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San Jacinto College

**Student  
Handbook**

**2019-2020**

Originally published 2019

## ADDENDUM

Item	Section	Change Description (Before)	Change Description (After)	Date of Update - Effective Term
Student Handbook, Technology Expectations	Page 20		added - Electronic Recording by Students: The College prohibits students from engaging in inappropriate or unauthorized use of electronic recording devices such as cell phones, cameras, audio/tape recorders, video recorders, electronic tablets, and any other electronic or mechanical devices/systems that are capable of recording audio, human voices, images, or video. For more information about processes, restrictions, and permitted electronic recordings, see the College website for the associated policy and procedure.	7/29/2019

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# STUDENT HANDBOOK

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San Jacinto Community College District  
2019-2020 Student Handbook

## Administration Office

4624 Fairmont Pkwy.  
Pasadena, Texas 77504

## Central Campus

8060 Spencer Hwy.  
Pasadena, Texas 77505

## North Campus

5800 Uvalde Road  
Houston, Texas 77049

## South Campus

13735 Beamer Road  
Houston, Texas 77089

## Maritime Campus

3700 Old Hwy. 146  
La Porte, Texas 77571

281-998-6150  
www.sanjac.edu

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San Jacinto Community College District is an equal opportunity institution.

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## Identification

Persons on College property or utilizing its services may be required to furnish acceptable proof of identity to College officials. Students are therefore encouraged to carry a validated student ID card with them at all times. ID cards will also be used as a library card to obtain usage of the materials in the College library and to obtain admission to College events. If lost, College ID cards can be replaced at the Admissions Office for a fee of \$10 payable at any campus Business Office.

## Police Services

### Campus Police and Emergency Numbers

The San Jacinto College Police Department operates 24 hours a day, seven days a week. To request assistance or police services on any San Jacinto College campus:

- **Call from any campus phone:** 5555
- **For Police Emergency:** 281-476-9128
- **For non-emergency:** 281-476-1820
- **Activate a blue light emergency phone**

### Police General Information

All San Jacinto College police officers are commissioned by the Board of Trustees under the provisions of Section 51.203 of the Texas Education Code and are licensed peace officers under the Rules and Regulations of the Texas Commission on Law Enforcement Officers Standards and Education under Article 2.12 of the Texas Code of Criminal Procedure.

Anyone who operates motor vehicles on campus will be required to comply with The State of Texas Traffic Code and the San Jacinto College Traffic Rules and Regulations. Traffic laws and parking regulations are enforced 24 hours a day, seven days a week.

San Jacinto College assumes no responsibility for the care and/or protection of any vehicle or its contents while the vehicle is operated or parked on campus.

Pedestrians have the right of way at all times.

### Escorts

Escorts are available for members of the College community, if they feel uncomfortable walking on campus. This service is provided as officers are available and there may be delays on occasions when police officers are busy with other requests for service.

### Emergency Messages

If an emergency of a personal nature occurs and a San Jacinto College community member needs to be contacted, the San Jacinto College

Police Department may be contacted and an officer will make an attempt to locate and notify the community member of the emergency.

### Motorist Assistance

Officers are equipped to help San Jacinto College community members with automobile jump starts and when their keys have been locked in their vehicles. These services are performed as a courtesy and are provided as officers are available. There may be some delay when officers must first complete higher priority calls.

### Parking

All vehicles parked on San Jacinto College property are required to be registered and display a San Jacinto College parking permit unless the driver is a visitor with legitimate business at a campus. San Jacinto College citations are issued for failure to display a decal and for parking violations. Parking decals are available at any campus Business Office.

The student, once registered and paid, is required to submit the license number, and make and model of the vehicle being registered.

The San Jacinto Community College District assumes no responsibility for the care and/or protection of any vehicle or its contents while the vehicle is operated or parked on campus. Students who operate motor vehicles on campus shall comply with the San Jacinto College Traffic Rules and Regulations.

### Student

All persons enrolled at San Jacinto College, including those in noncredit and other special courses are considered students and are required to obtain a parking permit. Parents or friends who drive a vehicle with a student parking permit must park in a student lot.

### Student Responsibility

The student is responsible for any vehicle registered/operated or parked in his/her name at San Jacinto College, regardless of the operator or state of vehicle ownership. A citation is not excused on the plea that another person was driving the vehicle.

Vehicles shall be registered at the business office on any campus. The student, at the time of registration, is required to submit the license number, and make and model of the vehicle being registered. Intentional falsification of vehicle registration to obtain a parking permit will result in disciplinary action and/or criminal charges.

Lost or stolen permits should be reported immediately to the San Jacinto College Police Department.

### Ticket/Citation Appeal

A student or staff member may file a ticket appeal if he/she feels the ticket/citation is issued in error. The student or staff member must file an appeal within 10 school days. Appeal forms may be found online at [www.sanjac.edu/police](http://www.sanjac.edu/police) or in person at a San Jacinto College Police Department office. The student or staff member may check for a disposition on the appeal 72 hours after the appeal is submitted to their S.O.S. account, or at the San Jacinto College Police Department office.

### Visitor

One who is neither a student nor an employee of the College nor is he/she a person who uses parking facilities for the benefit of a student or employee. Reserved parking spaces have been provided for visitor's convenience on all three campuses and are designated.

## Search and Seizure

Students shall not be subject to illegal search and seizure while on College property.

## Campus Security and Fire Safety Report

The San Jacinto Community College District is committed to assisting all members of the San Jacinto College community in providing for their own safety and security. In accordance with the Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the annual security compliance document is available on the San Jacinto College Police Department, website at [www.sanjac.edu/security-report](http://www.sanjac.edu/security-report). Crime statistics for the past three years are also available at <http://ope.ed.gov/campusafety/#/>.

A hard copy of the San Jacinto College Annual Security and Fire Safety Report is available for review at each of the campus police departments.

### Central Campus

Maintenance/Police Building  
C34.105  
8060 Spencer Highway  
Pasadena, Texas 77505

### North Campus

Slovacek Student Center  
N12.205  
5800 Uvalde Road  
Houston, Texas 77049

### South Campus

J.D. Bruce Student Center  
S11.100  
13735 Beamer Road  
Houston, Texas 77089

### Maritime Technology and Training Center Maritime Campus

M1.210q  
3700 Old Highway 146  
La Porte, Texas 77571

The website and report contain information regarding campus security and personal safety, including topics such as: crime prevention, College police law enforcement authority, crime reporting policies, disciplinary procedures, and other matters of importance related to security on the campuses. They also contain information about crime statistics for the three previous calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by San Jacinto College; and on public property within, or immediately adjacent to and accessible from, the campuses.

## Unattended Children on Campus

San Jacinto College occasionally offers supervised classes and activities for children. However, at all other times, children may not remain unattended on campus, nor may children attend classes with their parents.

## Emergency Closings

Providing a safe and secure environment for our students, faculty, staff, and community is a top priority at San Jacinto College. San Jacinto College has partnered with SendWordNow to create SJC AlertMe, which will contact members of the College community through email, voice, and text messages, in the event of an emergency situation. In addition, the system also integrates with National Weather Service weather alerts, and offers a free app for smartphone users to receive push notifications in the event of a campus or college emergency.

SJC AlertMe provides San Jacinto College with another communication tool to keep students, faculty, staff, and the community informed during threatening situations and weather-related closings. In order to receive email, voice, and text messages, **you must provide your current, up-to-date, personal contact information.** Current San Jacinto College students, faculty and staff should do this through SOS. Members of the San Jacinto College community who wish to receive SJC AlertMe messages should sign up online at [www.sanjac.edu/alert-me](http://www.sanjac.edu/alert-me).

SJC AlertMe will be activated when the College determines a serious threat exists and the College community must take immediate action to remain safe and secure. The system will also be used to announce an unscheduled College and / or campus closing, or cancellation of classes due to situations such as severe weather.

Email is the official form of communication with San Jacinto College students, faculty, staff, and community. All SJC AlertMe alerts will be sent via email to students' and employees' San Jacinto College email account. Text and voice messages, as well as mobile app push notifications, may also be activated. There is no cost to sign up for this notification service. However, you are responsible for any data charges from your phone service provider associated with receiving messages. Visit [www.sanjac.edu/alert-me](http://www.sanjac.edu/alert-me) for more information.

## Campus Sexual Misconduct Policy

San Jacinto College prohibits all employees and students from engaging in sexual harassment, sexual violence, and other behaviors of a sexual nature that are hostile, unwelcome, or intimidating. This prohibition encompasses conduct occurring on-campus or in connection with a College activity or program. Prohibited conduct that occurs off-campus is also encompassed by these rules if the conduct creates a sexually hostile environment on campus or in a college activity or program or adversely affects another student's educational opportunities at the College.

Students who believe that they have been subjected to sexual misconduct (sexual assault, sexual harassment, dating violence, domestic violence, intimate partner violence or stalking) are encouraged to report their complaint to the San Jacinto College Campus Police Department (281-476-9128) as soon as possible after the incident occurs. Reports of sexual misconduct involving another student also may be directed to the Compliance & Judicial Affairs Office by submitting an Online Incident Report at [www.sanjac.edu/incident-report](http://www.sanjac.edu/incident-report) or by calling 281-478-2756. Reports of sexual misconduct involving an employee should be reported to the Human Resources Department by calling 281-991-2648.

Existing disciplinary and complaint procedures, found in the Student Handbook, will serve as the framework for resolving allegations of sexual misconduct against students. Students found guilty of sexual misconduct will be subject to campus disciplinary sanctions. If an

investigation substantiates that an employee engaged in sexual misconduct, the employee is subject to disciplinary action, up to and including termination, as provided in Board policy. In addition, any employee or student may face criminal prosecution for violations of applicable state and federal laws.

During an investigation or any disciplinary proceeding, the rights of both the respondent and the reporting party shall be respected, and the confidentiality of proceedings will be maintained to the extent permitted by law. The existence of the College's policies and procedures is not intended to diminish or alter the rights that the respondent and reporting party have under civil law or the criminal law.

All sexual assault policies and complaint procedures can be found in the Code of Student Conduct and the Complaint Procedures sections of the Student Handbook.

In accordance with Texas House Bill No. 699 and the Campus SaVE Act/ Clery Act, San Jacinto College provides an orientation/training on the College's Campus Sexual Misconduct Policy for incoming freshman during their first term of enrollment.

### **Definitions of Prohibited Behavior**

*(Detailed definitions of each prohibited behavior are provided in Section 3.6 of the Student Handbook.)*

**Sexual Assault:** Intentionally or knowingly causing physical sexual contact or sexual penetration of another person without that person's consent. "Sexual contact" includes any touching of the anus, breast or any part of the genitals of another person with intent to arouse or gratify the sexual desire of any person. The definition of consent is provided in Section 3.6.1 of this Handbook.

**Sexual Harassment:** Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome verbal comments of a sexual nature and unwelcome physical contact or touching of a sexual nature. Sexual harassment is wrongful regardless of whether the parties are of the same sex or of the opposite sex.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the reporting party. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**Domestic Violence:** The term "domestic violence" refers to a pattern of abusive behavior between two individuals formerly or currently in an intimate relationship, including through marriage, cohabitation, dating, or within a familial or household arrangement. Abuse may be in the form of physical assault, sexual assault, bodily injury, emotional distress, physical endangerment, or when the imminent threat of any of these instances puts the reporting party in fear of their occurrence. The term encompasses acts committed by a current or former spouse or intimate partner of the reporting party, by a person with whom the reporting party shares a child in common, by a person who is cohabitating with or has cohabitated with the reporting party as a spouse or intimate partner, and by a person similarly situated to a spouse or the reporting party under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Intimate Partner Violence:** Physical violence, sexual violence, stalking and psychological aggression (including coercive acts) by a current or former intimate partner.

**Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. "Course of conduct" means two more acts, including, but not limited to, acts in which the stalker directly or indirectly, or through third parties, by any action, method, device or means.



# HEALTH

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## Policy on Communicable Diseases

### Introduction

This policy defines communicable diseases and outlines the management procedures in the College environment for students and employees, or others having communicable diseases. This policy applies to all members of the college community, including students, employees, contractors, vendors, and visitors.

### Definitions

“Communicable diseases” are diseases defined by the state and federal government as diseases that can be transmitted easily among a population. A list of state required notifiable conditions is on the Texas Department of State Health Services website - [www.dshs.state.tx.us/idcu](http://www.dshs.state.tx.us/idcu) (<http://www.dshs.state.tx.us/idcu>).

“Notifiable Conditions (<https://www.dshs.texas.gov/idcu/investigation/conditions>)” are identified by the Texas Department of State Health Services (TDSHS). TDSHS has the primary responsibility for all conditions listed on the document. (Please NOTE: Not all conditions listed on the NOTIFIABLE CONDITIONS list are communicable diseases. Other conditions exist on the list for general state wide statistical reporting from hospitals, physicians and laboratories. The document also refers to reporting requirements. Primary reporters of notifiable conditions are Physicians, Hospitals, and Laboratories. San Jacinto College is not a primary reporter of notifiable conditions and is therefore not under the same reporting requirements listed in the notifiable condition list.

- “**Health Response Team (HRT)**” is responsible for managing communicable disease incidents at the College.
- “**Epidemic**” means the occurrence in a community or region of cases of an infectious disease or illness that exceeds normal expectancy.
- “**Pandemic**” is an epidemic of infectious disease that has spread through human populations across a large region.

### General Policy

- A complete list of communicable diseases is found on the Notifiable Conditions list as linked above.
- The College’s decisions involving persons who have communicable diseases shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternatives for responding to a student/employee with a communicable disease. The College will consult with the Local Health Jurisdiction’s communicable disease

specialist and Health Officer to receive recommended guidance for the best protection of the college population.

- The College shall not discriminate in enrollment or employment against any individual solely on the grounds that the individual has a communicable disease. The College reserves the right to exclude, or restrict a person with a communicable disease from College facilities, programs, and functions if the College makes a medically-based determination that the person constitutes a direct threat to the health or safety of others.
- The College shall comply with all pertinent statutes and regulations which protect the privacy of persons in the College community, including following all applicable Health Insurance Portability and Accountability Act (HIPAA) and Family Educational Rights and Privacy Act (FERPA) rules and any rules imposed by Texas law.
- Depending on the nature of the communicable disease, the individual’s activities and responsibilities, and the safety risk to others, the College will evaluate whether a reasonable accommodation can be made to enable the individual to continue with his or her studies, employment, or other activities.

## First Aid Stations

(FOR MINOR MEDICAL ASSISTANCE)

Locations subject to change

First Aid stations are located in most campus buildings and are identified by appropriate signage. Should you become ill, notify the nearest professor or staff member. For major life-threatening situations, contact the College Police Department at x5555 or 281-476-9128.

The College is not responsible for medical expenses incurred by students while on campus or at College-sponsored activities.

Any student knowledgeable of a current or potential hazard is asked to contact the safety office to complete a safety incident report.

Medical Emergencies, call x5555 or 281-476-9128.

## Prevention Program Regarding Illicit Drugs and Alcohol Abuse

### Standards of Conduct

State law prohibits individuals under 21 years of age from possessing or consuming alcoholic beverages.

College policy prohibits all employees (full-time and part-time faculty and staff) and students from engaging in the unlawful manufacture, distribution, dispensation, sale, possession, ingestion or use of controlled substances or alcohol in the workplace, on College grounds, in College vehicles, at College-related or College-sponsored activities regardless of location or while otherwise on duty. This policy prohibits all employees and students from reporting to work, class or a College activity (including College athletics) while under the influence of drugs or alcohol.

Prescription and over-the-counter drugs are permitted only when taken in standard dosage or according to a physician’s prescription.

Notwithstanding these prohibitions on use of drugs or alcohol, the Chancellor is authorized to permit the use, service or consumption of alcohol for persons older than 21 at certain College events.

Employees who receive College funds for travel may not use the funds to buy alcoholic beverages.

For more information on College standards of conduct regarding drugs and alcohol, please see:

1. Policy VI-LL Policy on Alcohol Usage,
2. Procedure 3-2, Drug-free Workplace,
3. the Student Handbook and Code of Student Conduct (applicable to all students) and
4. the Athletic Handbook (applicable to student athletes).

These publications are available on the College's website at [www.sanjac.edu](http://www.sanjac.edu).

## **Substance Abuse Prevention Policy**

The policy of the San Jacinto Community College District is to provide all students and employees with an environment that is free of substance abuse. The illegal use of controlled substances on College campuses subjects the College, its students and employees to unacceptable risks of injury, interferes with the learning and working environments, and is inconsistent with the behavior expected of persons associated with the College.

The College firmly supports remedial assistance and, when necessary, disciplinary action for those individuals who violate conduct expectations, including those related to the use, possession, distribution or possession for purposes of distribution, of any controlled substances or illegal drugs on College property or at College-sponsored activities at off-campus locations.

Law enforcement officers are supported by the College to ensure compliance with all laws including those relating to alcohol and to the use, abuse, possession or distribution of controlled substances or illegal drugs.

## **Health Risks**

### **Alcohol Abuse**

Alcohol is a primary and continuous depressant of the central nervous system. Impairment of judgment and of recently learned, complex and finely tuned skills begins to occur at blood alcohol concentrations as low as 0.025 percent. These impairments are followed by the loss of more primitive skills and functions, such as gross motor control and orientation at concentrations in excess of 0.05 percent. Alcohol in moderate doses impairs nearly every aspect of information processing, including the ability to abstract and conceptualize, the ability to use large numbers of situational cues presented simultaneously and the cognitive ability to determine meaning from incoming information. Alcohol consumption can therefore promote action on impulse without full appreciation of, or concern about, the potential negative consequences of such action.

