Services Officer has final authority to determine a student's residency under this policy.

VI.B.1.04 Texas Tuition Fund and Texas Guaranteed Tuition Plan Tuition Rates

A Texas Tuition Promise Fund or Texas Guaranteed Tuition Plan beneficiary pays in state tuition, but may be required to pay higher fees than a Texas resident as defined in this section.

⁸ Texas Education Code § 54.053 (effective September 1, 2005).

⁹ Texas Education Code § 54.054 (effective September 1, 2005).

¹⁰ Texas Education Code § 54.055 (effective September 1, 2005).

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VI.B.1.05 Errors in Texas Residency and District Status¹¹

The College may misclassify an out-of-state resident as a Texas resident. The College will charge out-of-state tuition and fees to a misclassified person starting with the first semester after the error's discovery.¹²

The College may also misclassify a Texas resident as an out-of-state resident. The College will immediately charge Texas resident tuition and fees to the misclassified person starting the very semester during the error's discovery. The College shall refund the person the sums the person paid over Texas resident tuition.

VI.B.1.06 Notice of Repeated Courses and Excessive Undergraduate Hours¹³

The College and its students benefit when students timely complete certificate and degree programs. The College may charge a student higher tuition than standard tuition for repeated courses or carrying excess hours beyond those allowed for a student to keep paying in-state tuition and fees. The higher tuition rates and criteria are published in the College's annual course catalog.

VI.B.1.07 Tuition Waiver Based on Contractual Training Agreements

Tuition and fees may be set in a contract when a third party pays the full cost, or a significant portion, of a continuing education or training program. The tuition waiver in this section can never apply where the third party's payment does not cover at least instructional salaries. The Chancellor may authorize exceptions to this section, and shall report the same to the Board on at least an annual basis.

VI.B.1.08 Dual Credit Tuition Waiver

Texas high school students enrolled in dual credit courses will not pay the College any tuition, but the College may still charge fees to those students.

VI.B.2. Installment Payment Plans¹⁴

VI.B.2.01 Policy

The College only accepts tuition-and-fee installment payments during the fall and spring semesters. Payment plans are unavailable during mini-semester or summer semester classes. Payment plans require a student's first payment before classes begin. Likewise, payment plans require a student's last payment before the applicable semester's last day. Finally, a student who uses a payment plan will pay an extra enrollment fee at enrollment for each semester the student has a payment plan. The College will tell a student about any overdue tuition or fees as soon as it can. Not paying tuition and fees may impact enrollment status.

¹¹ Texas Education Code § 54.056 (effective September 1, 2005).

¹² Texas Education Code § 54.057 (effective September 1, 2005).

¹³ Texas Education Code § 54.014 (effective September 1, 2005).

¹⁴ Texas Education Code § 54.007 (effective June 17, 2011).

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VI.B.2.02 Obtaining an Installment Payment Plan

The College requires students to enroll and complete necessary paperwork online for a tuition payment plan. That paperwork will include a written agreement outlining the payment plan's terms and conditions, a promissory note as collateral for the debt, and the student's financial aid award assignment covering the student's tuition or fees.

The following statement in bold-faced type must be included in any student's signed promissory note: **"A student who fails to make full payment of tuition and fees, including any incidental fees, by the due date may be prohibited from registering for classes until full payment is made. A student who fails to make full payment prior to the end of the semester or session may be indefinitely denied a transcript."**

VI.B.2.03 Appealing Denial of a Transcript for Non-Payment

The student may appeal denial of an installment plan to the Chief Student Service Officer. The Chief Student Services Officer will have final authority regarding the student's eligibility.

VI.B.2.04 Applying Financial Aid Awards to Tuition and Fees¹⁵

The College applies a student's financial aid award to pay a semester's tuition and fees. The College will refund the balance after financial aid pays the student's tuition and fees.

VI.B.3. Refund Policy

VI.B.3.01 Policy

The College generally refunds tuition and fees as soon as practical via a refund schedule appearing in this section. Students are advised, however, that Federal Pell Grants, FSEOG, and Direct Loans, are subject to a different policy by law.

VI.B.3.02 Refund Schedules Defined

Refund schedules are determined by the fund type, class type or course, the class semester-length, and the refund's reason.

(a) **General Refunds.** Courses approved by the Texas Higher Education Coordinating Board for which credit hours are awarded are refunded in accordance with this section.¹⁶

1. The College will provide a full refund when the College cancels a scheduled course.
2. The College will provide a partial refund when a student drops a course or withdraws before the first day of classes. That partial refund will be the balance of all tuition and fees minus any registration fee, installment plan payment fee, and any applicable late fees.

¹⁵ Texas Education Code § 54.0071 (effective June 17, 2011).

¹⁶ Texas Education Code § 54.006.

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3. The College will provide a partial refund when a student drops a course or withdraws after the classes first calendar day during the fall or spring semester. That partial refund will be the prorated as a follows.
 - A. Calendar days 1 through 15 = 70 percent refund.
 - B. Calendar days 16 through 20 = 25 percent refund.
 - C. Calendar days 21 through semester's end = no refund.
4. The College will provide a partial refund when a student drops a course or withdraws after the first calendar day of classes during a six-week summer semester. That partial refund will be prorated as follows.
 - A. Calendar days 1 through 5 = 70 percent refund.
 - B. Calendar days 6 through 7 = 25 percent refund.
 - C. Calendar days after the 7th day = no refund.