Chronic long-term effects of heavy drinking over a period of years can result in brain damage, cancer of the mouth, esophagus or stomach, heart disease, liver damage resulting in cirrhosis, alcoholic hepatitis and cancer of the liver, peptic ulcer disease and possible damage of the adrenal and pituitary glands. Prolonged, excessive drinking can shorten life-span by 10-12 years.

### **Illicit Drugs**

Illicit drugs include narcotics, such as heroin or morphine; depressants, such as barbiturates, Quaaludes, or Valium; stimulants, such as cocaine

or "crack"; hallucinogens, such as PCP, LSD, or mescaline; cannabis such as marijuana or hashish; inhalants, such as nitrous oxide, amyl nitrate (poppers) or various hydrocarbon solvents; and designer drugs, such as China White, methamphetamine (Ecstasy) or meperidine (Demerol).

- **Narcotics:** Narcotics initially produce a feeling of euphoria that is often followed by drowsiness, nausea and vomiting. Tolerance may develop rapidly and dependence is likely. The use of contaminated syringes may result in diseases such as AIDS, endocarditis (inflammation of the lining of the heart) and hepatitis.
- **Depressants:** The effects of depressants are in many ways similar to the effects of alcohol. Small amounts can produce calmness and relaxed muscles, but a somewhat larger dose can cause slurred speech, ataxia or unstable gait and altered perception. Very large doses can cause respiratory depression, coma and death. The combination of depressants and alcohol can multiply the effects of the drugs, thereby multiplying the risks. The use of depressants can cause both physical and psychological dependence.
- **Stimulants:** Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils; elevated blood pressure, heart and respiratory rate; and body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose with long-term use eroding the nasal septum. The injection of cocaine with unsterile equipment can cause AIDS, hepatitis and other diseases. Preparation of freebase, which involves the use of volatile solvents, can result in death or injury from fire or explosion. Cocaine can produce psychological and physical dependency. In addition, tolerance develops rapidly. Crack or freebase rock is extremely addictive. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia and seizures. Overdoses occur easily.
- **Hallucinogens:** Phencyclidine (PCP) users frequently report a sense of distance and estrangement. Time and body movement are slowed down. Muscular coordination worsens and senses are dulled. Speech is blocked and incoherent. Chronic PCP users report persistent memory problems and speech difficulties. Mood disorders, such as depression, anxiety and violent behavior, may also occur. In late stages of chronic use, users often exhibit paranoid and violent behavior and experience hallucinations. Large doses may produce convulsions and coma, heart failure, lung problems and/or ruptured blood vessels in the brain. Lysergic acid (LSD), mescaline and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness and tremors. Sensations and feelings may change rapidly. It is common to have a bad psychological reaction to LSD, mescaline and psilocybin. The user may experience panic, confusion, suspicion, anxiety and loss of control. Delayed effects or flashbacks can occur even after use has ceased.
- **Marijuana/Cannabis:** The short term effects of marijuana include distortion of time perception, increased heart rate, dilation of blood vessels and loss of short term memory. Also decreased are visual perception and psychomotor skills, which have adverse effects on driving ability. The effects of long term use include loss of motivation, chronic bronchitis, decreased vital lung capacity and an increased risk of lung cancer. Tolerance and psychological dependence do develop with marijuana.

- **Inhalants:** The chemicals in most inhalants are rapidly absorbed in the lungs and exert their central nervous system effects within seconds, producing an altered mental state for about five to fifteen minutes. Immediate effects of inhalants include nausea, sneezing, coughing, nose bleeds, fatigue, lack of coordination and loss of appetite. Solvents and aerosol sprays can decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrate can cause rapid pulse, headaches and involuntary passing of urine and feces.

Inhalation of toluene as well as other hydrocarbons has been associated with kidney and liver damage, peripheral nerve problems, convulsions, encephalopathy (organ brain damage) and other central nervous system disorders. Sudden death associated with both glue sniffing and especially the inhalation of aerosols containing halogenated hydrocarbons (Freon) has been reported and is thought to be secondary to cardiac arrhythmias (abnormal electrical conduction patterns in the heart.)

- **Designer Drugs and other Drugs of Concern:** Designer drugs are synthetic chemical modifications of older drugs of abuse that are designed and manufactured in covert laboratories and sold at great profit for recreational use. These drugs can be several hundred to several thousand times stronger than the drugs they are designed to imitate. Designer drugs similar to opiates include fentanyl, Demerol, and "China White." The narcotic analogs of designer drugs can cause symptoms such as those seen in Parkinson's disease-uncontrollable tremors, drooling, impaired speech, paralysis and irreversible brain damage. Analogs of amphetamines and methamphetamine cause blurred vision, chills or sweating and faintness. Psychological effects include anxiety, irritability, depression and paranoia. Withdrawal problems include sweating, diarrhea, fever, insomnia, irritability, nausea and vomiting and muscle and joint pain.

Some substances are not currently controlled by the Controlled Substances Act but still pose risk to individuals who abuse them. The drugs include but are not limited to bath salts or designer cathinones (synthetic stimulants), DXM (a cough suppressor), and Salvia Divinorum (an herb abused for its hallucinogenic effects). Use of synthetic stimulants may cause agitation, insomnia, irritability, dizziness, depression, paranoia, delusions, suicidal thoughts, seizures or panic attacks. Use of DXM may cause confusion, agitation, paranoia or hallucinations. Over-the-counter products that contain DXM often contain other ingredients that have their own effects, such as liver damage, rapid heart rate, lack of coordination, vomiting, seizures or coma. Use of salvia divinorum may cause loss of coordination, dizziness or slurred speech.

### Anabolic Steroids and Growth Hormones

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 the use of an anabolic steroid by a person who is 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 hormones is a criminal offense punishable by confinement in jail or imprisonment in the Texas Department of Corrections.

## Disciplinary and Legal Sanctions

Students, regardless of age, determined to be in violation of College regulations pertaining to controlled substances, including alcohol, are subject to severe disciplinary penalties, including permanent suspension from the College. When such violations also constitute violations of public law, charges also may be filed by the College for prosecution by the appropriate law enforcement agency. Convictions under public law are punishable by fines, imprisonment or both.

This notice is provided in accordance with the provisions of H.B. 1507, 71st Legislature, State of Texas.

## Commonly Abused Drugs

### Depressants

Substance: Category and Name	Examples of Commercial and Street Names	Intoxication Effects/Potential Health Consequences
Gamma Hydroxybutyric Acid	Sodium Oxybate, Xyrem: GHB, Liquid Ecstasy, Liquid X	Reduced anxiety, feeling of well-being, lowered inhibitions, slowed pulse and breathing, lowered blood pressure, poor concentration/ fatigue, confusion, impaired coordination, memory of events, judgment; addiction, slurred speech, disorientation, drunken behavior, respiratory depression and arrest; death
Benzodiazepines	Ativan®, Halcion®, Librium®, Valium®, Klonopin®, Xanax®, Restoril®: candy, downers, sleeping pills, tranks, Rohypnol: (forget-me pill, R-2, roche, roofies, roofinol, rope, rophies)	Reduced anxiety, feeling of well-being, lowered inhibitions, slowed pulse and breathing, lowered blood pressure, poor concentration/ fatigue, confusion, impaired coordination, memory of events, judgment; addiction, slurred speech, disorientation, drunken behavior, respiratory depression and arrest; death

Barbiturates	Amytal®, Nembutal®, Seconal®, Phenobarbital®: barbs, reds, red birds, phennies, tooies, yellows, yellow jackets	Reduced anxiety, feeling of well-being, lowered inhibitions, slowed pulse and breathing, lowered blood pressure, poor concentration/ fatigue, confusion, impaired coordination, memory of events, judgment; addiction, slurred speech, disorientation, drunken behavior, respiratory depression and arrest; death
Alcohol	Beer, wine, liquor	Reduced anxiety, feeling of well-being, lowered inhibitions, slowed pulse and breathing, lowered blood pressure, poor concentration/ fatigue, confusion, impaired coordination, memory of events, judgment; addiction, slurred speech, disorientation, drunken behavior, respiratory depression and arrest; death

Methamphetamine	Desoxyn®: chalk, crank, crystal, fire, glass, ice, meth, speed	Increased heart rate, blood pressure, metabolism; feelings of exhilaration, energy, increased mental alertness / rapid or irregular heart beat; reduced appetite, weight loss, heart failure, nervousness, insomnia, dizziness, irritability, nausea, euphoria
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Nicotine	Tobacco, cigarettes, dip, second-hand smoke	Increased heart rate, blood pressure, metabolism; feelings of exhilaration, energy, increased mental alertness / rapid or irregular heart beat; reduced appetite, weight loss, heart failure, nervousness, insomnia, dizziness, irritability, nausea, euphoria
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Caffeine	NoDoz®, Vivarin®: RedBull, coffee, tea, colas, chocolates	Increased heart rate, blood pressure, metabolism; feelings of exhilaration, energy, increased mental alertness / rapid or irregular heart beat; reduced appetite, weight loss, heart failure, nervousness, insomnia, dizziness, irritability, nausea, euphoria
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### Stimulants

Substance: Category and Name	Examples of Commercial and Street Names	Intoxication Effects/Potential Health Consequences
Cocaine	Blow, bump, coke, crack, flake, rock, snow, toot	Increased heart rate, blood pressure, metabolism; feelings of exhilaration, energy, increased mental alertness / rapid or irregular heart beat; reduced appetite, weight loss, heart failure, nervousness, insomnia, dizziness, irritability, nausea, euphoria
Amphetamine	Adderall®, Dexedrine®: bennies, black beauties, crosses, hearts, LA turnaround, speed, truck drivers, uppers	Increased heart rate, blood pressure, metabolism; feelings of exhilaration, energy, increased mental alertness / rapid or irregular heart beat; reduced appetite, weight loss, heart failure, nervousness, insomnia, dizziness, irritability, nausea, euphoria

### Opioids (Narcotics)

Substance: Category and Name	Examples of Commercial and Street Names	Intoxication Effects/Potential Health Consequences
Codeine	Acetaminophen, Guaifenesin or Promethazine w/ Codeine, Robitussin A-C®, syrup, lean, purple stuff, syzurp, drank, barre, purple jelly, Captain Cody, Cody, schoolboy	Pain relief, euphoria, drowsiness / nausea, constipation, confusion, constricted pupils, sedation, respiratory depression and arrest, tolerance, addiction, unconsciousness, coma, death

Fentanyl	Actiq®, Duragesic®, Sublimaze®: Apache, China girl, China white, dance fever, jackpot, murder 8, TNT, Tango and Cash	Pain relief, euphoria, drowsiness / nausea, constipation, confusion, constricted pupils, sedation, respiratory depression and arrest, tolerance, addiction, unconsciousness, coma, death
Heroin	Diacetylmorphine: brown sugar, dope, H, horse, junk, skag, skunk, smack, white horse	Pain relief, euphoria, drowsiness / nausea, constipation, confusion, constricted pupils, sedation, respiratory depression and arrest, tolerance, addiction, unconsciousness, coma, death
Morphine	MS-Contin, Roxano®, Oramorph SR®, MSIR®, Roxanol®, Duramorph®: M, Miss Emma, monkey, white stuff	Pain relief, euphoria, drowsiness / nausea, constipation, confusion, constricted pupils, sedation, respiratory depression and arrest, tolerance, addiction, unconsciousness, coma, death
Opium	Laudanum, Paregoric®: big O, black stuff, block, gum, hop	Pain relief, euphoria, drowsiness / nausea, constipation, confusion, constricted pupils, sedation, respiratory depression and arrest, tolerance, addiction, unconsciousness, coma, death
Oxycodone	Oxycodone w/ Acetaminophen, OxyContin®, Endocet®, Percocet®, Percodan®, Roxicet®: Oxy, O.C., killer	Pain relief, euphoria, drowsiness / nausea, constipation, confusion, constricted pupils, sedation, respiratory depression and arrest, tolerance, addiction, unconsciousness, coma, death
Hydrocodone	Hydrocodone w/ Acetaminophen, Vicodin®, Vicoprofen®, Tussionex®, Lortab®, vike, Watson-387	Pain relief, euphoria, drowsiness / nausea, constipation, confusion, constricted pupils, sedation, respiratory depression and arrest, tolerance, addiction, unconsciousness, coma, death
Hydromorphone	Dilaudid®	Pain relief, euphoria, drowsiness / nausea, constipation, confusion, constricted pupils, sedation, respiratory depression and arrest, tolerance, addiction,

unconsciousness, coma, death

## Cannabinoids

Substance: Category and Name	Examples of Commercial and Street Names	Intoxication Effects/Potential Health Consequences
Marijuana	Blunt, dope, ganja, grass, herb, joints, Mary Jane, pot, reefer, sinsemilla, skunk, weed, Boom, chronic, gangster, hash, hash oil, hemp, wet	Euphoria, slowed thinking and reaction time, confusion, impaired balance and coordination / cough, frequent respiratory infections; impaired memory and learning; increased heart rate, anxiety, panic attacks; tolerance, addiction

## Hallucinogens

Substance: Category and Name	Examples of Commercial and Street Names	Intoxication Effects/Potential Health Consequences
Lysergic acid diethylamide	Acid, blotter, boomers, cubes, microdot, yellow sunshine	Heightened senses, teeth grinding, dehydration, altered states of perception and feeling; nausea; persisting perception disorder (flashbacks)
Phencyclidine	PCP, angel dust, boat, hog, love boat, peace pill	Heightened senses, teeth grinding, dehydration, altered states of perception and feeling; nausea; persisting perception disorder (flashbacks)
MDMA (methylenedioxy – methamphetamine)	DOB, DOM, MDA, Adam, clarity, ecstasy, Eve, lover's speed, peace, STP, X, XTC	Heightened senses, teeth grinding, dehydration, altered states of perception and feeling; nausea; persisting perception disorder (flashbacks)
Ketamine	Ketalar®: cat Valiums, K, Special K, vitamin K	Heightened senses, teeth grinding, dehydration, altered states of perception and feeling; nausea; persisting perception disorder (flashbacks)

## Inhalants

Substance: Category and Name	Examples of Commercial and Street Names	Intoxication Effects/Potential Health Consequences
Amyl and Butyl Nitrite	Pearls, Poppers, Rush, Locker Room	Stimulation, loss of inhibition; headache; nausea or vomiting; slurred speech, loss of motor coordination; wheezing / unconsciousness, cramps, weight loss, muscle weakness, depression, memory impairment, damage to cardiovascular and nervous systems, sudden death
Nitrous Oxide	Laughing gas, balloons, Whippets	Stimulation, loss of inhibition; headache; nausea or vomiting; slurred speech, loss of motor coordination; wheezing / unconsciousness, cramps, weight loss, muscle weakness, depression, memory impairment, damage to cardiovascular and nervous systems, sudden death
Solvents	Adhesives, spray paint, hair spray, dry cleaning fluid, spot remover, lighter fluid, paint thinners, gasoline, glues	Stimulation, loss of inhibition; headache; nausea or vomiting; slurred speech, loss of motor coordination; wheezing / unconsciousness, cramps, weight loss, muscle weakness, depression, memory impairment, damage to cardiovascular and nervous systems, sudden death

## Other Compounds

Substance: Category and Name	Examples of Commercial and Street Names	Intoxication Effects/Potential Health Consequences
Anabolic steroids	Anadrol®, Oxandrin®, Durabolin®, Depo-Testosterone®, Equipoise®: roids, juice	No intoxication effects / hypertension, blood clotting and cholesterol changes, liver cysts and cancer, kidney cancer, hostility and aggression, acne; in adolescents, premature stoppage of growth; in males, prostate cancer, reduced sperm production, shrunken testicles, breast enlargement; in females, menstrual irregularities, development of beard and other masculine characteristics
Dextromethorphan	Found in some cough and cold medications; Dex, DXM, Robo, Skittles, Syrup, Triple-C, and Tussin. Terms for using dextromethorphan include: Robotripping, and Skittling, among others	Confusion, dizziness, double or blurred vision, slurred speech, loss of physical coordination, abdominal pain, nausea and vomiting, rapid heartbeat, drowsiness, numbness of fingers and toes and disorientation. DXM abusers describe different "plateaus" ranging from mild distortions of color and sound to visual hallucinations, "out-of-body" dissociative sensations and loss of motor control

## College Penalties

### Students

#### General Disciplinary Procedure

Section 3.9 of the Student Code of Conduct addresses the subject of drugs and alcohol. The College will investigate all reported violations and will exercise professional judgment in the imposition of sanctions in accordance with the College's prescribed disciplinary procedures. Students may receive College sanctions, criminal sanctions or both. Disciplinary sanctions include, but are not limited to, reprimand, probation, suspension or expulsion.

#### Alcohol

The use, possession or distribution of alcohol by any person, regardless of age, is strictly prohibited on College property. Unlawful alcohol consumption or distribution by students, such as under-age drinking

or public intoxication, is likewise prohibited at any official, College-sponsored activity regardless of location.

### Controlled Substances

The unlawful use, possession or distribution of controlled substances by any person on College property is strictly prohibited. The College's policy also applies to students participating in off-campus activities when the activity itself, or the student's participation, is under the sponsorship of the College or a student organization recognized by the College.

Students determined to be in violation of this regulation are subject to severe disciplinary sanctions which include permanent suspension from the College. When such violations also constitute violations of public law, charges may be filed by the College for prosecution by the appropriate law enforcement agency. Under public law, conviction for the unlawful use, possession, or distribution of illicit drugs is punishable by fine, imprisonment or both.

The penalties described in this handbook are subject to change depending on the adoption of new laws by the Texas Legislature or Congress.