- (b) **Title IV Financial Aid Refunds.** Students receiving Federal Pell Grants, FSEOG, and Direct Loans are subject to this section. Federal law requires that such students stay enrolled in classes at least 60 percent of the course schedule. Students who withdraw before that date must return funds to the federal government and the College under the following terms:

The class schedule's percentage that the student completed before withdrawing will be the percent of the Title IV assistance that the student earned and will not return. The College will inform the student of the percent completed and the balance owed to the College and the federal government. The student will then return the funds within 45 calendar days.

A student that does not repay the sum owed faces serious action if no valid repayment plan exists. First, the College may deny the student future course registration, transcripts, or grades. Second, the Department of Education may deny the student eligibility for Title IV funds in the future for not returning sums owed under this section.

Repayments will be returned to the Title IV programs in the following order: (1) unsubsidized Stafford Student Loans, then (2) Subsidized Stafford Student Loans, then (3) Plus Loan Program, then (4) Pell Grant Program, then (5) SEOG Grant Program, and finally, (6) Robert C. Byrd Honor Scholarship.

VI.B.3.03 Refund Grievance Policy

A student that believes an error has occurred regarding a refund should contact the college's Vice President of Administrative Services. The only available appeal from a Vice President of Administrative Services' determination is to the college president. The President's decision is final.

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VI.B.3.04 Withdrawal for Military Service

The College provides a withdrawing, Active Military Service student three options: (a) refunding the tuition and fees the student paid for the semester in which the student withdraws; or (b) granting the student an incomplete grade in all courses by designating “withdrawn-military” on the student’s transcript; or (c) assigning an appropriate final grade or credit to a student who has satisfactorily completed substantial coursework and has demonstrated sufficient course-material mastery determined by the student’s instructor. The Active Military Service student decides the taken route.¹⁷

VI.B.4. Fees, Fines, and Charges

VI.B.4.01 Policy

The Board and College may set and collect special fees. The College will exempt students from tuition, dues, fees or charges as required by law.¹⁸ Continued receipt of exemptions and waivers is conditional.

VI.B.4.02 Definitions

- (a) **Continuing Education Course Fees** are charged to each person registered in Continuing Education (CE) courses. The Board shall set the fee in an amount sufficient permitting the College to recover the costs of providing the course. CE fees only apply to the College’s courses that do not collect tuition or receive formula funding—including an extension course, correspondence course, or other self-supporting course. Students enrolled in CE courses where the College collects tuition or receives formula funding are charged a specific per-course sum as outlined in the College’s course catalog.
- (b) **Incidental fees** include, without limitation, late registration fees, library fines, payment plan late fees, bad check charges, application processing fees, infrastructure fees, and laboratory breakage charge. The Board may fix the rate current and prospective students pay in incidental fees. Incidental fee rates shall reflect the College’s actual costs for materials and services. The College publishes a description and sum for each incidental fee in the College’s annual course catalog.
- (c) **Joint Enrollment Waivers** arise when a student registers at two campuses under a joint or cooperative program at the same time. The student must pay all required student services fees to the college designated as the home college under the joint or cooperative program agreement. The non-home college under the joint or cooperative

¹⁷ Texas Education Code § 54.006.

¹⁸ Texas Education Code § 54.005

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program agreement will award the student a Joint Enrollment Waiver for all required student services fees at the non-home college campus.¹⁹

- (d) **Laboratory Fees** include, without limitation, a sum sufficient to cover the general laboratory material and supply costs a laboratory student uses. The College's charges for laboratory fees shall not exceed the lesser of \$24 per semester credit hour or the actual material-and-supply costs the student uses.
- (e) **Student Activity Fees** include an every-semester fee per credit hour used to support student activities distinct from the College's regularly scheduled academic functions and that involve or benefit students. All money collected as student activity fees shall be reserved and accounted for in a distinct account separate from other revenue sources. The College shall only use student activity fees for student activities as defined in this section.

VI.B.4.03 Fee Grievance Policy

Students that believe an error occurred regarding a fee should contact their Vice President of Administrative Services. The only available appeal from a Vice President of Administrative Services' determination is to the campus President. The President's decision is final.

VI.C. FINANCIAL AID

VI.C.1. Financial Aid

VI.C.1.01 Policy

Financial aid removes financial barriers preventing access to educational opportunities. The College participates in programs providing aid through grants, scholarships, work-study, and loans. Financial aid policies provide uniform, efficient guidelines for the College's financial aid offices in getting information, giving awards, and governing programs. This policy supplements the College's compliance with federal and state statutes and regulations.

VI.C.1.02 Definitions

- (a) **Financial Aid Application.** Students applying for financial aid, other than scholarships, must first complete a Free Application for Federal Student Aid (FAFSA) form. The information submitted in the application may be verified. Scholarship applicants must submit scholarship applications by published deadlines. Scholarship donors determine scholarship eligibility criteria.
- (b) **Disbursement of Financial Aid Funds.** Financial aid awards other than work-study awards are credited to the student's account and pay tuition, fees, and books. Any

¹⁹ Texas Education Code § 54.011 (effective January 1, 2012).

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balances are refunded to the student. The College's work-study funds will be distributed through its payroll system.

- (c) **Repayment of Title IV Funds.** Students receiving Title IV funds, who withdraw from a course before the 60 percent point of completion, must return the unearned portion of the Title IV funds.
- (d) **Financial Aid Probation and Suspension** Students must meet certain academic progress standards to remain eligible for the College's financial aid programs. Students who do not make satisfactory academic progress under the College's Satisfactory Progress Standards will be placed on financial aid warning, probation, or suspension. The College will notify students in writing who are on financial aid probation that their aid will be suspended unless the student makes the required academic progress. Students who are suspended from financial aid are notified in writing that their financial aid has been suspended and that they can appeal the suspension. The student must prove on appeal that extenuating circumstances caused the situation, or that the student's academic record continuously progresses. A student may forgo an appeal. A student who does not appeal faces several conditions to get financial aid again. First, the student must finish at least six College-approved semester hours. Second, the student must meet satisfactory academic progress. The student must satisfy both conditions to be eligible again for financial aid.