## Legal Sanctions and Penalties

A student or employee who violates the College's alcohol and drug policy may be subject to College discipline as well as to criminal penalties provided by federal, state and local law.

## Counseling, Treatment, & Rehabilitation

In recognition of these increasing problems within contemporary society dealing with alcohol and substance abuse, education has been, and will continue to be, the primary focus of the College's efforts. Providing honest, factual information through organized educational programs will assist individuals in making reasonable decisions regarding the use of chemical substances. This includes information about illegal substances and their effects, and about the establishment of responsible drinking behavior for those who choose to use alcoholic beverages.

Students who desire confidential assistance from the College in dealing with a perceived or possible alcohol or chemical substance abuse problem may self-refer for that assistance by making an appointment with a counselor in the Educational Planning, Counseling and Completion office. Although the College does not conduct treatment or rehabilitation programs, College counselors are equipped to facilitate referrals to appropriately qualified providers of treatment programs.

## Resources

### General Resources

#### Bay Area Council on Drug and Alcohol

800-510-3111

[bayareacouncilondrugsandalcohol.homestead.com](http://bayareacouncilondrugsandalcohol.homestead.com) (<http://bayareacouncilondrugsandalcohol.homestead.com>)

### Residential Treatment and Hospitals

#### Bay Area Recovery Center

281-337-1343

[www.bayarearecovery.com](http://www.bayarearecovery.com) (<http://www.bayarearecovery.com>)

#### Memorial Hermann Prevention and Recovery Center (PaRC)

713-939-7272

877-464-7272

[www.parc.memorialhermann.org](http://www.parc.memorialhermann.org) (<http://www.parc.memorialhermann.org>)

## Support Groups

### Alcoholics Anonymous

713-686-6300

[www.aahouston.org](http://www.aahouston.org) (<http://www.aahouston.org>)

### Narcotics Anonymous

713-943-1111

[www.hascona.com](http://www.hascona.com) (<http://www.hascona.com>)

## City of Houston Ordinances

Offense	Minimum Punishment	Maximum Punishment
Possession, provision, sale, barter, production, manufacture or distribution of any illicit synthetic drug		Fine not to exceed \$2,000
Offering, displaying, marketing or advertising for sale any illicit synthetic drug		Fine not to exceed \$2,000
Purchasing with the intent to provide, sell, barter, produce, manufacture or distribute any illicit synthetic drug		Fine not to exceed \$2,000
Failure to publicly display or label herbal incense		Fine not to exceed \$2,000
Solicitation to purchase or acquire a controlled substance, controlled substance analogue, dangerous drug or volatile chemical	Fine not less than \$100	Fine not to exceed \$2,000

## Penalties Under Texas Law

Offense	Minimum Punishment	Maximum Punishment
Possession of salvia divinorum	Confinement in jail term of six months–20 years and fines from \$2,000-\$10,000	Confinement in jail term of five-99 years and fine not to exceed \$50,000
Manufacturer, delivery or intent to deliver of controlled substance (drugs)	Confinement in state jail for 180 days to two years and fine not to exceed \$10,000.	Life imprisonment or term of 15-99 years and fine not to exceed \$250,000.
Possession of controlled substance (drugs)	Confinement in jail not to exceed 180 days and/or a fine not to exceed \$2,000.	Life imprisonment or term of 10 to 99 years and fine not to exceed \$100,000.
Delivery of marijuana	Confinement in jail not to exceed 180 days and/or fine not to exceed, \$2,000.	Life imprisonment or term of 10-99 years and fine not to exceed \$100,000.

Possession of marijuana	Confinement in jail not to exceed 180 days and/or not to exceed \$2,000.	Life imprisonment or term of five-99 years and fine not to exceed \$50,000.
Driving while intoxicated (includes intoxication for drugs and/or alcohol) – does not include assault or manslaughter while driving intoxicated	Confinement in jail 72 hours-180 days and/or fine not to exceed \$2,000; suspension of driver's license for 90 days to one year.	Imprisonment of two-10 years; fine not to exceed \$10,000; suspension of driver's license for one to two years.
Public intoxication	No minimum punishment listed	Fine not to exceed \$500
Possession of alcoholic beverage in motor vehicle	No minimum punishment listed	Fine not to exceed \$500
Purchase, consumption or possession of alcohol by a minor	Fine not to exceed \$500.	Confinement in jail not to exceed 180 days and/or fine of \$250-\$2,000
Sale of alcohol to minor	No minimum listed	Confinement in jail not to exceed one year and/or fine not to exceed \$4,000
Manufacturer, distribution or dispensing drugs (includes marijuana)	Imprisonment of not more than one year, and fine of not more than \$100,000 for an individual and \$250,000 if not an individual.	Life imprisonment. Fines can reach \$8 million for an individual and \$20 million if not an individual.
Possession of drugs (including marijuana)	Imprisonment of not more than one year, and minimum fine of \$1,000	Imprisonment of five to 20 years; certain offenses can result in fines in excess of \$5,000
Operation of a common carrier under the influences of alcohol or drugs	No minimum listed	Imprisonment for up to 15 years. Fine up to \$250,000 for an individual.

## Penalties Under Federal Law

Offense	Minimum Punishment	Maximum Punishment
Manufacturer, distribution or dispensing drugs (includes marijuana)	Imprisonment of not more than one year, and fine of not more than \$100,000 for an individual and \$250,000 if not an individual.	Life imprisonment. Fines can reach \$8 million for an individual and \$20 million if not an individual.
Possession of drugs (including marijuana)	Imprisonment of not more than one year, and minimum fine of \$1,000	Imprisonment of five to 20 years; certain offenses can result in fines in excess of \$5,000
Operation of a common carrier under the influences of alcohol or drugs	No minimum listed	Imprisonment for up to 15 years. Fine up to \$250,000 for an individual.

## Student Insurance

The College is not responsible for medical expenses incurred by students while on the campus or at College sponsored activities. College student health insurance is available for purchase through private companies. Students are urged to carefully study the specific terms of the policy before purchasing coverage.

## Tobacco Use Policy

San Jacinto College is a smoke-free and tobacco-free institution, except in designated areas. The website ([www.sanjac.edu/tobacco](http://www.sanjac.edu/tobacco)) has maps of designated areas, along with the policy and other information.

“Smoking” means inhaling, exhaling, burning, vaporizing, using any form of tobacco (synthetic or other plant-based substances), using liquid nicotine or using electronic devices.

“Tobacco Products” means all forms of tobacco and nicotine-delivery devices including, but not limited to, cigarettes, cigars, pipes, water pipes and electronic and smokeless tobacco products, including liquid nicotine and chewing tobacco. This definition does not apply to smoking cessation items such as chewing gum, patches or medication.

## HIV and AIDS Information

### What is HIV?

HIV stands for human immunodeficiency virus. HIV may live in the human body for years and can be spread to other people even before any symptoms appear. HIV weakens the body making it incapable of fighting diseases and infections. As these conditions get worse, a person is diagnosed as having AIDS. Currently, there is no known cure for AIDS.

### How is HIV Spread?

These are the most common ways in which HIV spreads:

- Having unsafe sex—whether vaginal, anal, or oral—with someone who is infected with HIV. Unsafe sex means letting someone else's blood, semen, or vaginal fluid get into your body;
- Sharing drug needles or syringes with an infected person; and
- From an infected mother to her baby during pregnancy or childbirth, and, rarely, through breast feeding.

### How You Won't Catch HIV

You can't just *catch* HIV like a cold or flu, because the virus is a different type. You won't get HIV:

- Through the air or sitting next to someone at work, school, etc.;
- From saliva, sweat, tears, urine, or excrement; or
- Being bitten by mosquitoes or any other insect.

### What Behavior Puts You at Risk?

The following behaviors are risky when performed with an infected person. You can't tell by looking if a person is infected.

- Sharing drug needles and syringes;
- Anal sex, with or without a condom;
- Vaginal or oral sex with someone who uses drugs or engages in anal sex;



- Sex with someone you don't know well (a *pickup* or prostitute) or with someone you know who has had several sex partners; or
- Unprotected sex (without a condom) with an infected person.

Central campus: 281-478-2768  
 North campus: 281-459-7192  
 South campus: 281-922-3444

## Preventing HIV

- If you are HIV negative, using HIV medications known as pre-exposure prophylaxis (PrEP) and post-exposure prophylaxis (PEP);
- Getting tested for other sexually transmitted diseases (STDs);
- Abstaining from intravenous drug use;
- Choosing less risky sexual behaviors;
- Using condoms every time you have sex;
- Limiting your sexual partners; and
- Abstaining from having sex.

Any student with a question or concern about discrimination or harassment based on disability may file a complaint in accordance with Procedure 300 in the Student Handbook. Individuals who wish to file a complaint may obtain information about the complaint process at [www.sanjac.edu/complaint-process](http://www.sanjac.edu/complaint-process).

Students with disabilities have the right to appeal accommodation decisions made through Educational Planning, Counseling, & Completion (EPCC). To appeal, an individual first will have needed to have completed the Accessibility Services Accommodation Application.

Individuals wanting to appeal the decision must do so in writing within 14 days of the notice of the accommodation decision. The appeal should include a copy of the original request for accommodation, documentation of disability, the accommodation decision, and the reasons why the individual is appealing the decision. The appeal is to be sent to the Director of EPCC (on each respective campus) who, after a review, will render a written decision, typically within two weeks or less.

### **For inquiries, students may call:**

Central campus: 281-478-2768  
 North campus: 281-459-7192  
 South campus: 281-922-3444

The Director of EPCC will provide students an opportunity to present information useful to understanding the appeal. The Director of EPCC may decide to uphold the previous accommodation decision, support the appeal request, decide on an alternative or decide that new information has been submitted that necessitates further review.

## Why Get Tested for HIV?

- You think you may be infected and you want to know for sure so that you can go on to consider getting medical help.
- Knowing your antibody status will keep you from infecting others through having unsafe sex and/or sharing needles.
- You are thinking about having a baby or breastfeeding your baby.
- You would feel less stress if you knew for certain whether you are infected.

HIV counseling and testing are available at many public health clinics at little or no cost. You do not have to use your real name, and all information is confidential. For HIV counseling and testing site locations, consult a counselor in the Educational Planning, Counseling and Completion Center or call:

1. **Houston AIDS Hotline:** 832-393-5010
2. **Texas AIDSLINE:** 1-800-299-AIDS
3. **National AIDS Hotline:** 1-800-CDC-INFO
4. **National Drug and Alcohol Helpline:** 1-800-662-HELP  
**For Hearing Impaired:** 1-888-232-6348
5. **National AIDS Clearinghouse:** 1-800-458-5231

## How is HIV Treated?

According to HIV.gov (<http://HIV.gov>), no effective cure exists, but HIV can be controlled with antiretroviral therapy (ART). If taken in the right way, this therapy could prolong the lives of many people infected with HIV.

## Services for Students with Disabilities

San Jacinto College does not discriminate on the basis of disabilities in admission or access to its educational programs. The College complies with Section 504 of the Rehabilitation Act of 1972 and the Americans with Disabilities Act (ADA) of 1990. Students with disabilities may be eligible for certain accommodations such as additional testing time, registration assistance, or interpreting services. The College's Accessibility Services office assists students who may need accommodations. Students wishing to apply for accommodations should go to [www.sanjac.edu/accessibility](http://www.sanjac.edu/accessibility) to complete the online application. Inquiries about accessibility services may be addressed to [accessibility.services@sjcd.edu](mailto:accessibility.services@sjcd.edu) or by visiting the Educational Planning, Counseling, & Completion office on each campus.

## GENERAL INFORMATION

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- San Jacinto College Mission and Vision Statements (p. 16)
- Publication Notice (p. 16)
- Accreditation Statement (p. 16)
- Academic Calendar (p. 16)
- College Terms You Need to Know (p. 16)
- Official Communications (p. 18)
- Non-Discrimination Statement (p. 18)
- Graduation and Completion Rates (p. 18)

## San Jacinto College Mission and Vision Statements

### Our Vision

San Jacinto College will advance the social and economic mobility of all members of our community. We will be known for our excellence in teaching and learning, our intentional student-centered support, and our commitment to every student. We will be the preferred workforce and economic development partner in the region and a champion for lifelong learning. San Jacinto College will inspire students to explore opportunities, define their educational and career paths, and achieve their goals and dreams.

### Our Mission

San Jacinto College is focused on student success, academic progress, university transfer, and employment. We are committed to opportunities that enrich the quality of life in the communities we serve.

## Publication Notice

This handbook is a general information publication only. This handbook does not constitute a contract, express or implied, between any applicant, student or employee and San Jacinto College. Additionally, all information is subject to change without notice. Changes to the policies, regulations and statements in this publication will be effective immediately unless otherwise specified and will apply to prospective students and those currently enrolled. Finally, this publication does not contain all policies or regulations that will affect the rights of students. For additional information on student policies, please refer to the policies of the Board of Trustees of San Jacinto College and the College catalog, both of which are available at [www.sanjac.edu](http://www.sanjac.edu).

Students should also refer to the most current version of the student handbook (p. 2).

## Accreditation Statement

The San Jacinto Community College District is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award the associate degree. Contact the

Commission on Colleges  
1866 Southern Lane  
Decatur, Georgia 30033-4097

or call 404-679-4500 for questions about the accreditation of the San Jacinto College.

## Academic Calendar

Please refer to the San Jacinto College website link below for the most recent academic calendar.

[www.sanjac.edu/academic-calendar](http://www.sanjac.edu/academic-calendar)

## College Terms You Need to Know

### AA

Associate of Arts (university transfer) is designed for students who plan to transfer to a four-year or upper-level college or university.

### AAS

Associate of Applied Science (not traditionally intended for transfer) is awarded to students who complete the requirements as outlined in the technical programs section of the Catalog.

### AAT

Associate of Arts in Teaching (university transfer) is a Texas Higher Education Coordinating Board-approved collegiate degree program consisting of lower-division courses intended for transfer to baccalaureate programs that lead to initial Texas teacher certification.

### AS

Associate of Science (university transfer) is designed for students who plan to transfer to a four-year or upper-level college or university and major in mathematics, one of the sciences (biology, chemistry, geology, physics, biotechnology, or related field), engineering, or computer science.

### Academic Advisement

Process of advising students about classes that must be taken to fulfill degree and/or transfer requirements.

### Accreditation

Professional organizations have established rules for presenting and managing a strong defensible academic program at a college. Without institutional accreditation, the credit hours and the degrees granted by an institution may not be acceptable at other schools.

### Advanced Placement

Earning of college credit prior to enrollment at the College by passing examinations (AP, CLEP tests) by the College Entrance Examination Board.

### Audit

Regular credit course taken for no credit.

### Blackboard

The learning management system used by San Jacinto College for instructional content delivered via the Internet.

### Blue Book

Collection of blank pages bound together between a blue cover and used specifically for examinations. Blue books are sometimes required by a professor to provide a uniform format for the presentation of answers. They are sold in the bookstore.

### Catalog

General information publication provided by the College that contains admissions requirements, outlines of degree programs, and course descriptions.

### Certificates

Awarded to students who complete required courses with a minimum overall grade point average of 2.0 usually between 30 and 42 credit hours.

**Commencement**

Traditional ceremony in which students are recognized by the College as having completed all the necessary requirements for a degree.

**Concurrent Enrollment**

Occurs when a student is enrolled at two or more state-supported colleges or universities at the same time.

**Continuing & Professional Development (CPD)**

Non-credit classes, seminars, and conferences designed for adults and pre-college aged students who desire to improve their occupational, cultural, or social education. Schedules of course offerings are available in the Continuing & Professional Development division on each campus or online at the CPD webpage (<http://cpd.sanjac.edu/continuing-professional-development>).

**Co-requisite**

Required course that must be taken concurrently with, or prior to, another course.

**Credit Hour**

Academic credit given for a class, usually equal to the number of hours per week. There are a number of exceptions. A typical course is worth three credits; a lab is usually worth one credit.

**Dean's List**

List of students who have completed at least 12 term hours of courses in a semester, made no failing grades, and earned at least a 3.5 GPA.

**Distance Learning Course**

A mode of delivery for instruction with options to take as an online or online/classroom class.

**Drop Date**

Last day on which a class may be dropped to receive a W (withdrawal) on a student's transcript. If a student drops the course after this date, the student will receive an F for the course.

**Educational Planning**

Educational Planning is an advising session between the student and an educational planner/counselor about the student's academic goals and provides an opportunity for students to create an educational plan. See Academic Advisement.

**Generated ID Number (G00)**

Identification number assigned to the student by San Jacinto College that provides him or her access to various services and to the San Jacinto College computer systems. This number is used in lieu of a Social Security Number in order to protect a person's identity while enrolled at the College.

**Good Standing**

Student who maintains a 2.0 GPA and who has met all obligations to the College is considered in good standing.

**Grade Point Average (GPA)**

Grade Point Average is an indicator of a student's academic performance. Numerical values, or points, are assigned to each letter grade.

*To compute GPA:*

Divide total grade points earned by total number of term hours completed.

**Honor Societies**

Organizations honoring students who have achieved distinction in academic areas of service.

**Hybrid Class**

A course that is a combination of content delivered through Blackboard and face-to-face classroom instruction.

**Major**

Primary academic program a student chooses to pursue based on his or her personal and career goals for the future.

**My San Jac GPS**

My San Jac GPS (Graduation Plan Strategy) is a free, web-based application allowing students to track their academic progress toward degree completion, view how evaluated transfer credits and/or coursework meet program requirements, construct "What-If" scenarios when considering program changes, and view plans built with advisors that map out classes through completion of the student's credential. The system is designed to aid and facilitate academic advising, but it is not intended to replace face-to-face advising sessions. My San Jac GPS is available to all SJC credit students. To access the system, students should log into their SOS account and navigate to their My Student Records links.

**Online Class**

A course where all content is delivered online through Blackboard.

**Prerequisite**

Requirement that must be met before a course can be taken.

**Probation**

Academic warning that satisfactory progress has not been maintained, and unless immediate corrective action is taken, the student risks suspension.

**Recreational Sports**

Variety of competitive individual and team sports and recreational activities offered to students free of charge.

**San Jacinto College District**

Structure through which the College receives funding. The San Jacinto College District consists of the Central campus, South campus, North campus, Maritime campus, and extension centers. One Board of Trustees, made up of seven individuals elected to six-year terms, governs the District.

**Scantron Form**

Special form used for recording answers during an examination. Answers are recorded using a No. 2 pencil, allowing the examination to be computer-scored. Scantron forms are sold in the College bookstore.

**Secure Online System (SOS)**

Secure Online System allows you to register for classes, apply for and monitor your financial aid, check your grades, add and drop classes, access the Class Schedule and Catalog, and obtain unofficial transcripts and degree evaluations.

**SJC Alert Me**

The emergency notification system used to inform the College community of an emergency situation on a campus or throughout the College.

**Student Account Suite**

Student Account Suite allows you to check your balance, make a payment toward your balance, view your payment history, and store your payment method for automatic payments on the due dates. It allows you to provide permission to others to view your bill and make payments, enroll in a payment plan, and view your current payment plan.

#### **Suspension**

Academic suspension means that satisfactory progress has not been maintained and that a student is ineligible to register for classes for at least one long term (fall, spring, or the entire summer session).

#### **TBA**

"To be arranged (assigned, announced)."

#### **Term**

There are varying lengths of academic terms including but not limited to 16-week, 13-week and eight-week courses.

#### **Transcript**

Official record of a student's grades, credits, hours, etc., from any school or college. Official and unofficial transcripts can be obtained through the Secure Online System (SOS) or by going to the EPCC office. We now offer official transcripts online.

#### **Warning**

At the end of the first term in which the overall institution GPA is less than 2.0, a student will be placed on academic warning status.

#### **Withdrawal**

Removal from a class and/or college via completion of proper forms in the EPCC office or via the Secure Online System (SOS).

## **Official Communications**

The College considers the following as official notifications: Communications to the entire student body properly delivered through San Jacinto College email, text message, voicemail, and/or posted on the official San Jacinto College website, Blackboard, campus bulletin boards or published in the Catalog, Student Handbook, or the school newspaper.

Email service is provided to all San Jacinto College students. This account will be used by the College as the primary mail account for student communications and is tied to Blackboard courses for communications with faculty and other students. An email address will automatically be generated for a student who has registered and paid for a class at the College. This email service is for student use only. Features of the service are available at [www.sanjac.edu/email](http://www.sanjac.edu/email).

## **Non-Discrimination Statement**

San Jacinto College is committed to equal opportunity for all students, employees, and applicants without regard to race, creed, color, national origin, citizenship status, age, disability, pregnancy, religion, gender, sexual orientation, gender expression or identity, genetic information, marital status, or veteran status in accordance with applicable federal and state laws.

No person including students, faculty, staff, part-time, and temporary workers will be excluded from participation in, denied the benefits of or be subjected to discrimination or harassment under any program or activity sponsored or conducted by San Jacinto College on the basis of the categories listed.

The following College officials have been designated to handle inquiries regarding the College's non-discrimination policies:

#### **Vice Chancellor, Human Resources, Organizational and Talent Effectiveness**

Sandra Ramirez (employees) - Co-Lead  
Title IX Coordinator  
Equal Opportunity Compliance Officer  
4624 Fairmont Parkway, Pasadena, Texas 77504

[sandra.ramirez@sjcd.edu](mailto:sandra.ramirez@sjcd.edu)  
281-991-2648

#### **Associate Vice Chancellor, Student Services**

Joanna Zimmermann (students) - Co-Lead  
Title IX Coordinator  
8060 Spencer Highway, Pasadena, Texas 77505  
[joanna.zimmermann@sjcd.edu](mailto:joanna.zimmermann@sjcd.edu)  
281-476-1863

#### **Vice Chancellor, Strategic Initiatives, Workforce Development, Community Relations and Diversity**

Allatia Harris (equity in athletics)  
8060 Spencer Highway, Pasadena, Texas 77505  
[allatia.harris@sjcd.edu](mailto:allatia.harris@sjcd.edu)  
281-459-7140

## **Graduation and Completion Rates**

In compliance with Public Law 101-542 (as amended by P.L. 102-26), San Jacinto College publishes a report of completion rates for full-time undergraduate students seeking an associate degree, a certificate of technology, or transfer to a four-year institution. This report is updated annually. The report is available separately for each San Jacinto College campus, and is stratified by gender, ethnicity and varsity sport. The report is available upon request in the campus provost's office. Current and prospective students and student-athletes are encouraged to avail themselves of the information in this report prior to enrolling or entering in any financial obligations with or through the College.

# BUSINESS OFFICE

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- Credit Card Account Verification-Authorization (p. 19)
- Delinquent Accounts (p. 19)

## Credit Card Account Verification-Authorization

An individual who uses a credit card to pay tuition or charges authorizes the College to communicate with the credit card issuer and/or financial institution for the limited purpose of verifying information related to use of the credit card at the College such as verification of an account number, of a transaction, or of a student's signature.

San Jacinto College will not be responsible for multiple holds being placed on a credit or debit card by a bank or the card issuer.

## Delinquent Accounts

Currently enrolled students who are delinquent in repaying a loan are responsible for a returned check or have failed to pay appropriately and on time any other debts to San Jacinto College (not including library and traffic fines) will receive warning notices informing them that they must pay their debts by a certain date or be withdrawn from all classes. If they do not pay by the designated date, the College may withdraw them from all classes, and they may not be reinstated during that term.

Students must pay all debts—including but not limited to: tuition, charges, fines, returned check penalties, lost equipment, rescinded financial aid, College generated loans, and restitution for loss of or damage to College property before they may re-enroll, receive a diploma, or have a request for an official transcript honored.

Delinquent accounts sent to a collection agency may be reported to the credit bureau.

In the event of failure to pay the Installment Payment Plan (IPP) or Financial Aid Short Term Loan (FASTL) at its maturity, and if the same is placed in the hands of an attorney or collection agency, the student shall be responsible for all expenses and expenditures, cost of attorney and/or collection services incurred, protecting the College's interest, rights, and remedies on the Installment Payment Plans or Financial Aid Short Term Loan or returned checks.

The College charges a late charge of \$25 for late payment of any IPPs or FASTLs. The College assesses a \$30 processing charge for each stopped-payment or returned check. Returned checks include electronically converted checks that have been rejected by the College bank. An individual who has had a check returned must then pay the College by cash, cashier's check, money order, or credit card.

A student who is in default on a government student loan for attendance at San Jacinto College may not receive an official academic transcript or diploma unless the student has made six consecutive voluntary monthly payments on the defaulted loan.

# TECHNOLOGY

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- Students and Social Media (p. 20)
- Technology Expectations for Students (p. 20)

## Students and Social Media

Social media is a great way for students to stay connected. The following guidelines are designed to help you navigate the social Web at San Jacinto College and in your personal life.

### Participate and Connect

We can't wait to hear from you! Visit [www.sanjac.edu/social-media](http://www.sanjac.edu/social-media) or on any of our social media sites, and follow us on the ones that interest you the most. Let us know if you have any questions or what type of information you would like to see on our social media sites.

Utilize social media to connect with friends, family and classmates. Social media provides a great opportunity for you to connect and engage with the world around you.

### Be Careful What You Share

Never give out personal information on social media sites such as social security numbers, G number, passwords, PIN numbers, account numbers, your address or phone number. San Jacinto College will never request this type of information from you through a social media site.

### You Can't Take it Back

Once you post something on social media, you can't take it back. Always remember that social media sites are not necessarily "private." Regardless of your privacy settings, anyone you are connected to might share something you have posted online. Before you post, remember that many employers, colleges and universities are turning to social media sites to help determine admissions and employee selections. Each day there are more court cases utilizing social media sites as supporting evidence. So, please be careful what information you share online.

### Classroom Activities

Please do not access social media sites during class times, unless instructed to do so by your professor. Limit your activity on social networking sites on public computers during times of high traffic; other students may need the machines to complete course work.

### Does the College Monitor My Social Media Accounts?

No, not at all. We wouldn't want to monitor your social media accounts even if we could. Your information is yours, and you should keep it private through the platform settings. Becoming a fan of the College's Facebook page does **not** mean that we can access your Facebook account.

However, we **do** monitor the College's name online – just like any major company monitors what's being said about its brand. If your Facebook profile and Twitter profiles are set to be publicly shared they can appear in these searches.

We use this information to respond with assistance if we can, or to retweet tweets mentioning the College. Good or bad, we want to know

what's being said about the College. This information helps us tweak our services so that we can better assist our students.

In the event that a threat is made on a social network site concerning the College, we take this very seriously (as per our social media guidelines). Our students' safety is our top priority. Threatening posts are taken seriously and passed on to the proper authorities so that the appropriate action can be taken.

## Technology Expectations for Students

Courses at San Jacinto College will require the use of some or all of the following:

- Computer with Internet access (computers are available on campus for students in the open lab and campus libraries);
- A San Jacinto College email address;
- Blackboard learning management system;
- Productivity software: word processor, presentation tools, spreadsheet, etc.;
- Windows Media Player; and
- Adobe Acrobat Reader.

In addition to the recommended software listed, some courses might require the use of additional software. Check the course syllabus to determine what software you may need to access. Students can check compatibility of their browser and plug-ins using the *Test Your Browser* link on the *My San Jac* page in Blackboard to verify version compatibility. Students taking exams in the Blackboard system should make arrangements to test on a machine using a hardwired Internet connection to avoid being dropped due to loss of network access during the test.

# CAMPUS GUIDELINES

- Gainful Enterprise and Solicitation (p. 21)
- Surveys and Petitions (p. 21)
- Assembly/Gatherings (p. 21)
- Campus Posting Regulations (p. 21)
- Public Information (p. 23)

## Gainful Enterprise and Solicitation

No person is permitted to engage in gainful enterprise or solicitation on campus without permission of the Campus Services Dean.

Persons wishing to solicit funds, sell printed matter, products, services or other items, or distribute commercial literature of any kind, post or distribute advertising material dealing with commercial items or services, must secure approval in advance from the Campus Services Dean.

Activities related to the sales of goods and/or services must be confined to areas designated by the Campus Services Dean.

The College, a recognized student organization or College-related organization, must sponsor all of the activities. In addition, the individuals engaged in such posting, selling or soliciting must be currently enrolled San Jacinto College students or employees of the College, or duly approved agents authorized to distribute material(s) or solicit sales on behalf of the College or a recognized College organization.

Newspapers may be sold or distributed only in racks provided by the publisher in outside locations designated by the Dean of Student Development.

## Surveys and Petitions

No individual or organization may conduct a survey or poll of students, employees, or campus visitors or circulate or post a petition or otherwise solicit signatures on a petition on College property without prior approval of the Director of Institutional Research and Effectiveness. (Faculty-assigned surveys or polls to be conducted within the classroom are exempt from this policy.)

## Assembly/Gatherings

In accordance with the College's philosophy pertaining to freedom of inquiry and expression, a variety of outdoor campus areas are available for students to freely gather and engage in a broad range of expressive activities without prior approval. Additionally, certain indoor facilities and outdoor spaces are available for reservation by registered students and recognized student organizations. Authorized activities may not disrupt the academic and business operations of the College. For more information, students may contact the Student Engagement & Activities department on each campus.

## Campus Posting Regulations

Unless the context specifies a different meaning:

- **Sign** - any printed, or digital material included but not limited to decals, photographs, posters, placards, index cards, notebook paper, handbills, brochures, announcements and advertisements. A "properly posted" sign is one which has been displayed in accordance with posting regulations.

- **Banner** - any sign larger than 22 inches x 28 inches.
- **Posting** - any means for publicly displaying a sign other than carrying it by hand.
- **Authorizing Official** - Campus Dean of Student Development, the Coordinator of Student Engagement & Activities, the Director of Campus Services or their delegate.

## Carrying Signs or Displayed Signs

Currently enrolled students engaged in expressive activities may display signs in outdoor locations on campus in accordance with this procedure. No preapproval is required. However, all signs (whether hand-held or posted in a fixed location) shall not:

- be obscene;
- be defamatory or libelous;
- constitute "fighting words;"
- seek to direct, incite or produce imminent lawless action;
- promote commercial products or services and/or constitute commercial solicitation;
- be considered prohibited harassment;
- infringe upon intellectual property rights of the College;
- violate copyright or trademark law;
- constitute unlawful harassment based on a protected status (such as race, sex, religion or national origin) as defined by state or federal law; or
- promote underage drinking or unlawful use of controlled substances.

Signs may not be used or displayed to interfere with safety signage or traffic lights, block sidewalks or fire hydrants, impair visibility for drivers or pose a substantial safety risk. Additionally, students shall not:

- materially interfere with the free entry to or exit from a building, structure or facility;
- materially interfere with the flow of pedestrians or vehicular traffic on sidewalks or streets or at places of ingress and egress to and from property, buildings or facilities;
- deny the use of offices or other facilities to students, faculty, staff or guests of the College;
- threaten or endanger the physical safety of any person;
- force material on an unwilling recipient;
- engage in conduct that is likely to result in damage to or destruction of property or to cause disruption in utilities;
- attempt to prevent a College event or other lawful assembly by the threat or use of force or violence.

## Content Restrictions

- All signs must be in the English language or contain English translation of non-English language passages.
- All signs must include the name of the responsible organization or individual posting it.
- No sign may be posted that contains material that is obscene, vulgar or libelous; that promotes academic dishonesty; that is intended or likely to produce or incite imminent lawless action; that materially interfere with the mission of the College; that endanger the safety of others; or that is in violation of public laws or ordinances.

## **Posting Signs in Outdoor Areas**

Currently enrolled students may post a sign in an outdoor area in accordance with this procedure. Signs shall not be attached or posted:

- to shrubs or ornamental plants;
- to a tree;
- to a permanent sign installed for another purpose;
- to cover another sign;
- to a fence or chair or its supporting structure;
- to a brick, concrete or masonry structure;
- to streetlights or utility poles;
- on or adjacent to a fire hydrant; or
- between a curb or sidewalk.

No permission is required before a student may post a sign on a bulletin board; however, each sign must receive a stamp with an expiration date by the Authorizing Official prior to posting. No sign advertising an event may be posted more than 14 days before the event. A sign must be removed after 14 days or one day after the conclusion of the event, whichever is earlier. The College may remove any sign that does not comply with these rules.

Each group or individual is limited to posting two signs on the same bulletin board or kiosk at the same time.

In addition to posting signs on a bulletin board, currently enrolled students also may display a sign by using a free-standing display stand or by affixing the sign to a wooden post that is capable of being inserted into a grassy area. Signs may not be larger than 22 inches x 28 inches and cannot be smaller than 3 inches x 5 inches. Students are limited to two signs per grassy area or plaza area and may not promote a commercial purpose. Before displaying a sign, the student must submit a copy, photograph or description of the proposed sign along with the dimensions and composition (wood, paper, metal, etc.) to an Authorized Official or designee. The student must identify the proposed location for the sign. Student requests to post a sign shall be approved or not approved within three business days. A request to post may be denied for any of the following reasons:

1. the proposed use is not in a suitable location because the design or dimensions of the display will substantially interfere with pedestrian access, traffic flow or public safety;
2. the proposed use conflicts with previously scheduled activities and events in the same area;
3. additional signage would exceed the capacity of the area;
4. the proposed sign is commercial in nature;
5. the student is under suspension or is ineligible due to a previous violation of these regulations within the previous six months that either was not appealed or as to which an appeal has been denied; or
6. the sign violates these procedures.

If a request is denied, the student may seek review of the decision by the Associate Vice Chancellor of Student Services, who shall rule on the appeal within three business days.

## **Posting Signs on Indoor Bulletin Boards**

Registered student organizations, students, employees, and individuals not affiliated with the College may request to post notices or signs on indoor College bulletin boards. College bulletin boards are in limited quantity and are not designated for free expression. General purpose

bulletin boards are under the jurisdiction of the campus Dean of Student Development, while special purpose bulletin boards are under the jurisdiction of the department or student organization that maintains the bulletin boards.

Signs posted on bulletin boards shall not exceed 16 inches x 20 inches and shall comply with the prohibitions in these procedures. The content of such signs and postings shall be restricted to the promotion of events and activities sponsored by recognized student organizations, including membership drives. Student requests to post a sign shall be approved or not approved by the Dean or department maintaining the bulletin board within three business days based on these administrative procedures.

Signs approved for posting shall be stamped by the Student Engagement and Activities Coordinator or his or her designee approving the posting. The organization shall remove each sign not later than 14 calendar days after posting or, if it relates to an event, not longer than 24 hours after the event to which it relates has ended.

## **Approval Required**

All signs must be approved and stamped with an expiration date by the Student Engagement and Activities Coordinator or his or her designee prior to posting. Posting period may not normally exceed 14 days. Persons or organizations who post are responsible for removal of the signs within 24 hours after the expiration date.

Only currently enrolled students, registered student organizations, College employees, recognized employee organizations, College departments, contracted vendors, nonprofit organizations and government agencies may post a sign on College property. Only authorized College departments and registered student organizations may post a banner.