VI.C.1.03 Appealing a Financial Aid Suspension. A student placed on financial aid suspension who wants to appeal the suspension shall complete and submit an appeal form to the College's Chief Financial Aid Officer. The College's Chief Financial Aid Officer shall review each appeal, and determine on a case-by-case basis if the student's circumstances warrant a suspension waiver and may resolve the appeal in three distinct methods.

- (a) The College may allow the student to receive aid and remain on probation.
- (b) The College may allow the student to receive aid under specified conditions.
- (c) The College may deny the appeal.

The College must provide the student with a written decision regarding the student's appeal and provide any remaining appeals remaining available.

VI.C.1.04 Title IV Fraud

Any person who embezzles, misapplies, steals, or who obtains funds by intentional misrepresentation, false statement, or forgery, commits fraud. A person who also does not refund any owed funds, assets, or property received under Title IV, commits theft and conversion. A person committing fraud can be penalized and fined under federal law.

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The College shall refer the matter to the U.S. Department of Education by forwarding the investigative report to the agency and supporting documents. The College's administrators shall determine if the case should be referred to the U.S. Attorney General, and in that event, the College's General Counsel shall be responsible for making such referral.

VI.D. STUDENT WELFARE AND RIGHTS

VI.D.1. Student Organizations

VI.D.1.01 Policy

The College provides equal opportunities to all students participating in courses, activities, and programs regardless of race, color, creed, national origin, gender, gender identity, age, veteran's status, sexual orientation, or disability. The College cannot deny a student group recognition because of the group's views.

VI.D.1.02 Definitions

- (a) **Necessary Student Travel Paperwork** includes a completed Student Travel Request Form, a trip plan, a trip roster, a Participant Release Form, and a Medical Treatment Authorization form.
- (b) **Risk Management Program** means a program that discusses the following topics (1) possessing and using alcoholic beverages or illegal drugs, including penalties that may be imposed for possessing either substance; (2) hazing; (3) sexual harassment; (4) fire and other safety issues, including possessing and using a firearm, other weapon, or explosive device; (5) traveling outside the College's location area; (6) behavior at parties and other events held by a student organization; and (7) adoption by a student organization of a risk management policy.
- (c) **Student Organization Advisor** means a person who (1) serves in an advisory capacity to a student organization and its members, (2) has aged at least 21 years, (3) is not a student at the College, and (4) is the College's full-time employee.
- (d) **Student Organization Representatives** means the following four officer positions, or similar officer positions: the president, vice president, secretary, and treasurer.
- (e) **Student Travel** means students traveling to reach an activity or event located 25 miles or farther away from the campus or departure center. Student Travel must also include any of the following four conditions and the 25-mile requirement. First, any activity or event the College funds. Second, any travel in a vehicle the College owns, leases, or rents. Third, a registered student organization requires the travel. Fourth, the college, campus, department, class or course, college office, study-abroad program, college-scheduled

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sports event or competition, or a recognized student organization or its representatives direct the travel.

- (f) **Student Travel Funded by the College** means a college-maintained budget item or fund created and funding expenses associated with the activity or event. The College funds travel even if an outside tour company arranges the college-sponsored trip and travelers pay their own travel-related expenses.
- (g) **Student Travel Required by a Registered Student Organization** means the travel comprises the organization's official activities, including attending and participating at conventions, workshops, athletic events, and non-athletic competitions. This definition does not include social or optional events organized by a registered student organization or an optional course activity recommended by a faculty member.

VI.D.1.03 Student Travel Policies

Students will complete and submit necessary student travel paperwork at least five days before the necessary travel. Commercial airlines, college-owned, -rented, or -leased vehicles, and commercial vehicles are approved transportation modes for student travel under this policy.

A driver transporting students in college-owned, -leased, or -rented vehicles must meet the following conditions: (a) be a College employee approved by the Chief Student Services Officer, (b) have a valid driver's license appropriate for the vehicle being driven, and (c) have a satisfactory driving record, which the College reviewed within six months of the scheduled student travel.

The driver must also ensure that passenger numbers do not exceed the vehicle's designated passenger capacity—each passenger must be secured by a seat belt. A driver may not drive for more than three consecutive hours without taking a fifteen-minute break from driving. A driver may not read e-mails or text messages while driving students.

The following applies when student-owned vehicles are used for student travel. First, the College's students are not covered by the College's vehicle insurance policies and cannot be College-approved drivers. Second, adult students drive their own private vehicles at their own discretion and at their own peril. Third, adult students riding with another adult student do so on their own and at their own peril. Fourth, the College's employees cannot arrange for students to drive other students. Fifth, all student drivers must sign a liability waiver for driving their own vehicle. Sixth, all student-owned vehicle accidents or collisions must be covered by the student's vehicle insurance policy. Seventh, the private-travel conditions must be detailed in the Travel Waiver form. Eighth, the College must provide any student driver with directions to the intended destination.

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VI.D.1.04 Student Group Registration Eligibility

A student group may register on the College's campuses if (a) the student group does not deny membership because of race, color, creed, national origin, gender, age, veteran's status, sexual orientation, or disability; (b) the College's full-time employee acts as the group's advisor; (c) its registration is not prohibited after disciplinary action; and (d) currently enrolled students and the College's employees compose its membership. Alumni, faculty, and staff can serve as advisers by invitation.

VI.D.1.05 Required Risk Management Training for Student Groups

The College will provide a risk management program for registered student organizations and their advisors at least once each academic year. The College requires the student organization's representatives and its advisors to attend. The College must record the program's attendance and keep those records for at least three years after the program is held. Other student organization members may attend the program. Advisors or student representatives will brief the entire student organization on the program's contents at the next full membership meeting.

VI.D.1.06 Compliance with the College's Policies

Registered student organizations must comply with the College's policies and procedures. The student organization's activities and programs require sponsor approval. The College's legal representatives never include student organizations. A registered student organization may not use the College's tax exemption number for its purchases.

VI.D.1.07 Violation of the College's Policies

The College can charge a registered student organization with violating the Student Code of Conduct. The organization and its officers may be held responsible for violations during organization-sponsored events. The College holds student organizations and their officers responsible for violations committed by a member representing the organization or associated with the organization.

Sanctions for student organization misconduct may include the College revoking the registered student organization's status. Sanctions can also include those listed in the Student Code of Conduct. A student organization may also appeal or proceed as an individual student might under the Student Code of Conduct.

VI.D.1.08 Sale of Taxable Items

A registered student organization's sales are exempt from taxes imposed by Subchapter C of the Texas Tax Code so long as the sales price remains \$5,000 or less. Similarly, when a student organization manufactures or donates an otherwise taxable good, the good remains exempt from the taxes imposed by Subchapter C of the Tax Code regardless of sales price unless sold to the donor or manufacturer if certain conditions are met. First, the student organization must sell the goods at a one-day fundraising sale. Second, that one-day fundraising sale cannot occur more than once a month. The storage, use, or consumption of a taxable item acquired tax-free under

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this section remains exempted from the use tax imposed by Subchapter D of the Tax Code until the item's resale or transfer.

A registered student organization qualifies for this section if (a) it's affiliated with the College, (b) has as its primary purpose a non-profit goal, and (c) files a certification with the Texas Comptroller.

VI.D.1.09 – Raffles

The College allows registered student organizations to hold raffle-ticket sales at the College—subject to reasonable time, place, and manner restrictions and always following Texas law.

VI.D.2. Religious Holy Days

VI.D.2.01 Policy

The College respects our students' religious observances even though they may conflict with the College's class meetings, assignments, and examinations.

VI.D.2.02 Definitions

- (a) **Religious Holiday** means a holy day observed by a religion whose worship places are exempt from property taxation under Section 11.20 of the Texas Tax Code.
- (b) **Excused Absence** means a student is treated consistently with the instructor's policies and procedures regarding other excused absences—except that no instructor may unilaterally deny the student the opportunity for make-up work under this policy.

VI.D.2.03 Requesting Absences for Religious Holy Days

Student class attendance affects the educational experience, and students should attend all classes in which they are enrolled. Each faculty member shall communicate the attendance policy to his or her classes. The College shall include in its course catalog a statement regarding its attendance policies and procedures for religious holy days. A student who is excused under this section may not be penalized for the absence; however, the instructor may appropriately respond if the student does not complete any postponed or rescheduled assignment or exam.

VI.D.3. Crime and Security Reports

The College shall collect information regarding campus crime statistics and campus security policies as required by law. The College will prepare, publish and distribute an annual security report through appropriate publications, electronic media, or mailings to all current students and employees as required by law. The College will also provide the resulting report to any applicant for enrollment or employment upon request. This report shall include the following:

- (a) A statement of current policies concerning security and access to campus facilities, and security considerations in maintaining campus facilities.
- (b) A statement of current policies concerning campus law enforcement that includes:
 - (1) the enforcement authority of security personnel, including their working relationship with state and local police agencies, and whether those security

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personnel have the authority to arrest individuals; and (2) the policies that encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.

- (c) A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.
- (d) A description of programs designed to inform students and employees about crime prevention.
- (e) Campus and community crime statistics.

VI.D.4. Student Support Services

The Executive Vice Chancellor shall ensure that the Colleges make available to all students effective student support services, including academic advising services, academic-support services, skills assessment and placement services, career services, financial aid services, student enrollment services, and support services for students with disabilities.

VI.D.5. Student Health Notices and Immunizations

The College's policy on HIV infection and AIDS shall be included in the student handbook and be available for viewing by all new and returning students on the College's website.

VI.D.6. Drug and Alcohol Testing

Students and faculty members in the health occupation, emergency services, or child care programs may require drug testing if reasonable suspicion exists that they may be impaired or as required by affiliated third-parties.

VI.D.7. Criminal Background Checks

Before registering in the College's health professions and emergency services, and or child development program, a student must pass a criminal background check performed by an external consumer agency the College selects. The student shall sign a release and directly pay the agency the background-check cost. Background check results, confidentially kept, are sent directly to the program director and the student.

VI.D.8. Legal Notice Regarding Steroids

The following notice regarding legal restrictions on steroids shall be posted in the College's gyms: "Anabolic steroids and growth hormones are for medical use only. State law prohibits the possession, dispensing, delivery or administering of an anabolic steroid or growth hormone in any manner not allowed by state law. State law provides that bodybuilding, muscle enhancement, or increasing muscle bulk or strength through anabolic steroid use by a person in good health is not a valid medical purpose. Only a medical doctor may prescribe an anabolic steroid or human growth hormone for a person. A violation of state law concerning anabolic steroids or human growth

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hormones is a criminal offense punishable by confinement in jail or imprisonment in the Texas Department of Corrections.”