Improperly posted signs will be removed and discarded without notice. Persons or organizations responsible for improperly posted signs are subject to disciplinary action.

General purpose bulletin boards are under the jurisdiction of the campus Dean of Student Development. Special purpose bulletin boards are under the jurisdiction of the College department or student organization that maintains the bulletin boards. No sign may be posted on a special purpose bulletin board without the permission of the department or organization that maintains it.

These posting regulations shall not be construed to prohibit occupants of private offices or College departments or contracted vendors from posting signs necessary to facilitate college conducted/sponsored operations or to prohibit display of bonafide works of art or decorations consistent with other College policies and regulations.

## **Size/Location Restrictions**

- Signs must be posted only on bulletin boards or on display stands approved by the Student Engagement and Activities Coordinator or his or her designee. Only thumbtacks or push pins may be used to attach signs to bulletin boards. Display stands may not be placed in any location that has not been approved in advance by the authorizing official. Postings on glass and wall surfaces are not allowed. Postings are not allowed on trees or lamp posts.
- Signs must be no larger than 22 inches x 28 inches and no smaller than 3 inches x 5 inches unless otherwise approved by the Student Engagement and Activities Coordinator or his or her designee. Signs containing personal or commercial solicitations (buy-sale-trade) may



not be larger than 5.5 inches x 8.5 inches. Signs containing personal and commercial solicitations must be located only on bulletin boards specifically designated for “buy-sale-trade” postings.

- Signs must not be posted so as to overlap or conceal other properly posted signs. Properly posted signs may not be removed without permission from the authorizing official or the person or organization authorized to post the sign.
- There will be a maximum of one sign per announcement/event/topic per bulletin board.
- The posting of banners is generally restricted to the interior and exterior of the student center building. The Student Engagement and Activities Coordinator or his or her designee must approve the precise location and method of attachment in advance. No sign may be posted on the grounds or exterior of any building or structure.

## **Public Information**

### **How To Request Public Information**

These are the general guidelines for requesting information in the possession of the College:

1. Your requests must be in writing. Only written requests trigger the College’s obligations under the Texas Public Information Act.
2. Requests should be addressed to the College’s Public Information Officer: Teri Crawford, Vice Chancellor for Marketing, Public Relations, and Government Affairs, 4624 Fairmont Parkway, Suite 210, Pasadena, Texas, 77504, 281-998-6152, SJC.TPIARequest@sjcd.edu.
3. Requests must be addressed to the Public Information Officer to trigger an obligation under the Texas Public Information Act. Your request should be for documents or other information already in existence. The College is not required to answer questions, perform legal research, or respond to a continuing request to supply future information. The College is not required to create new documents.

# STUDENT RIGHTS AND RESPONSIBILITIES

- Administrative Directives and Administrative Summons (p. 24)
- Student Rights and Responsibilities (p. 24)
- Student Rights (p. 24)
- Student Responsibilities (p. 25)

## Administrative Directives and Administrative Summons

### Administrative Directives

Students must comply with legal directives of College officials acting in the performance of their duties.

### Administrative Summons

Occasionally, College personnel with an administrative office will need to meet with students at various times to discuss College matters. When a student receives an administrative summons, the student is expected to report to the designated office at the time and date or within the time frame stated in the notice or schedule an appointment with the designated office.

## Student Rights and Responsibilities

San Jacinto College holds that students, upon enrollment, neither lose the right nor escape the duties of citizenship. The student-citizen must exercise liberty with responsibility. The enumeration of the following rights and responsibilities shall in no way be interpreted as being all-inclusive or denying the existence of other rights and responsibilities which a student holds as a student or citizen.

## Student Rights

### Right to Review One's Educational Records and to Seek Amendment to One's Records

The Family Educational Rights and Privacy Act (FERPA) provides students with certain rights with respect to their personal educational records. These general rights include the right of access to one's educational records, the right to request corrections to one's records, and the right to prevent disclosure of the student's records except when authorized by FERPA. The college's specific policies and procedures regarding FERPA can be found on the college website and in this Handbook.

### Academic Evaluation Rights

Students have the right to be apprised of the methodology by which they will be evaluated in their course work. Also, students shall have appeal rights to challenge final grades. Please refer to Complaint Procedure 100: Grade Appeal Process found in the Student Handbook or Catalog.

### Intellectual Property Rights

Students shall retain their intellectual property rights on projects produced as a result of their individual initiative and that involved only incidental use of College facilities and resources. If the student is working

on a project initiated and funded by San Jacinto College, ownership resides with the College.

### Right to Appeal Financial Aid Suspension

Students may submit Financial Aid appeals due to extenuating circumstances that have affected the student's academic performance. Extenuating circumstances are situations such as serious injury or illness, a death in the immediate family, or undue hardship. Detailed information about the financial aid appeal process, requirements, and guidelines can be found on the College website or obtained from the Financial Aid Office.

### Right to Freedom of Association

Students bring to the College a variety of interests. Students have the freedom to organize and join associations to promote their common interests in accordance with the policies and procedures of the College. Please visit the Student Engagement and Activities Office on your campus for more information.

### Right to Freedom of Inquiry and Expression

Students and student organizations are free to examine and discuss matters of interest to them and to express opinions publicly and privately by orderly means which do not disrupt the regular and normal operation of the institution, and which comply with the regulations that relate to student conduct. At the same time, in their public expressions or demonstrations, students or student organizations do not represent the institution and speak only for themselves. Please visit the Student Engagement and Activities Office on your campus for more information.

### Right to Freedom from Illegal Discrimination

It is the policy of the San Jacinto Community College District not to discriminate on the basis of race, creed, color, national origin, citizenship status, age, disability, pregnancy, religion, gender, sexual orientation, gender expression or identity, genetic information, marital status or veteran status in accordance with applicable federal and state laws. The following officials have been designated to respond to inquiries regarding the College's non-discrimination policies:

#### Employee Inquiries:

##### **Vice Chancellor, Human Resources, Organizational and Talent Effectiveness**

Sandra Ramirez - Co-Lead Title IX Coordinator and Equal Opportunity Compliance Officer  
4624 Fairmont Parkway  
Pasadena, Texas 77504  
sandra.ramirez@sjcd.edu (sandra.ramirez@sjcd.edu)  
281-998-2648

#### Student Inquiries:

##### **Associate Vice Chancellor, Student Services**

Joanna Zimmermann - Co-Lead Title IX Coordinator  
8060 Spencer Highway  
Pasadena, Texas 77505  
joanna.zimmermann@sjcd.edu  
281-476-1863

### Right to Due Process

The College has an enduring commitment to provide students with a balanced and fair student discipline system. The College will provide

students with the due process protections to which they are entitled under the U.S. Constitution Fourteenth Amendment. The amount of due process required will depend upon the seriousness of the alleged violation and the proposed sanction. At a minimum, a student charged with alleged violations of the Code of Student Conduct has the right to:

- have their case processed without unreasonable delay
- receive prompt written notice of alleged violations per the Code of Student Conduct and an explanation of the evidence against the student
- receives a meaningful opportunity to be heard in one's defense

For more detailed information about the College's investigation procedures, hearing procedures, and appeal procedures, please refer to the Code of Student Conduct found in the Student Handbook.

#### **Right to Freedom from Sexual Assault, Dating Violence, Domestic Violence and Stalking**

In accordance with the Campus SaVE Act in the Violence Against Women Act amendments to the Clery Act, San Jacinto College provides on-going awareness and prevention training, procedures and resources to prevent the occurrence of sexual assault, dating violence, domestic violence and stalking. The College also provides an equitable complaint process that provides for prompt investigation of complaints and the imposition of sanctions against students who are found in violation of this code (see Complaint Procedure 400). For more information about student-related training, contact the Compliance & Judicial Affairs Office.

#### **Right to Equity in Athletics**

The Equity in Athletics Disclosure Act (EADA) is intended to make prospective students aware of a school's commitment to providing equitable opportunities for its male and female students. Each year, San Jacinto College produces an EADA report available to current and prospective students and to the public. If you would like to review the full report or to request a copy of San Jacinto College's EADA report, please contact the Vice Chancellor of Strategic Initiatives office at 281-459-7140.

#### **Right to Involvement in Decision Making**

San Jacinto College provides an opportunity for student involvement in the decision making process through the respective forms of student government on the three campuses. As constituents of the educational community, students may express their views on issues of institutional policy and on matters of general interest to the student body.

In addition to membership in student associations and organizations, students shall be given the opportunity to serve on campus and College committees as deemed appropriate by the College. For more information, please visit the Student Engagement & Activities office on your campus.

#### **Amnesty for Certain Drug or Alcohol Possession and Consumption Violations**

Students are strongly encouraged to report incidents of, or share information about sexual harassment and sexual misconduct as soon as possible. This is true even if the alleged victim of the misconduct or a witness to the alleged misconduct was under the drinking age or under the influence of drugs or alcohol on the occasion in question. The Compliance & Judicial Affairs office will not pursue disciplinary sanctions against the alleged victim or witness for his or her improper use of alcohol or drugs if the student is making a good faith report of

sexual misconduct. For more information, please contact the Compliance & Judicial Affairs office.

## **Student Responsibilities**

In voluntarily enrolling at the College, students have the responsibility to comply with all state and federal laws and college regulations and policies governing student conduct and academic affairs. Students assume responsibility for their behavior and acknowledge and share the following responsibilities:

- Students must recognize that the Board of Trustees is the policy making authority for the operation of the San Jacinto Community College District. The Board delegates to the College administration the authority to implement Board policy through procedures, regulations, guidelines and handbooks.
- Students must understand that while education is a shared activity, the ultimate responsibility for learning rests with the student.
- Students are responsible, collectively and individually, for allowing other students to continue their pursuit of education. Students must refrain from interfering with the rights of other students in their educational pursuits or with employees in the exercise of their duties.
- The right to disagree is well established. However, students must make sure that disagreement is factual and is presented with respect for those with whom they are disagreeing, including faculty, staff, administration, other students and campus visitors. When approaching the administration about any matter, students must go through established channels of communication and authority.
- Students have a responsibility to comply with copyright law and to educate themselves regarding copyright infringement, peer-to-peer file sharing and penalties for violations. For information and resources, please visit <http://www.sanjac.edu/policy-vi-k-policy-regarding-appropriate-use-copyrighted-materials>.
- Students must comply with the policies, rules, regulations and generally accepted practices of the College currently in effect or as they may be amended. All policies, rules, regulations, and practices are subject to amendment at any time during the student's enrollment.
- Students also have the responsibility to comply with all state and federal laws and regulations governing their participation in higher education. Such regulations and laws as may exist or that may be subsequently enacted and adopted shall have precedence over the provisions of this document of student rights.

# CHEATING, PLAGIARISM, COLLUSION AND FABRICATION

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- Cheating, Plagiarism, Collusion and Fabrication (p. 26)

## Cheating, Plagiarism, Collusion and Fabrication

### Code of Academic Integrity and Honesty

Integrity is one of the core values at San Jacinto College. As such, students are expected to exhibit honesty, integrity, high standards, and freedom from lies and fraud in their academic work. Personal integrity is important in all aspects of life and students must conduct themselves in an ethical manner both in and out of the classroom. Incidents of academic dishonesty will not be tolerated and students guilty of such conduct are subject to disciplinary consequences.

### Cheating, Plagiarism, Collusion and Fabrication Procedure

The following institutional guidelines concerning cheating, plagiarism, collusion and fabrication are provided for the information of all students enrolled in any course offered by San Jacinto College. Gaining knowledge and practicing honesty go hand in hand. The importance of knowledge properly gained is reinforced by the grading system, therefore, honesty fully practiced is emphasized by rules against cheating, plagiarism, collusion, and fabrication. Any act of cheating, plagiarism, collusion, or fabrication in any degree subjects a student to the disciplinary procedures listed below.

### Cheating

Students are expected to be completely honest in all phases of their work and must adhere to the guidelines provided by their faculty members for completing academic work.

Cheating includes, but is not limited to, the following:

- dishonesty of any kind on examinations, assignments, or program requirements,
- unauthorized possession of examinations or unapproved notes or sources at any time, whether used or not,
- copying or obtaining information from another student during an examination or performance of a lab skill or competency,
- claiming as their own work any portion of academic work that was completed by another student,
- using materials not approved by their faculty member when completing an assignment or exam,
- presenting the same work for more than one course without obtaining approval from the course faculty member,
- alteration or falsification of course or academic records, and
- unauthorized entry into or presence in any office.

### Plagiarism

Documenting the use of others' work is important because it recognizes the original author's effort, establishes the student writer's credibility and supports the audience's future research. Plagiarism is offering the work of another as one's own, intentionally or unintentionally, without proper acknowledgment. Students who fail to give appropriate credit for ideas or material they take from another, whether a fellow student or a resource writer, are guilty of plagiarism (i.e., stealing the words or ideas of another).

The College may contract with companies or organizations that provide plagiarism-detection services. Such companies may receive students' work for the purpose of comparing the students' work with a reference database. Students enrolling at San Jacinto College agree as a condition of their enrollment that their work may be submitted to such companies for the purpose of plagiarism detection and that the company may retain a copy of the work for plagiarism-detection purposes. Such companies will not copy, use or distribute the students' work.

Plagiarism includes, but is not limited to, the following:

- using the ideas and or words of another person, without giving that person appropriate credit,
- representing another's artistic or scholarly works (i.e., musical compositions, computer programs, photographs, paintings, drawings, sculptures, etc.) as your own,
- submitting a paper purchased in whole or in part from another person or other sources, including the internet,
- copying computer programs or data files belonging to someone else, and
- using undocumented Web sources.

### Collusion

Learning is an active process for all students; completion and submission of original work is essential to the learning process. Collusion is unauthorized collaboration in preparing any work offered for credit. Therefore, students should take reasonable precautions to protect their work from being compromised.

Collusion includes, but is not limited to, the following:

- knowingly using, buying, selling, stealing, sharing, transporting or soliciting, in whole or in part, any information or materials to be submitted as a student's own work,
- impersonating another student for the purpose of taking a course, any academic work, or exam,
- providing unauthorized access to course materials, and
- agreeing with one or more persons to commit any act of academic dishonesty.

### Fabrication

Fabrication is all experimental data, observations, interviews, statistical surveys, and other information collected and reported as academic work not authenticated.

Fabrication includes, but is not limited to, the following:

- falsifying the results obtained from research or laboratory experiments,

- presenting results of research or laboratory experiments without the research or laboratory experiments being performed, and
- changing answers or grades after an academic work has been returned to the student.

## **Responding to Violations**

Faculty have the responsibility to initiate disciplinary action in response to violations of the rules regarding academic honesty. A faculty member is responsible for investigating these violations which includes, but is not limited to, collection of any evidence of cheating at the time it occurs and discussions with the student and witnesses. A student may not withdraw from the course during the investigation of an incident of academic dishonesty or when a course grade of F has been imposed. A record will be kept of any imposed penalty or disciplinary action. These violations of academic dishonesty are also communicated with respective department chairs/program directors and deans.

## **Penalties**

If, in the judgment of the faculty member, cheating, plagiarism, collusion, or fabrication has occurred, he or she may assess one of the following penalties:

- failure of the assignment by the faculty member
- require student to redo test or assignment
- reduced grade on the assignment by the faculty member
- failure of the course; the student may appeal the grade through the Grade Appeal process (see *Complaint Procedure 100 found in the Catalog or Student Handbook*)
- recommendation for suspension from the College or dismissal from a program, which is submitted to the Provost
- other

The faculty member will notify the student of his or her decision concerning the student's grade. Other disciplinary action may be recommended by the College if code of student conduct violations have occurred. If a student will not meet with the faculty member or if notification cannot take place because of a student's unavailability, failure to respond, or incorrect contact information, the process proceeds as specified. Should the faculty member recommend suspension or dismissal of the student, the Provost has the responsibility and authority to determine whether the student will be suspended or dismissed.

The faculty member will prepare an online Academic Dishonesty Incident Report for the Provost, the Dean, Department Chair and/or Program Director. The report indicates the nature of the incident, student identifying information, and the proposed penalty. The Department Chair will generate a decision letter to the student that will include the proposed penalty and the student's appeal rights.

## **Appeals**

A student may appeal a proposed penalty made by a faculty member. The student shall initiate the appeal process within five (5) days following the communication of the proposed penalty. The procedures for appealing a proposed penalty are:

- Student meeting with Academic Dishonesty Appeals Committee: Within five (5) working days after receiving written notification of the proposed penalty via email (or first-class mail when necessary), a student may request a hearing before an Academic Dishonesty Appeals Committee. The student must submit a written request

directly to the respective Campus Provost either via email or with a mailed letter. A first-class letter will be deemed to have been received on the third day after the date of mailing, excluding any intervening Sunday or federal holiday. An email will be deemed to have been received on the second day after the sending of the message.

- The committee will consist of one full-time faculty member to be named by the student, one full-time faculty member to be named by the faculty member, and one full-time faculty member to be named by the Provost. The Provost will request that the student and faculty member submit the name of their nominees within five (5) working days after notification of all parties involved. Upon receiving the names of those nominees, and appointing a third faculty member to the committee, the Provost will set the time, date, and place of the closed hearing and notify all parties. This will be done within five (5) working days after having received the names of both nominees. A student may present written evidence relevant to the appeal and may also be accompanied by an advisor. The student's advisor may attend the appeal meeting and confer with the student but may not cross-examine other participants. The student may have a maximum of two (2) persons (faculty member and advisor) in the room at the appeal committee meeting. Furthermore, an advisor may not be a witness in the matter.
- The Academic Dishonesty Appeals Committee may request information from the faculty member, student, and/or other persons familiar with the matter. The College retains the right to have legal counsel present at the appeal meeting but the attorney may not cross-examine other participants.
- In the event that a student is a qualified person with a disability under federal law and is unable to represent himself or herself at the appeal meeting because of his or her disability, the College, as a reasonable accommodation to the student, will permit the student to be represented by an advisor at the meeting. If the student is represented by legal counsel, then the College also may be represented by legal counsel.
- Within five (5) working days after the appeal meeting, the Provost will notify the student and the faculty member in writing of the committee's findings regarding the approval or denial of the appeal. The decision of the Academic Dishonesty Appeals Committee is final.