VI.D.9. Graduation Rates

The College publishes or mails to all current students its full-time student completion and graduation rates. It also provides the same to any requesting prospective student. The College updates the information at least every two years.

VI.D.10. Student First Amendment Rights and Other Rights

VI.D.10.01 Policy

The College’s students retain their First Amendment rights, but voluntarily assume certain responsibilities by enrolling in the College. The College’s students enjoy First Amendment protections at all college-sponsored events subject to limited exceptions. Secular and religious student expression remains protected by the First Amendment and may not be abridged unless, in the Chancellor’s or a designee’s view, the speech is disruptive, school-sponsored, promotes illegal drug use, or the regulation remains viewpoint- and content-neutral.

With the exceptions stated above, the College shall take no action respecting a religion’s establishment, nor will the College prohibit religion’s free exercise. The College will not abridge speech, the press, peaceful assembly, or grievance petitions. Students distributing literature, displaying signs, petitioning for change, and sharing information concerning issues of public concern are protected by the First Amendment. Students also maintain their rights against unreasonable searches and seizures as provided herein.

VI.D.10.02 Definitions

- (a) **Disruptive** means substantially disrupting or materially interfering with the College’s central mission of educating students. This definition does not include action that merely presents the possibility of discomfort or unpleasantness that always accompanies an unpopular viewpoint.
- (b) **School-sponsored** means the College’s publications, theatrical productions, and other expressive activities that students, parents, and members of the public might reasonably perceive to bear the College’s approval and license. These activities may fairly be characterized as part of the school curriculum, whether or not they occur in a traditional classroom setting, so long as they are supervised by employee-advisors and imparting particular knowledge or skills to student participants and audiences
- (c) **Student Affairs Administrators** means administrators directly responsible for student services at the campus or center. The term Chief Student Service Officer and Student Affairs Administrators both represent the same person.

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- (d) **Student** means any person registered to attend the College's courses or class. This definition includes individuals enrolled in non-credit classes, including but not limited to, continuing education, GED, or ESL classes.
- (e) **Campus** means any real property over which the College has possession, control, or legal ownership.
- (f) **Viewpoint- and Content-Neutral** means speech policies or procedures that regulate speech without consideration for the speech's content, such as regulations regarding speech's time, manner, and place.

VI.D.10.03 First Amendment Grievances

A student that believes his or her rights have been violated under this section may file a grievance under Section IV.D.12.

VI.D.10.04 Student Interviews and Emails

The College respects a student's privacy rights. But the College can interview students on a matter to protect the College's overall welfare.

- (a) **Email Confidentiality.** The College cannot guarantee the privacy or confidentiality of electronic documents, and any messages that are confidential should probably not be communicated over e-mail. The College reserves email-access rights during routine computer maintenance and housekeeping, carrying out internal investigations, preparing public records responses, or disclosing messages, data, or files to law enforcement authorities.
- (b) **E-Mail Records.** Messages sent as email should meet the same standards for distribution or display as tangible documents or instruments. As with all records the College maintains, as required by law, files saved on the College's information system or servers, including e-mail, may be released after a public information act request.

VI.D.10.05 Warrantless Search

The College's officials have limited authority to search a student's person or property as follows even without a warrant under certain conditions: (a) any prohibited item within "plain view" can be seized; (b) personal property may be searched, if probable cause exists, and only if exigent circumstances justify not obtaining a search warrant; (c) areas such as lockers and desks, which the College owns and operates may be searched by the College officials when they have reasonable suspicion to believe that stolen items or items prohibited by law or by Board policy are contained in the area to be searched; and (d) stolen items and items which are forbidden by Board policy or law may be impounded and used as evidence in internal school disciplinary proceedings against the student.

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VI.D.11. Students with Disability Rights

VI.D.11.01. Policy

The College recognizes and supports the principles set forth in all federal and state laws designed to eliminate discrimination against qualified individuals with disabilities. The College believes in equal access to educational opportunities for all individuals. The College is committed to making reasonable accommodations, including furnishing auxiliary aids and services, for qualified individuals with disabilities as required by law. For purposes of this section, accommodation requests also mean requests for auxiliary aids and services.

The College shall communicate and make available the procedures for the prompt and equitable implementation of reasonable accommodations for qualified individuals.²⁰

VI.D.11.02. Student Responsibility to Request Accommodation

Students with disabilities have the right to an equal opportunity to participate in and benefit from College services, programs, or activities. Students are responsible for identifying themselves as individuals requesting accommodation based on a qualifying disability each semester. Students shall direct accommodation requests to one of the College's Disability Services Offices. While the College accepts accommodation requests throughout each semester, students are strongly urged to submit accommodation requests at least four weeks before each semester starts. The College has a two-step process to reasonably accommodate students with qualifying disabilities. Students must actively participate in this process. The two steps are (a) certifying the student's qualifying disability and (b) determining the student's reasonable accommodation.

Students certified as eligible for accommodation will engage in a collaborative process with the Disability Services Office to determine their reasonable accommodation. An accommodation will not be considered reasonable if it fundamentally alters the nature of a service, program, facility, or activity of the College. The College is not required to lower or substantially modify program standards or codes of conduct. Students should notify their instructors of the accommodation once it is determined. Students receiving accommodation shall be evaluated based on their ability, not disability.

VI.D.11.03. Requests for Reconsideration or Revision of Accommodations and Discrimination Complaints

(a) Reconsideration or Revision of Accommodations. Students may appeal denied accommodations or College-proposed accommodations. Students may also request accommodation revision during the semester. Each Disability Services Office evaluates appeals and revision requests for its campus. Students should appeal accommodation denials or College-proposed accommodations within two weeks. Students requiring accommodation revision anytime during the semester should submit a request as soon as possible. Students

²⁰ 28 CFR Part 35.107 (b)

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may appeal Disability Services Office decisions to the Executive Director of Disability Services. Students may also file a complaint at any time with the regional Office of Civil Rights at the U.S. Department of Education or through the civil court system.

(b) Discrimination Complaints. Students who believe they are unlawfully discriminated against on the basis of disability are encouraged to report the incident(s) to the Disability Services Office and or in the manner described in Section VI.D.12 (Student Civil Rights Complaints). Students may also file a complaint at any time with the regional Office of Civil Rights at the U.S. Department of Education or through the civil court system.

(c) Prohibition of Retaliation or Coercion. No College community member shall discriminate against any individual because that individual has opposed any act or practice made unlawful by the applicable laws, or because that individual made a submitted a complaint or charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under any applicable law.

No College community member shall coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by any applicable law.²¹

VI.D.11.04. Responsible Employee Designation²²

The College designates the Executive Director of Disability Services as the employee responsible for coordinating the College's efforts to comply with and carry out its responsibilities under applicable disability laws, including investigations of complaints communicated to the College alleging its noncompliance and/or any actions prohibited by applicable laws. The College shall further designate at least one employee at each campus to assist the Executive Director of Disability Services in carrying out the College's responsibilities. The College shall make available to all interested individuals the names, office addresses, and telephone numbers of the employees designated.

VI.D.11.05. Confidentiality and Records

Students' disability records are confidential. The confidentiality protects students from discrimination on the basis of disability as well as to ensure the non-release of their medical records except as needed to provide educational services. The College's Disability Services Office on each campus is responsible for collecting and maintaining disability-related documentation, confidential records of each student's visit, and any ongoing changes in the student's condition. These records are kept in a separate, secure digital file accessible only by Disability Services Office personnel and housed in the College's headquarters.

²¹ 28 CFR 35.134

²² 28 CFR 35.107(a)

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Disability-related information is shared only when necessary. Limited information may be disclosed to appropriate parties in a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

VI.D.12 Civil Rights Complaints

VI.D.12.01 Policy

The College provides equal treatment and educational opportunities to all persons without regard to race, color, creed, national origin, gender, age, veteran's status, sexual orientation, and disability. Any student experiencing discriminatory treatment or civil rights violations, aside from Sexual Violence or Title IX addressed in Section VI.E.3.02, may submit a civil rights complaint under this section.

VI.D.12.02 Reporting and Processing Civil Rights Complaints

Students experiencing a civil rights violation should complain to their Chief Student Services Officer or President as soon as possible. The receiving College official will promptly investigate the complaint and take any appropriate corrective or disciplinary action on his or her campus. The receiving College official will also forward the complaint, report, and any corrective or disciplinary actions taken to the Chancellor. The Chancellor shall consider any College-wide changes in light of the complaint. The Chancellor's decision is final.

VI.D.12.03 Potential Disciplinary Actions

If the investigation reveals an employee committed a civil rights violation action will be taken under this policy's Section IV.F.11 or IV.F.13.

VI.D.12.04 Prohibition on Retaliation

The College's policy prohibits any College employee from retaliating against a student for submitting a student's civil rights complaint. The College's policy forbids retaliating against any person who submitted a civil rights complaint. The College's policy also forbids retaliating against anyone who helps investigate such a complaint. A complaint's actual or perceived truth does not excuse retaliatory conduct. Any person who observes retaliation should promptly notify the Chief Student Services Officer or President.

VI.E. STUDENT RESPONSIBILITIES

VI.E.1. Student Code of Conduct

VI.E.1.01 Policy

The College provides a safe and responsive learning environment for all students. The College achieves that environment by enforcing the Lone Star College System Student Code of Conduct. The Student Code of Conduct applies to all students enrolled in a credit or non-credit course at the College. It also applies to all online-only and hybrid students.

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The College believes that honesty, respect, fairness, and accountability are the cornerstones of a worthwhile education. The College promotes personal and academic honesty and integrity. The College believes that all learners—students, faculty, staff, and administrators—will be honest, respectful, fair, and accountable by providing their own work and being candid when work belongs to another. The College prohibits fabricating sources, cheating, or plagiarism in work submitted to the College. The College considers those prohibited acts academic dishonesty. The College teaches not only substantive matters, but graduates ethical and responsible people.

VI.E.1.02 Definitions

(a) **Prohibited Computer Use** can take many forms—especially in a fast developing industry—but the following list should allow students to understand the types of uses that are specifically prohibited. The following list is not a complete list, but does provide some illustrative examples for students to appreciate in using the College’s computers or its systems.

1. Intentionally disrupting the access of other students, faculty, or staff to the College’s digital or electronic resources;
2. Knowingly obtaining access to a computer account, identification number, or password assigned to another student, faculty member, staff member, or college office without authorization;
3. Knowingly using an account, identification number, or password belonging to another student, faculty member, staff member, or College office for other than its intended purpose without authorization, or using an identification number or an inactive account, password, or identification number;
4. Misusing the College’s computer equipment by falsifying or altering records or documents, damaging programs belonging to others, sending harassing or threatening material, or unlawfully duplicating copyrighted property.
5. Intentionally using the College’s computer resources to store, download, upload, display, print, or email computer images that constitute “obscene materials” as defined by Texas law that are not directly related to, or required for, a specific educational course or research project related to an educational program;
6. Displaying or transmitting messages, images, or cartoons that are sexually explicit or that demean a person on the basis of race, ethnicity, gender national origin, disability, or religion; or
7. Using the College’s e-mail or other computer resources for commercial purposes or for personal financial gain.
8. Intentionally overloading the College’s computer resources.