# STUDENT RECORDS

- Family Education Rights and Privacy Act (FERPA) (p. 28)
- Student Records Management (p. 29)

## Family Education Rights and Privacy Act (FERPA)

San Jacinto College policy VI.6000B, Confidentiality of Student Records outline the regulations that pertain to the confidentiality of education records of San Jacinto College students.

The **Family Educational Rights and Privacy Act of 1974 (FERPA)** governs the privacy of student educational records. The Act provides eligible students with the right to inspect and review education records, the right to seek to amend those records, and the right to limit disclosure of information from the records. This policy outlines the regulations that pertain to records of San Jacinto College students. Records of present or former students of the College are confidential and are not public information. Therefore, the following regulations regarding student records shall apply.

Educational records are all records that contain information directly related to a student and are maintained by an educational agency or institution, or by a party acting on its behalf. As used in this policy, "records" includes paper files, electronic and digital files, audio files, and video and photographic files.

### Type of Student Records Maintained

- Academic progress
- Permanent academic data
- Attendance records
- Standardized test results
- Medical records, including meningitis test results and drug test results
- Student Discipline records
- Book and library records
- Financial aid and other financial records
- Mental health records and counseling information
- Other records related to a student's day-to-day status
- Any other information in a digital file assigned to a student

Each student record shall be identifiable as to the source. Notes and observations recorded by an individual teacher or other employee and kept for personal use are not student records except under the following conditions:

- The information is shared with someone other than a substitute for the employee.
- The information is used in preparation of student records.

### Definition of Terms

The following terms are interpreted as indicated:

- **Student Records** - any personally identifiable information concerning a student maintained for use by the College. This includes the student's name, address, personal identifiers such as social security numbers, and other personal characteristics or information that make the student's identity easily traceable.

- **Eligible Student** - a student who attends or has attended the school from which records are requested
- **Custodian** - the Deputy Chancellor and College President of the College
- **Custodian's Agent** – Provosts, Vice Chancellors, Associate Vice Chancellors, Vice Presidents, Deans and those persons appointed by any of these to safeguard or to use student records
- **Directory Information** – is a list of items regarding a student of the College that may be made available to the public without the student's prior consent.
- **Legitimate Educational Interest** - an interest of school officials who require access to student records in order to perform their legitimate educational and business duties, when such records are needed in furtherance of the educational or business purposes of the student or College.
- **School Official** - A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College. For purposes of this policy, a "school official" is:
  - a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including Campus Police law enforcement unit personnel and health staff)
  - a person or company with whom the College has contracted as its agent to provide a service (such as an attorney, auditor, health care professional or diagnostician, IT computer services professional, or insurer)
  - a person serving on the Board of Trustees; a student serving on an official committee, such as a disciplinary or grievance committee
  - a student assisting another school official in performing his or her tasks
  - representatives of hospitals and clinical sites with whom the College has a contractual relationship that permits students to receive clinical training as part of their educational programs
  - companies or organizations with whom the College has contracted to provide plagiarism-detection services. Such companies may receive a student's work product for purpose of comparing the student's work with a reference database

### Directory Information

- Name
- Address
- Age (but not birthdate)
- Degrees earned and dates
- Major program of study
- Classification
- Terms of attendance
- Previous educational institutions attended
- Eligibility for and honors and awards received with dates that the honor or award was received
- Eligibility for and participation in officially recognized activities and sports
- Weight and height of members of athletic teams and sports statistics
- Enrollment status (full-time or part-time)

**Restricting access to directory information:** A student may ask that directory information be withheld from the public by accessing their

student on-line account (SOS) in the student records tab and indicating directory information remain confidential. The student may make this request at any time.

## Review of Records by the Student

- A student's request for examination of his or her FERPA records may be made in person or in writing by the eligible student to the San Jacinto College Marketing Office. The Marketing Office may require proof of identity. The request shall identify the specific record(s) to be examined. Requests shall be honored as soon as practical, but the request must be honored within 45 days. Refer to the college website for information regarding these requests.
- An inaccurate or inappropriate entry into the records may not be corrected or removed when an eligible student has made a request to review the record and the request has not yet been honored.
- A log of requests for a student's records shall be maintained by the San Jacinto College Marketing Office in the student's file indicating all requests, date of requests, by who made, and whether or not each request was honored.

## Release of Records

- Student records may not be released to a third party unless the student consents in writing or unless a legally recognized exception applies (see the federal regulations at 34 C.F.R. § 99.31).

## Accessibility of Records without Consent

Student records shall be accessible without the student's consent to the following:

- Other school officials, including faculty members, within San Jacinto College whom the College has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- Officials of another school or college where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2)). The student may request that the College forward a copy of the record to other institutions.
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
- In connection with a request for "directory information" as designated by the school under § 99.37. (§ 99.31(a)(1))
- State or local officials to whom educational data must be reported.
- Legitimate organizations (ACT, CEEB, ETS) developing, validating, or administering predictive tests or student aid programs. Such data are not to be released in any identifiable form and will be destroyed by the organization after the research has been completed.
- Accrediting agencies
- Parents of a dependent student as defined in Section 152 of the Internal Revenue Code of 1954.
- Appropriate officials in connection with a health or safety emergency.
- In compliance with judicial order or pursuant to any lawfully issued subpoena upon written notice to the affected student.

- Representative of the Comptroller General of the United States, Department of Education, administrative heads of educational agencies, or state education authorities.
- Legitimate agencies providing financial assistance to students, to organizations conducting studies for the purpose of developing, validating, or administering tests, or for the purpose of improving instruction, provided that the information is not to be revealed to a third party.
- A victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of § 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.
- Parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21.

## Policy Availability and Notice

- A copy of this policy will be made available upon request to eligible students.
- At least once annually, an effort shall be made to inform all eligible students of their rights under the provisions of this policy. Such effort shall be made through the College website, College catalog, and student handbook.

## Student Records Management

San Jacinto College policy VI.6000B, Confidentiality of Student Records outline the regulations that pertain to the confidentiality of education records of San Jacinto College students.

The College shall develop and maintain a comprehensive system of student records related to various facets of the College's operation and shall ensure through reasonable procedures that records are accessed by authorized persons only, as allowed by this policy. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for utilization by authorized school officials.

The Deputy Chancellor and College President is custodian of all records for currently enrolled students and for all official academic records; however, he or she may appoint one or more designees, as necessary, to perform record management duties.

Educational records are all records that contain information directly related to a student and are maintained by an educational agency or institution, or by a party acting on its behalf. As used in this policy, "records" includes paper files, electronic and digital files, audio files, and video and photographic files.

### Type of Records Maintained

- Academic progress
- Permanent academic data
- Attendance records
- Standardized test results
- Medical records, including meningitis test results
- Student Discipline records

- Book and library records
- Financial aid and other financial records
- Mental health records and counseling information
- Other records related to a student's day-to-day status
- Any other information in a digital file assigned to a student

Each student record shall be identifiable as to the source. Notes and observations recorded by an individual teacher or other employee and kept for personal use are not official student records except under the following conditions:

- The information is shared with someone other than a substitute for the employee.
- The information is used in preparation of student records.

### **Definition of Terms**

The following terms are interpreted as indicated:

- Student Records - any personally identifiable information concerning a student maintained for use by the College. This includes the student's name, address, personal identifiers such as social security numbers, and other personal characteristics or information that make the student's identity easily traceable.
- Eligible Student - a student who attends or has attended the College
- Custodian - the Deputy Chancellor and the College President of the College
- Custodian's Agent – Provosts, Vice Chancellors, Associate Vice Chancellors, Vice Presidents, Deans and those persons appointed by any of these to safeguard or to use student records
- School Official - A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the College. For purposes of this policy, a "school official" is:
  - a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including Campus Police law enforcement unit personnel and health staff)
  - a person or company with whom the College has contracted as its agent to provide a service (such as an attorney, auditor, health care professional or diagnostician, IT computer services professional, or insurer)
  - a person serving on the Board of Trustees; a student serving on an official committee, such as a disciplinary or grievance committee
  - a student assisting another school official in performing his or her tasks
  - representatives of hospitals and clinical sites with whom the College has a contractual relationship that permits students to receive clinical training as part of their educational programs
  - companies or organizations with whom the College has contracted to provide plagiarism-detection services. Such companies may receive a student's work product for purpose of comparing the student's work with a reference database

### **Accuracy of Information**

If an eligible student believes that information in his or her educational records is inaccurate or misleading or otherwise violates the student's privacy, a request for correction may be given in writing to the custodian of the record or other school official who is responsible for the record.

- If the correction is not made within a reasonable length of time (a maximum of 30 school days), the student may request a hearing. The Dean of Student Development shall serve as the hearing officer; however, if the Dean of Student Development is the custodian of the record in question or otherwise has a direct interest in the outcome of the hearing, then a designee shall serve as the hearing officer.
- A hearing must be held within a reasonable time (a maximum of 30 school days, barring unforeseeable circumstances) after the request has been made. The hearing officer shall provide the eligible student and the custodian of the record reasonable notice of the date, time and place of the hearing. In advance of the hearing, the custodian of the record shall prepare a packet containing copies of the contested records and any other relevant records or documents, including any applicable policies and procedures. The custodian of the record shall prepare a report summarizing the reasons why he or she believes that the challenged record is not inaccurate or misleading or otherwise a violation of the student's privacy. The custodian shall provide the packet and report to the student and hearing officer at least one school day prior to the hearing. The student shall have a full and fair opportunity to present his or her own evidence related to the accuracy of the record. The student, at his or her own expense, may be represented by legal counsel or an advisor. The student's legal counsel or advisor may attend the hearing and confer with the student but may not participate in the hearing.
- The hearing officer shall prepare a written ruling within a reasonable time after the hearing (a maximum of 21 school days). The ruling must be based solely on the evidence presented at the hearing. The ruling must include a summary of the evidence and the reasons for the ruling.
- If the hearing officer concludes that no correction to the record is warranted, the eligible student is to be notified and informed of the right to place in the records a statement either commenting on or setting forth a reason for disagreeing with the school's decision.
- An eligible student who disagrees with the outcome of the hearing may file a complaint with the U.S. Department of Education. The name and address of the office that administers FERPA is the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.
- A hearing pertaining to student records may be scheduled to challenge the accuracy of recording but not the assignment or merits of a grade.



# CODE OF STUDENT CONDUCT

- 1.0 Values (p. 31)
- 2.0 Definitions (p. 31)
- 3.0 Prohibited Conduct (p. 32)
- 4.0 Disciplinary Procedures (p. 37)
- 5.0 Appeals (p. 42)
- 6.0 Emergency Suspension (p. 43)

The processes found in the Code of Student Conduct are subject to change depending on the adoption of new laws by the Texas Legislature or Congress. The most updated version of the Student Handbook with updated processes can be found on the College's website.

## 1.0 Values

1.1 San Jacinto College (the College) is committed to maintaining an excellent teaching and learning community. As its central purpose, this community promotes intellectual investigation through vigorous discussion. Essential values that support this purpose include civility, dignity, diversity, education, equality, freedom, honesty and safety.

1.2. The establishment and maintenance of a community where there is freedom to teach and to learn is dependent on maintaining an appropriate sense of order that allows for the pursuit of these objectives in an environment that is both safe and free of detractive disruption. When students voluntarily enroll in the College community, they accept the duty and responsibility of abiding by the regulations and accepted practices of the College. Each member of the San Jacinto College community is expected to exercise responsibility and to govern his or her conduct with standards of good taste and ethical judgment even when others disregard those standards.

1.3 Within the College, entities (such as divisions, departments and programs, professional and student organizations) have developed guidelines and regulations that outline standards of conduct governing their constituents and sometimes provide procedures for sanctioning violations of those standards. This Code of Student Conduct (the Code) does not replace those standards, nor does it constrain the procedures or sanctions provided by those policies. This Code describes possible behaviors that are inconsistent with the essential values of the College community; it outlines procedures to respond to such behaviors; and it suggests possible sanctions that are intended to educate and to safeguard members of the College community.

1.4 The College has an enduring commitment to provide students with a balanced and fair student discipline system resolution. The purpose of this code is to provide students with the appropriate due process protections to which they are entitled. This Code is one of the College's administrative procedures and should not be equated with procedures used in civil or criminal court.

1.5 It is the policy of The San Jacinto College District not to discriminate on the basis of race, creed, color, national origin, citizenship status, age, disability, pregnancy, religion, gender, sexual orientation, gender expression or identity, genetic information, marital status or veteran status in accordance with applicable federal and state laws.

## 2.0 Definitions

2.1 **College:** The term "College" means San Jacinto College, including all of its branch campuses, satellite campuses, learning centers, distance learning and district offices.

2.2 **Student:** As used in this code, the term "student" refers to a person who is currently enrolled in courses at San Jacinto College, whether full-time or part-time. Where specifically indicated, some portions of this Code also may confer rights and obligations upon former students and individuals who are currently active and involved in the admissions process.

2.3 **College Community:** Any College employee or enrolled student, whether full or part-time, or any person or organization doing business with the College under contract or on a regular basis.

2.4 **Notice:** Any correspondence from a College representative, deposited with the United States Postal Service by certified mail, addressed to the last known address of the addressee as shown on the College records, personally delivered to the addressee, or delivered to the student's San Jacinto College email address or other email address designated by the student.

2.5 **College Policy:** Any provision of a rule, regulation, resolution, or guideline adopted or approved by the Board of Trustees.

2.6 **College Procedure:** Any provision of a rule, regulation, guideline, handbook, manual, operating letter, or published directive issued by the Administration.

2.7 **College Official:** Any person employed by the College who is performing assigned administrative or professional responsibilities.

2.8 **College Premises:** Property owned, controlled, used, leased or occupied by the San Jacinto College District, including vehicles and property physically removed from a campus.

2.9 **College-Sponsored and Affiliated Activity:** Any activity on or off campus that is sponsored, authorized, or supervised by the San Jacinto College District.

2.10 **Hearing:** A conference between a charged student and the Dean of Compliance & Judicial Affairs, Compliance Officer or other College official(s) which provides 1) an opportunity for the respondent to respond to allegations of misconduct; 2) an opportunity for the student to present or receive evidence and/or 3) an opportunity to receive notice of, or to respond to, possible sanctions for all alleged misconduct.

2.11 **Organization:** Any number of students who have complied with the formal requirements for registration with and recognition by San Jacinto College.

2.12 **Administrative Summons:** A written notice to a student to report to a College administrative office at a designated date and time.

2.13 **Sanction:** Penalty for violating the Code of Student Conduct.

2.14 **Public Law:** Local, state and federal laws.

2.15 **Compliance & Judicial Affairs Office:** This office has been designated by the Associate Vice Chancellor of Student Services to consider, and when appropriate, impose sanctions upon students found to have violated the Student Code.

**2.16 Conduct Appellate Board:** Persons appointed by the Campus Provost to conduct a hearing or consider certain appeals from students who have been accused of violating the Student Code.

**2.17 Commercial Solicitation:** Activities related to the sale of goods and/or services for the benefit of an individual, business or investors.

## 3.0 Prohibited Conduct

Any student found to have committed the following acts is subject to disciplinary sanction(s), condition(s), and/or restriction(s). Misconduct or prohibited behavior includes, but is not limited to:

### 3.1 Endangerment and Unwelcome Physical Contact

**3.1.1** Conduct that threatens or is likely to endanger the health or safety of any person on College property or at College sponsored and supervised functions, including physical abuse or assault, fighting, threats to use force and acts of intimidation or harassment.

**3.1.2** Action(s) that endanger the health, safety or well-being of another person or group.

**3.1.3** Action(s) that is likely to endanger one's own health or safety.

**3.1.4** Interference with the freedom of another person to move about in a lawful manner or to participate in the activities of the College.

**3.1.5** Physical contact with another when the actor knows or reasonably should know that the other person will regard the contact as offensive or provocative.

### 3.2 Harassment

"Harassment" as used in this section refers to repetitive or persistent conduct that goes beyond annoyance, frustration or offensiveness. The actions must be severe or pervasive, and the effect of the conduct must be to deny or limit a student's ability to participate in or benefit from the College's activities, programs, or services. The term "harassment" as used in this section generally excludes acts or decisions of College officials in the performance of their duties (e.g., assignment of a low grade, denial of financial aid), or an official's inquiries about the student's conduct. This section does not apply to harassment based on sex, race, ethnicity, color, sexual orientation, citizenship, age, pregnancy, marital status, veteran status, national origin, religion or disability. Separate procedures govern harassment based on a protected status. (See Complaint Procedures 300 and 400 in the Student Handbook.)

**3.2.1** Harassment includes conduct that is physical, verbal, graphic, written or electronic. Harassment may be threatening or intimidating, or it may be distracting and disruptive (e.g. bullying, persistent attempts to prevent someone from studying; flashing a light in someone's eyes; humiliating but non-threatening practical jokes).

**3.2.2** "Harassment" includes, but is not limited to persistent and unwelcome communications by telephone, in writing or by electronic device, including social media cyberbullying, in a manner that is reasonably likely to threaten, harass, annoy, alarm, abuse, torment or embarrass.