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Access to the College's e-mail and similar electronic communication systems remains a privilege extended to current employees, students, and affiliates in good standing. The privilege of access ends with the termination of employment, the failure to re-enroll in a College educational program, or disciplinary sanctions. This definition includes unauthorized access based on previous standing with the College.

(b) College-sponsored activity means events and activities initiated by a student, student organization, college department, faculty member, or other employee which meet one of the following conditions.

1. The College hosts the event or activity on its premises.
2. The College expressly authorizes, aids, supervises, or conducts the event or activity.
3. The College funds any portion of the event or activity.
4. The College's registered student organizations initiated, conducted, or promoted the event or activity in the organization's or College's name.

(c) Prohibited weapons include:

1. Firearms (any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use).
2. Ammunition.
3. An explosive weapon (any explosive or incendiary device, bomb, grenade, rocket or mine designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage, or for the principal purpose of causing such a loud report as to cause undue public alarm or terror, and includes a device designed, made or adapted for delivery or shooting an explosive weapon).
4. An illegal knife (knife blade over 5½ inches; hand instrument designed to cut or stab another by being thrown; switchblade knife; dagger; bowie knife; sword; or spear).
5. A taser (any weapon firing barbs attached by wires to batteries, causing temporary paralysis).
6. Knuckles (any instrument consisting of finger rings or guards made of a hard substance designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles).
7. A chemical dispensing device (device other than a small chemical dispenser sold commercially for personal protection, designed, made, or adapted for the purpose of causing an adverse psychological or physiological effect on a human being).

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8. A zip gun (a device or combination of devices that was not originally a firearm adapted to expel a projectile through a smooth-bore or rifle-bore barrel by using the energy generated by an explosion or burning substance).
 9. A club (instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk).
- (d) **Student** means any person (1) registered with the College, (2) who the College has accepted for admission, or (3) who intends to attend the College.
- (e) **Hazing** means any intentional, knowing, or reckless act directed against a student that endangers the student's mental health, physical health, or safety. Moreover, the student organization requires the student's act to initiate, affiliate, appoint, or maintain membership in any student organization. Whether the act occurs on or off the College's property remains irrelevant.

VI.E.1.03 Academic Matters

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 academic performance evaluation includes a professional conduct component. The College will take academic, not disciplinary, action against a student that fails to meet the professional expectations of such a course.

VI.E.1.04 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.1.05 Non-Academic Misconduct

Non-academic misconduct can occur in many different ways. The list below presents some examples of non-academic misconduct. The list does not contain every conceivable example of non-academic misconduct. The college publishes this list only giving students examples of the types of conduct that might qualify as academic misconduct.

- (a) Disrupting, obstructing, or interfering with College activities, access to college facilities, or college-sponsored activities.
- (b) Physically or psychologically abusing, threatening violence, making terroristic threats, stalking, or harassing the College's members or visitors. This includes oral and electronic threats.

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- (c) Using, possessing, or storing any weapon, dangerous chemical, ammunition, or explosive element regardless of whether the possessor holds a federal, state, or other license.
- (d) Using a simulated weapon, explosive, or ammunition, in an assault or battery.
- (e) Initiating or inducing false report with the College.
- (f) Misusing or damaging fire safety equipment. Tampering, misusing, damaging, or playing with fire extinguishers, smoke detectors, exit lights, emergency lights, fire alarms or doors, or other similar equipment.
- (g) Engaging in prohibited computer use.
- (h) Violating the terms of any disciplinary action.
- (i) Inducing or participating in hazing.
- (j) Violating any College policy, procedure, regulation or rule.
- (k) Unlawfully possessing, using, selling, administering, or distributing alcoholic beverages, illegal or controlled substances, designer drugs, or drug paraphernalia.
- (l) Littering, damaging, defacing, removing, occupying, using, or destroying the College's property without the College's authority.
- (m) Gambling, raffling, or holding a lottery at the College without approval.
- (n) Violating any local, state, federal, or other applicable law.
- (o) Engaging in obscene, vulgar, lewd, or indecent conduct, expression, or sexual conduct on the College's property.
- (p) Furnishing false information or willfully misrepresenting any fact to the College or to the College's community members acting in their official capacities.
- (q) Forging, altering, falsifying, or misusing the College's documents, records, forms, or identification cards.
- (r) Willfully misrepresenting to anyone the relationship between an individual and the College. This includes willfully misrepresenting that the College supports, sponsors, or approves the services or activities of any person, group, or organization.
- (s) Stealing or trying to steal the College's property or services or those of any of its community members.
- (t) Infringing upon the right of other students to fair and equal access to any of the College's library materials and other of the College's academic resources.
- (u) Using, without authorization, the College's facilities or equipment.
- (v) Causing false information to be presented before any administrative proceeding of LSCS, or intentionally destroying evidence relevant to such a proceeding.

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- (w) Failing to comply with the direction of LSCS officials, including campus security officers acting in the performance of their duties.
- (x) Abandoning a child in any place on the College's premises without providing reasonable and necessary care for the child.

Attempting to commit acts prohibited in this Code of Conduct, or encouraging or assisting others to commit such acts are prohibited and may be punished to the same extent as if one had committed the prohibited act.

VI.E.1.07 Classroom Misconduct

The College recognizes and encourages distinct views in the learning process. Differing viewpoints, however, must be part of the learning process—not detract from it. Individual faculty members set appropriate conduct standards at the start of each class or course. Students who disrupt a classroom, are warned by the instructor, may be asked to leave the classroom. A student refusing to leave a classroom after being asked to do so by the instructor may be removed by the College's Police Department. The instructor must submit a written report documenting the incident to the location's Chief Student Services Officer. The report must include the date, time, place, and describe the circumstances of the classroom disruption.

VI.F. SEXUAL HARASSMENT, ASSAULT, AND VIOLENCE
[VAWA Amendments / Second Reading in December]

VI.G STUDENT DISCIPLINE

VI.G.1 General Provisions

VI.G.1.01 Student Discipline Policy

The College shall maintain safety, order, and integrity by enforcing conduct standards. 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 misconduct informally.

VI.G.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 campus vice-president to whom the campus president give primary responsibility for student discipline.
- (c) **Discipline Committee** means a panel appointed from each campus to review suspensions and expulsions imposed by other campuses.

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- (d) **Due process** means a student's procedural and substantive constitutional protections.²³
- (e) **Effective notice** means written notice served in person, e-mailed to a person's College e-mail address, or mailed to a person's address.
- (f) **Expulsion** means permanent exclusion from any or all College classes and activities.
- (g) **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 campus or facility, or a threat of willful disruption of the orderly operation of the campus or facility.
- (i) **Sanction** means a penalty against a student, including oral or written warning, probation, suspension, expulsion, failing grade for a course, exam, or assignment, or other proper penalty.
- (j) **Suspension** means temporary exclusion from any or all College classes and activities.

VI.G.1.03 How to Report Misconduct

Anyone may report misconduct in writing to a Chief Conduct Officer. Reports shall include all relevant facts, including dates, times, and places. The reporter shall supply available evidence and shall commit to participate in the investigation or hearing unless alleged misconduct is Title IX Harassment as defined in Section VI.E.3. False reports are misconduct.

VI.G.1.04 Investigation

The Chief Conduct Officer shall forward reported academic misconduct, such as cheating or plagiarism, to the student's instructor, who shall investigate and impose appropriate academic sanctions as necessary. Policy Section V.C.3 shall govern appeals of academic sanctions. Within fifteen working days after receiving a written report alleging misconduct, the Chief Conduct Officer shall investigate the allegations and issue a written decision either dismissing the allegations or finding the student responsible for misconduct and imposing sanctions. If the decision imposes suspension or expulsion, the student may request a Discipline Committee hearing.

VI.G.1.05 Hearing

The Chief Conduct Officer 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 misconduct including all witnesses who may testify against the student, and provide copies of all documents to be used against the student. The Chief Discipline Officer must prove misconduct to the Discipline Committee by preponderance of the evidence.

²³ Goss v. Lopez, 419 U.S.565 (1975); Univ. of Tex. Med. Sch. v. Than., 901 S.W.2d 926 (Tex. 1995).

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Accused students shall have the right to confront and question their accusers during the hearing unless a legally recognized exception to this right applies. Within five working days after the hearing, the Discipline Committee will issue a written majority decision either dismissing the matter or finding the student responsible for misconduct. A decision finding a student responsible for misconduct shall explain the specific misconduct and evidence thereof and recommend sanctions. Either party may appeal the Discipline 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 misconduct.

VI.G.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 campus may not enroll at another campus 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 may not register without the Chief Discipline Officer's permission. The College may agree at any time to impose certain sanctions if a student admits misconduct, and the student and Chief Discipline Officer shall sign any such agreement. In addition to sanctions, the College may pursue any and all remedies at law or equity.

VI.G.1.07 Due Process Requirements

Students have a protected interest in receiving an education.²⁴ Except during periods of disruption, students must receive due process before they may be suspended or expelled.²⁵ 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.²⁶ 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.²⁷ Except during a period of disruption, no suspension or expulsion will take effect before the appeal process ends.

VI.G.1.08 Autonomy

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 misconduct will not determine discipline.

VI.G.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.²⁸

²⁴ *Id.*

²⁵ *Goss v. Lopez*, 419 U.S.565, 582 (1975).

²⁶ *Goss v. Lopez*, 419 U.S.565 (1975); *Univ. of Tex. Med. Sch. v. Than.*, 901 S.W.2d 926 (Tex. 1995); *Willis v. Tex. Tech Univ. Health Sciences Center*, 394 F. App'x. 86, 87 (5th Cir. 2010).

²⁷ *NCAA v. Yeo*, 171 S.W.3d 863, 865 (Tex.2005).

²⁸ *Goss v. Lopez*, 419 U.S.565, 582 (1975).

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VI.G.1.10 Discipline in Health Occupations Programs

Health Occupations Program Deans shall act as Chief Discipline Officers for their programs.

VI.H.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.
- (b) The right to request amendment of the student's education records if the student believes the records are inaccurate, misleading, or violate the student's privacy rights.
- (c) The right to provide written consent before the College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
- (d) The right to file a complaint with the Family Policy Compliance Office, U.S. Department of Education, concerning alleged failures by the College to comply with the requirements of FERPA.

The College collects directory information regarding each student. Directory information includes the student's name, classification, full or part-time enrollment, program of study, dates of enrollment, degrees and certificates received, and awards and honors received.

The College may release directory information without the student's consent unless the student requests that the College not release directory information. A student may make such a request to the Office of Student Records or by updating their MyLoneStar settings.