**3.2.3** Discriminatory Harassment is physical, verbal or nonverbal conduct directed at a person because of his or her race, color, national origin, sex (gender), religion, disability, age, veteran status, genetic information or any other protected status and that is so severe, persistent or pervasive that the conduct:

1. Affects a person's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance or an employee's work performance; or
3. Otherwise adversely affects a person's educational or employment opportunities.

Examples of prohibited harassment include, but are not limited to, offensive or derogatory comments, jokes or slurs because of the individual's protected status or because of the individual's need for an accommodation based on disability or religion; actions that are designed to humiliate or embarrass; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property when motivated by the individual's protected status. For a detailed process about Discrimination and Harassment Complaints, please refer to Complaint Procedure 300 found in the Student Handbook.

### 3.3 Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others (including a member of the person's household) or to suffer substantial emotional distress. "Course of conduct" means two or more acts, including, but not limited to, acts in which the accused stalker directly or indirectly, or through a third party, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property.

Stalking may be physical, such as following another person in a vehicle, and it may be electronic, such as making direct or implied threats by phone or electronic message. Stalking also may include leaving unwanted objects for the reporting party at the reporting party's home, car or workplace.

### 3.4 Disruption

Conduct that impairs, interferes with, or obstructs the orderly educational processes and functions of the College, including teaching, studying, research, College administration, public-service functions and extracurricular activities. The prohibition applies to acts that occur whether inside or outside the classroom setting. In campus locations outside the classroom, faculty members and professional staff members are authorized to take appropriate remedial action upon observing a student engaging in conduct that violates this Code (e.g., requesting a student to cease disruptive behavior). The faculty member or staff member shall identify himself or herself to the student.

**3.4.1** Engaging in activities that materially or substantially interfere with the activities of other members of the College community, that cause substantial disorder, or that disrupt the regular operation of College activities or instruction.

**3.4.2** Inciting and/or participating in campus demonstrations which materially or substantially disrupt the normal operations or activities of the College.

**3.4.3** Obstructing or impeding reasonable access of movement by pedestrians or vehicles on campus.

**3.4.4** Using a cell phone or other electronic device in class in a manner that is disruptive to the teaching/learning environment. Students may be

subject to permanent removal from class for violating a previous directive to refrain from using such devices.

3.4.5 Classroom behavior that interferes with (i) the instructor's ability to conduct the class or (ii) another student's ability to receive information from the instructor or to benefit from the program. A faculty member may temporarily suspend a student from his/her classroom for the remainder of the class whenever the student is disrupting the class to a point that there is no longer a meaningful learning environment.

3.4.6 Violating the College's policy on free expression. (See Right to Freedom of Inquiry and Expression under Student Rights and Responsibilities in the Student Handbook).

3.4.7 Engaging in conduct that interferes with or obstructs the student disciplinary process.

### 3.5 Hazing

Prohibited acts for the purpose of initiation, admission into, affiliation with, or as a condition of continued membership in a group or organization or as part of any activity of a recognized student organization or student group includes any act that inflicts or intends to inflict physical or mental harm or discomfort or which may demean, disgrace, or degrade any person, regardless of location, intent, or consent of participant(s). Although hazing is related to a person's initiation or admission into, or affiliation with, any student group or organization, a hazing charge may be upheld even without direct proof that a person's initiation or continued membership is contingent upon participation in the activity. In addition to violating this code of conduct, hazing also is a violation of Texas law (Texas Education Code § 37.151 and 51.936). Hazing includes, but is not limited to:

1. Striking a student, abandoning a student in an unfamiliar location, blindfolding a student or tying a student's hands or planning hazing activities to be performed by others.
2. Forced consumption of any food, alcohol, drugs or any other substance.
3. Forced physical activity, such as calisthenics.
4. Deprivation of food or sleep.
5. Any activity that is intended to subject the individual to embarrassment or humiliation.

### 3.6 Sexual Harassment, Sexual Assault, Dating Violence, Intimate Partner Violence and Domestic Violence

It is the policy of San Jacinto College to provide a campus environment free of sexual harassment, sexual violence, and other behaviors of a sexual nature that are hostile, unwelcome or intimidating. The definitions within this Code are not intended to be mutually exclusive and, in some instances, the definitions may overlap. For example, an act of sexual assault may constitute sexual harassment, while an act of dating violence also may constitute a sexual assault. In the event of overlapping definitions, this Code of Conduct shall be construed to provide students with the maximum protection required by law. The prohibitions in the code of conduct encompass conduct occurring as part of a College activity or program. Conduct that occurs off-campus also is encompassed by these rules if the conduct creates a sexually hostile environment on campus or in a College activity or program or adversely affects another student's educational opportunities at the College.

#### 3.6.1 Consent

**Consent:** A critical factor that distinguishes acceptable sexual behavior from unacceptable sexual behavior is the consent of the parties involved.

Consent is a clear, knowing and voluntary permission by words or action to engage in mutually agreed upon sexual activity. Consent is communicated through mutually understandable words or actions that indicate willingness by all of the involved parties to engage in the same sexual activity, at the same time, and in the same way. Clear and open communication is an essential element to conveying and understanding consent. Ideally, consent is given verbally; however, consent (or lack of consent) also may be expressed through gestures and body language. Consent cannot be freely given if the person's ability to understand and give consent is impaired. Examples of those who cannot give consent include but are not limited to:

1. The individual is under the age of 17 and is not the spouse of the actor;
2. The individual is unconscious;
3. The individual is impaired due to ingestion of a substance such as drugs or alcohol;
4. The actor compels another to submit to or participate in a sexual act by using physical force or violence against the other person or by threatening to use force or violence against another person;
5. The other person has not consented to the sexual act with the actor and the actor knows the other person is unaware that the sexual act is occurring;
6. The other person is mentally impaired or has a mental disability; or
7. The actor has misrepresented or concealed his or her true identity to the individual.

#### 3.6.2 Sexual Harassment

"Sexual harassment" includes, but is not limited to, unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome verbal comments of a sexual nature and unwelcome physical contact or touching of a sexual nature. Sexual harassment is wrongful regardless of whether the parties are of the same sex or of the opposite sex. Sexual harassment occurs when:

1. Submission to such conduct is explicitly or implicitly made a term or condition of employment, instruction or participation in other College activities;
2. Submission to or rejection of such conduct is used as a basis for personnel or academic decisions that affect the individual who has been subjected to sexual advances; and/or
3. Such conduct has the effect of unreasonably interfering with the individual's work on academic performance or creating an intimidating, hostile or offensive work or learning environment.

Whether sexual harassment has occurred depends on a totality of the circumstances, including the severity and frequency of the conduct.

The definition of sexual harassment also encompasses gender-based harassment, such as actions or comments that target a student's failure to conform to stereotypical notions of masculinity or femininity.

Examples of prohibited sexual harassment include sexually offensive comments and gestures; requests for sexual favors accompanied by implied or overt promises of preferential treatment; requests for sexual favors accompanied by implied or overt threats of adverse consequences if the recipient does not comply; unwanted flirtation or repeated requests for social/sexual encounters or favors the recipient deems unwelcome; slurs and name-calling; graffiti, pictures or posters of a sexual nature; suggestive or unwelcome physical contact, such as grabbing, touching or patting; sending offensive emails or text messages; leering, simulating

sexual activity or pointing to a person's intimate body parts; and acts of sexual violence, including sexual assault, sexual coercion and rape.

### 3.6.3 "Sexual Assault" and "Aggravated Sexual Assault"

"Sexual assault" is defined as intentionally or knowingly causing physical sexual contact or sexual penetration of another person without that person's consent. "Sexual contact" includes any touching of the anus, breast or any part of the genitals of another person with intent to arouse or gratify the sexual desire of any person. Sexual assault is without consent of the other person (see definition of Consent in Section 3.6.1).

"Aggravated sexual assault" is defined as sexual assault in which the actor causes serious bodily injury or attempts to cause the death of the reporting party or another person in the course of the same criminal episode. Other factors may cause an assault to become an aggravated assault, including actions or words that place the reporting party in imminent fear that the reporting party or another person will be killed or subjected to serious bodily injury or kidnapping. Aggravated sexual assault also occurs when the actor uses or exhibits a deadly weapon in the course of the same criminal episode; when the actor acts in concert with another who commits a sexual assault directed toward the same reporting party and occurs during the same criminal episode; or when the actor assaults a reporting party who is younger than 14 years of age or who is an elderly or a disabled individual.

A "sexual offense" may constitute sexual assault even if no force was used during the offense and even if the reporting party experienced no physical injury.

### 3.6.4 Dating Violence

Under federal law, the term "dating violence" means violence committed by a person:

1. who is or has been in a social relationship of a romantic or intimate nature with the reporting party; and
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - the length of the relationship,
  - the type of relationship and
  - the frequency of interaction between the persons involved in the relationship.

San Jacinto College will consider the reporting party's characterization of the relationship when making a determination whether an act of violence is "dating" violence.

Under Texas law, "dating violence" means an act, other than a defensive measure to protect oneself, by an actor that is committed against a reporting party:

1. with whom the actor has or has had a dating relationship; or
2. because of the reporting party's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage;

and that is intended to result in physical harm, bodily injury, assault or sexual assault or that is a threat that reasonably places the reporting party in fear of imminent physical harm, bodily injury, assault or sexual assault.

A "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate

nature. The existence of such a relationship shall be determined based on consideration of

1. the length of the relationship;
2. the nature of the relationship; and
3. the frequency and type of interaction between the persons involved in the relationship.

A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship."

### 3.6.5 Intimate Partner Violence

"Intimate Partner Violence" (IPV) is defined as physical violence, sexual violence, stalking and psychological aggression (including coercive acts) by a current or former intimate partner.

An "intimate partner" is a person with whom one has a close personal relationship and that can be characterized by:

- emotional connectedness, regular or frequent
- physical contact and sexual behavior, and/or
- identity as a couple

The relationship need not involve all of these dimensions. Examples of intimate partners include current or former spouses, boyfriends or girlfriends, dating partners, or sexual partners. IPV can occur between heterosexual or same-sex couples and does not require sexual intimacy.

IPV can vary in frequency and severity. It occurs on a continuum, ranging from one episode that might or might not have lasting impact to chronic and severe episodes over a period of years.

**There are four main types of intimate partner violence:** physical violence, sexual violence, stalking, and psychological aggression.

1. **Physical violence** is the intentional use of physical force with the potential for causing death, disability, injury or harm. Physical violence includes, but is not limited to, scratching; pushing; shoving; throwing; grabbing; biting; choking; shaking; aggressive hair pulling; slapping; punching; hitting; burning; use of a weapon; and use of restraints or one's body, size or strength against another person. Physical violence also includes coercing other people to commit any of the above acts.
2. **Sexual violence** is divided into five categories. Any of these acts constitute sexual violence, whether attempted or completed. Additionally all of these acts occur without the reporting party's consent, including cases in which the reporting party is unable to consent due to being too intoxicated (e.g., incapacitation, lack of consciousness, or lack of awareness) through their voluntary or involuntary use of alcohol or drugs.
  - a. **Rape or penetration of reporting party** – This includes completed or attempted, forced or alcohol/drug-facilitated unwanted vaginal, oral or anal insertion. Forced penetration occurs through the perpetrator's use of physical force against the reporting party or threats to physically harm the reporting party.
  - b. **Reporting party was made to penetrate someone else** – This includes completed or attempted, forced or alcohol/drug-facilitated incidents when the reporting party was made to sexually penetrate a perpetrator or someone else without the reporting party's consent.
  - c. **Non-physically pressured unwanted penetration** – This includes incidents in which the reporting party was pressured verbally

or through intimidation or misuse of authority to consent or acquiesce to being penetrated.

d. **Unwanted sexual contact** – This includes intentional touching of the reporting party or making the reporting party touch the perpetrator, either directly or through the clothing, on the genitalia, anus, groin, breast, inner thigh or buttocks without the reporting party's consent.

e. **Non-contact unwanted sexual experiences** – This includes unwanted sexual events that are not of a physical nature that occur without the reporting party's consent. Examples include unwanted exposure to sexual situations (e.g., pornography); verbal or behavioral sexual harassment; threats of sexual violence to accomplish some other end; and/or unwanted filming, taking or disseminating photographs of a sexual nature of another person.

3. **Stalking** is a pattern of repeated, unwanted, attention and contact that causes fear or concern for one's own safety or the safety of someone else (e.g., family member or friend). Some examples include repeated, unwanted phone calls, emails or texts; leaving cards, letters, flowers or other items when the reporting party does not want them; watching or following from a distance; spying; approaching or showing up in places when the reporting party does not want to see them; sneaking into the reporting party's home or car; damaging the reporting party's personal property; harming or threatening the reporting party's pet; and making threats to physically harm the reporting party.

4. **Psychological aggression** is the use of verbal and non-verbal communication with the intent to harm another person mentally or emotionally, and/or to exert control over another person. Psychological aggression can include expressive aggression (e.g., name-calling, humiliating); coercive control (e.g., limiting access to transportation, money, friends and family; excessive monitoring of whereabouts); threats of physical or sexual violence; control of reproductive or sexual health (e.g., refusal to use birth control; coerced pregnancy termination); exploitation of reporting party's vulnerability (e.g., immigration status, disability); exploitation of perpetrator's vulnerability; and presenting false information to the reporting party with the intent of making them doubt their own memory or perception (e.g., mind games).

### 3.6.6 Domestic Violence

The term "domestic violence" refers to a pattern of abusive behavior between two individuals formerly or currently in an intimate relationship, including through marriage, cohabitation, dating or within a familial or household arrangement. Abuse may be in the form of physical assault, sexual assault, bodily injury, emotional distress, physical endangerment or when the imminent threat of any of these instances puts the reporting party in fear of their occurrence.

Under Texas law, domestic violence or domestic assault occurs when the actor commits an assault against a family member, household member, or a current or past dating partner. The offense occurs when the actor intentionally, knowingly or recklessly causes bodily injury to another person or threatens another person with imminent bodily injury. It also occurs when the actor intentionally or knowingly causing physical contact with another that the actor knows or reasonably should know the reporting party will find provocative or offensive. A person commits aggravated domestic assault if he or she intentionally, knowingly or recklessly causes serious bodily injury to a family member, household member, or a current or past dating partner, or uses or exhibits a deadly weapon in the course of committing the assault crime. Domestic violence does not include defensive measures to protect oneself. The term

domestic violence also may encompass "dating violence" as defined in the Texas Family Code.

Under Texas law, domestic violence also may constitute family violence, which is defined as "an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault or sexual assault, but does not include defensive measures to protect oneself. The term also encompasses:

1. child abuse by a member of a family or household toward a child in the family as defined in Section 261.001 of the Texas Family Code and
2. dating violence as defined by Section 71.004 of the Texas Family Code.

Under federal law, "domestic violence" encompasses a felony or misdemeanor crime of violence committed:

1. by a current or former spouse or intimate partner of the reporting party;
2. by a person with whom the reporting party shares a child in common;
3. by a person who is cohabitating with, or has cohabitated with, the reporting party as a spouse or intimate partner;
4. by a person similarly situated to a spouse of the reporting party under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
5. by any other person against an adult or youth reporting party who is protected from that person's acts under the laws of the jurisdiction where the crime occurred.

"Domestic violence" encompasses acts that one might not characterize as violent in a non-domestic context. Additionally, domestic violence requires more than just two people living together; the individuals must be spouses or have an intimate relationship.

### 3.6.7 Obscene, Lewd or Indecent Behavior

Obscene, lewd or indecent behavior includes but is not limited to, exposure of one's sexual organs or the display of sexually-oriented and/or obscene materials to a third party or in a public place on campus.

### 3.6.8 Sexual Misconduct

"Sexual misconduct" is behavior or conduct of a sexual nature that is unprofessional and/or inappropriate for an educational environment. This category encompasses:

1. conduct of a sexual nature that is objectively offensive but that may not be sufficient to satisfy the legal definitions of sexual harassment, sexual assault, dating violence, or domestic violence, and
2. conduct of a sexual nature that is consensual between two or more parties but that is nonetheless inappropriate in an educational environment, such as engaging in sexual activity on campus or displaying sexually oriented objects or materials in the presence of third parties while on campus.

## 3.7 Dishonesty

Cheating, plagiarism, collusion, or other forms of academic dishonesty fall within the jurisdiction of the Instructional Affairs Division. See the Student Handbook for detailed explanation of academic dishonesty and violations.

3.7.1 Making, possessing, or using any falsified College documents or records; altering any College document or record, including identification cards; providing false information on an admissions application or financial aid application; providing false information to College officials, faculty members or College offices, including disciplinary hearing bodies; intentionally withholding material information from College officials; making a false report to College police.

3.7.2 Knowingly passing insufficient fund checks or fraudulent money orders in payment of any financial obligation to the College.

3.7.3 Falsely claiming to represent the College or a registered student organization of the College.

3.7.4 Impersonating another student, employee or community member while attempting to conduct college business, including but not limited to email, phone or in-person transactions, or accessing any college-related systems.

3.7.5 Soliciting money from another student or students under the false claim of needing financial assistance for a family member or friend.

3.7.6 Stealing or misappropriating of registered student organization funds.

3.7.7 Misrepresenting facts for academic advantage, including, but not limited to, providing false grades or resumes; providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz or other assignment for the purpose of obtaining an academic or financial benefit for oneself or another individual; and providing false or misleading information in an effort to injure another student academically or financially.

3.7.8 Using unauthorized, unapproved notes during a test, knowingly copying or obtaining information from another student during a test, or dishonesty of any kind during a test, including placement testing, that occurs in any of the College Testing Centers or at off-site testing labs for the purpose of completing a testing requirement for the College.

### 3.8 Firearms, Fireworks, Explosives, Weapons

Possessing, using or storing firearms, prohibited weapons, ammunition, fireworks, dangerous chemicals, incendiary devices or explosives on College-controlled property or at College events or programs, or violations of the College's Campus Carry Policies and Procedures, except as may be authorized by the College's Campus Carry Policies and Procedures, College administration, or by federal, state or local law or regulations. Prohibited weapons include but are not limited to firearms that one carries without proper licensing or that one carries in non-conformance with the College's Campus Carry Policies and Procedures or state/federal law, pellet guns, sling shots, martial arts devices, switchblades, explosive weapons, or other types of knives and clubs. For more information, please visit [sanjac.edu/campus-carry](http://sanjac.edu/campus-carry).

### 3.9 Alcohol and Substance Use

3.9.1 Possessing, using, distributing, manufacturing or selling alcohol, dangerous drugs, controlled substances or drug paraphernalia on College property or at College-authorized or College-sponsored activities, even if the activity is not conducted on campus.

3.9.2 Over-the-counter drugs are not prohibited when taken in standard dosages or as prescribed by a physician. Prescription drugs are not prohibited when taken by the person to whom the drugs were prescribed and in accordance with the physician's prescription. The non-standard or unauthorized use of over-the-counter and prescription drugs is

strictly prohibited. It is a violation of the College's policy for a student to intentionally misuse and/or abuse prescription medication. Misuse and/or abuse includes taking a medication prescribed for another person or taking a medication in an amount or in a manner that was not prescribed, or attempting to share or sell medication to another person.

3.9.3 Failing to pass a standard drug test required as part of an instructional or other College-affiliated program, in which the student is a participant.

3.9.4 Alcohol possession or usage, regardless of age, is strictly prohibited at any on or off-campus, College-authorized or College-sponsored activity or during College-sponsored travel.

### 3.10 Fire and Safety

3.10.1 Removal, damage or unauthorized tampering with or activation of fire, safety or any emergency warning equipment, including but not limited to fire extinguishers, smoke alarms and emergency exits.

3.10.2 Falsely reporting bombs, fires or other emergencies to a College official.

### 3.11 Gambling

Gambling of any form on College property or at a College sanctioned event is prohibited.

### 3.12 Property Violations

3.12.1 Vandalizing, damaging, destroying or defacing public or private property on College premises or at a College-sponsored activity; littering.

3.12.2 Stealing; attempted theft; or the unauthorized removal, borrowing, or use of any College property or the property of others.

3.12.3 Trespassing and/or unauthorized presence in any College building or at a College-sponsored activity.

### 3.13 Misuse of Computing Resources, Technology, Cell Phones or Cameras

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

3.13.2 Unauthorized alteration of College computer equipment, software, network or data.

3.13.3 Unauthorized copying or distribution of computer software or data.

3.13.4 Use of computing facilities and resources that interfere with the work of another student, faculty member or College official.

3.13.5 Viewing, downloading or printing pornographic materials, photographs or videos is strictly prohibited on College premises.

3.13.6 Use of College computing facilities and resources to send obscene or defamatory messages.

3.13.7 Any violation of the College's written computer use guidelines.

3.13.8 Unauthorized accessing of College telephones to change a voice mail greeting.

3.13.9 Sending an email or text message using an email address or phone number belonging to another person with the intent to cause the recipient to reasonably believe that the other person sent or authorized the communication.

- 3.13.10 Forwarding confidential information without authorization.
- 3.13.11 Taking an unauthorized photo of confidential information, such as a test answer key, confidential student records, confidential health records, or confidential financial information or account numbers.
- 3.13.12 Using a cell phone or other recording device to make an unauthorized recording of another person's intimate body areas or of another person who is undressing or using restroom facilities.
- 3.13.13 Using a cell phone or other recording device to copy another student's academic work.
- 3.13.14 Using a recording device to secretly record a conversation to which the student is not a party.

### 3.14 Failure to Comply

- 3.14.1 Failure or refusal to comply with an administrative summons or directive of a College official, including campus police officers, acting in the course of their employment.
- 3.14.2 Failure to present identification upon the request of a College official.
- 3.14.3 Conduct that is intended to hinder or obstruct enforcement of this code of conduct.

### 3.15 Other Violations

- 3.15.1 Violation of published College policies, rules, regulations including, but not limited to parking, animals on campus, smoking, solicitation, distribution of literature and campus posting rules, all of which can be found in the Student Handbook.
- 3.15.2 Violation of federal, state or local laws.
- 3.15.3 Aiding or abetting any violation of federal law, state law or local ordinance.
- 3.15.4 Violation of a conduct rule published in a handbook applicable to a program in which the student is enrolled.

### 3.16 Retaliation

Retaliation against an individual who has brought a complaint under this Code or with a state or federal agency and/or who has participated in an investigation of such complaint. The definition of "retaliation" refers to actions that are materially adverse, which means that the action is the type that would dissuade a reasonable student or witness from exercising their rights under this handbook or under the law.

Every student has the right to file a complaint or to participate in an investigation without being subjected to retaliation. Retaliation is an adverse action taken by an employee or student against an individual who makes a good faith report of discrimination, harassment or sexual misconduct or who participates in an investigation pertaining to a complaint of discrimination, harassment or sexual misconduct. For an action or decision to be considered adverse, it must be materially adverse and be of the type that would dissuade a reasonable person from exercising his or her rights to file a complaint or to participate in an investigation. Unlawful retaliation does not include petty slights or annoyances. Any employee or student who engages in retaliation may be subject to disciplinary action.

## 4.0 Disciplinary Procedures

### 4.1 Authority

The College appoints an administrators who are responsible for determining disciplinary sanctions to be imposed for violations of the Code of Student Conduct. The Dean of Compliance & Judicial Affairs or Compliance Officer are the designated student conduct administrators.

### 4.2 Complaints

Any member of the College community may file a complaint against a student alleging misconduct. Unless there are extenuating circumstances or unless the complaint involves allegations that are subject to the College's Discrimination, Harassment and Sexual Violence Procedure, complaints must be received by the Compliance & Judicial Affairs office within two (2) working days of the alleged incident.

The incident report must contain the following information:

1. The name, address, telephone number and signature of the person filing the report.
2. Identification of the student(s) against whom the report is being filed.
3. Facts alleged, including the name(s) of the respondent and witnesses, date, location and description of the alleged act(s) of misconduct in sufficient detail to enable the Compliance & Judicial Affairs office to make a determination as to whether further fact-finding is necessary or if sufficient evidence exists for a hearing on the charge(s).
4. When applicable, a reference to the specific Code of Student Conduct provision alleged to have been violated.
5. An individual with a disability who needs assistance in complying with this procedure may contact the Compliance & Judicial Affairs office for assistance.

Complaints alleging sexual harassment, sexual misconduct, sexual violence, dating violence, domestic violence and stalking are governed by Complaint Procedure 400 found in this Handbook.

### 4.3 Complaint Investigation and Conference with the Respondent

The Dean of Compliance & Judicial Affairs, the Compliance Officer, or his or her designee will make an initial determination as to whether the allegations, even if true, do not describe a violation of this Code. If the allegations do describe a violation of this Code, then the Dean or designee shall determine whether there is evidence that supports the allegation. The Dean shall interview the reporting party and may interview other witnesses as necessary or appropriate. The Dean will meet with the respondent, describe the allegations against the student and provide the student an opportunity to respond. If the Dean or Compliance Officer or designee determines that reasonable grounds support the complaint, the Dean or Compliance Officer or designee shall inform the respondent of this determination, the proposed penalty and the student's procedural rights to challenge the charge.

If the Dean determines that there are insufficient grounds to establish that a violation of the Code occurred, the complaint shall be dismissed. The Dean or Compliance Officer or designee shall inform the respondent in writing if the complaint is dismissed and may inform the reporting party if the complaint is dismissed.

The Dean or Compliance Officer or designee will determine an appropriate sanction or sanctions given the seriousness of the charge, the evidence,

and the student's disciplinary history, if any. The charge(s) and the sanction(s) will be communicated in a final communication letter to the student via email and, where necessary, by U.S. mail. The final communication letter will include information on how to dispute the charge(s) and/or the sanction(s).

#### 4.4 Emergency Suspension

In circumstances in which the conduct of a student constitutes an imminent threat or danger to the welfare or safety of the College community, or danger to College property, the College may implement an emergency suspension in accordance with Section 6.0.

#### 4.5 Disciplinary Sanctions

Sanctions are designed to promote the College's educational mission. Sanctions also promote safety and may deter students from behavior that harms, harasses or threatens people or property. 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 statutory or other legal requirements, if any. Possible disciplinary sanctions include, but are not limited to:

1. **Written warning:** A formal notice stating that the Code has been violated and that future violations may result in greater sanctions.
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, computer privileges, parking 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/Mentoring:** Mandatory counseling sessions, support group attendance or mentoring.
10. **Failing grade:** A failing grade may be given 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 readmission.
14. **Revocation of degree:** Revocation of degree and withdrawal of diploma.

The College may impose one or more sanctions or conditions for a single offense. Additionally, 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.

#### 4.6 Student Conduct Appellate Board

Students who have been proposed for expulsion, suspension in excess of five school days, revocation of a diploma/degree, withdrawal of a diploma/degree, or removal from campus pursuant to Sections 51.231-51.243 of the Texas Education Code may request a hearing on the charge and proposed sanction before a campus Student Conduct Appellate Board. The Board shall consist of three full-time faculty members and/or professional staff members appointed by the campus Provost. One Board member shall serve as the chairperson. Board members shall be impartial. Employees who were witnesses to the incident under review or who were involved in the investigation or evaluation of the charges under review shall be ineligible to serve as Board members.

A Student Conduct Appellate Board also shall hear complaints brought under Complaint Procedure 400 of the Handbook (complaints involving allegations of sexual harassment, sexual assault, dating violence, stalking, or domestic violence). *Note:* A student's procedural rights under Complaint Procedure 400 and Sections 4.6 and 4.7 of this Handbook are subject to change, depending on future amendments to federal regulations. Students and employees are advised to consult the website versions of Complaint Procedure 400 and Section 4.7 for the most current copy of the applicable procedures.

#### 4.7 Hearings

When the Dean or Compliance Officer or designee has determined that there are sufficient grounds to conclude that a student has violated this code and the student disputes the charge(s), the student may request a hearing. The procedures available to the student will depend on the disciplinary consequences being proposed. Procedure A applies to expulsions, suspensions longer than five school days, revocation of degree, complaints under Complaint Procedure 400, withdrawal of diploma, and removal from campus pursuant to Sections 51.231-51.243 of the Texas Education Code. Procedure B applies to all other disciplinary matters.

#### 4.8 Hearing Procedure A:

##### Student Conduct Appellate Board

Students who have been proposed for expulsion, suspension in excess of five school days, revocation of a diploma/degree, withdrawal of a diploma/degree, or removal from campus pursuant to Sections 51.231-51.243 of the Texas Education Code may request a hearing on the charge and proposed sanction before a campus Student Conduct Appellate Board. Likewise, respondents accused of misconduct under Complaint Procedure 400 may utilize Hearing Procedure A. The Board shall consist of three full-time faculty members and/or professional staff members appointed by the campus Provost. One Board member shall serve as the chairperson. Board members shall be impartial. Employees who were witnesses to the incident under review or who were involved in the investigation or evaluation of the charges under review shall be ineligible to serve as Board members.

A Student Conduct Appellate Board also shall hear complaints brought under Complaint Procedure 400 of the Handbook (complaints involving allegations of sexual harassment, sexual assault, dating violence,



stalking, or domestic violence). *Note:* A student's procedural rights under Complaint Procedure 400 and Sections 4.6 and 4.7 of this Handbook are subject to change, depending on future amendments to federal regulations. Students and employees are advised to consult the website versions of Complaint Procedure 400 and Section 4.7 for the most current copy of the applicable procedures.

#### 4.8.1 Notification of Charges and Hearing Rights

1. All charges shall be presented to the respondent in writing by hand delivery, regular first-class mail or via email to the San Jacinto College email address or other email address designated by the student. A first-class letter will be deemed to have been received on the third day after the date of mailing, excluding any intervening Sunday or federal holiday. An email will be deemed to have been received on the second day after the sending of the message. The notice letter shall contain:
  - a. a statement of the specific charges and a general description of the allegations in support of the charges;
  - b. the provisions of the Code of Student Conduct that allegedly were violated;
  - c. the proposed penalty;
  - d. a copy of this procedure; and
  - e. contact information for the Dean or Compliance Officer or designee.

A student's failure to update his or her postal and email addresses with the College, refusal to accept delivery of a letter, or refusal or failure to open email will not constitute good cause for failure to comply with a notice.

- In cases involving allegations of sexual harassment, sexual assault, dating violence, stalking or domestic violence (see Sections 3.3 and 3.6 and Complaint Procedure 400), the purpose of the hearing is to determine whether the respondent engaged in the alleged conduct and, if a finding of responsibility is made, to recommend a sanction. Accordingly, the notice letter shall contain the following: (i) a statement of the specific charges and a general description of the allegations in support of the charges; (ii) a general description of the provisions of the Code of Student Conduct that allegedly were violated; (iii) the range of penalties that may be considered by the Appellate Board, should the student be found responsible; (iv) a copy of this procedure; and (v) contact information for the Dean or Compliance Officer or designee.
2. The respondent shall have 4 working days in which to request a hearing after receipt of the notice. The request must be made in writing and may be sent via hand delivery, U.S. mail, or electronic mail. If the student does not timely request a hearing, the discipline may be imposed without further hearing.
  3. If the respondent requests a hearing, then the hearing ordinarily shall be held within 12 working days of the Dean or Compliance Officer or designee's receipt of the request for hearing. Upon receipt of the student's request for hearing, the Dean or Compliance Officer or designee shall promptly notify the respondent in writing of the date, time, and place of the hearing. The notice of hearing may be sent to the respondent by electronic mail, U.S. mail or hand delivery. The notice letter shall identify the hearing panel members and shall summarize the procedural rights afforded to the respondent by this code. The letter shall provide a postal address and email address for the chairperson of the Appellate Board. The letter shall provide:
    - a. the names of the witnesses and a brief summary of their knowledge and
      - b. a description of the documents or other evidence that the Compliance and Judicial Affairs office intends to present at the hearing.
  4. Upon a showing of good cause, or upon the mutual agreement of the parties, the hearing may be rescheduled.
  5. In cases involving allegations of sexual harassment, sexual assault, dating violence, stalking or domestic violence (see Sections 3.3 and 3.6 and Complaint Procedure 400), the Dean or Compliance Officer or designee shall, subject to the Family Educational Rights & Privacy Act, notify the Title IX Coordinator and the reporting party that the respondent has requested a hearing and the date and time of the hearing. The reporting party shall receive written notice of the information required by Complaint Procedure 400.7. The notice to the reporting party shall include a copy of this procedure.
  6. At least 3 working days prior to the hearing, the Dean or Compliance Officer or designee will make available to the respondent copies of the documents that the Dean or Compliance Officer or designee intends to introduce at the hearing. This deadline does not apply to rebuttal evidence. This deadline may be modified for good cause.
  7. At least 3 working days prior to the hearing, the respondent shall provide the Dean or Compliance Officer or designee:
    - a. the names of the student's witnesses and a brief summary of their knowledge and
    - b. copies of documents that the student intends to present at the hearing.
 

This deadline may be modified for good cause.

      - i. In cases involving allegations of sexual harassment, sexual assault, dating violence, stalking or domestic violence (see Sections 3.3 and 3.6 and Complaint Procedure 400), if the reporting party desires to present witnesses or to introduce documents at the hearing, then the procedure regarding exchange of exhibits and witness list shall also apply to the reporting party. Prior to the hearing and subject to the Family Educational Rights & Privacy Act, the Dean or Compliance Officer or designee shall provide copies of the reporting party's exhibits and witness list to the respondent and shall provide copies of the respondent's exhibits and witness list to the reporting party.
  8. At least 4 working days prior to the hearing, the respondent shall submit in writing to the Dean or Compliance Officer or designee and to the chair of the Student Conduct Appellate Board:
    - a. any objection that, if sustained, would warrant a postponement of the hearing,
    - b. any objection to an appellate board member on the ground of bias or lack of neutrality and
    - c. the name of the advisor or attorney, if any, who will appear with the student.
 

The student's advisor or legal counsel may attend the hearing and confer with the student but may not participate or cross-examine witnesses except for proceedings arising under Complaint Procedure 400. An advisor may not be a witness in the matter. In cases involving allegations of sexual harassment, sexual assault, dating violence, stalking or domestic violence (see Sections 3.3 and 3.6), these procedural rights also shall be afforded to the reporting party.
  9. The College retains the right to have legal counsel present at any hearing, but the attorney shall not participate or cross-examine witnesses unless (i) the case arises under Section 21.231-21.243 of the Education Code (pertaining to the exclusion of students from campus to maintain order during periods of campus disruption) and

the student is represented by counsel or (ii) the case arises under Complaint Procedure 400; or (iii) a party is a qualified person with a disability under federal law and is unable to represent himself or herself at the hearing because of his or her disability.

10. The respondent may choose at any time to withdraw a request for a hearing on the charges by signing an acknowledgment form and a written waiver of the hearing procedures, located in the Compliance & Judicial Affairs office. The Dean or Compliance Officer or designee will impose an appropriate sanction or sanctions given the nature of the charge, the evidence and the student's disciplinary history, if any. Although the student will waive the right to contest the charges, the student may appeal the sanction under Section 5.0 of this procedure.
  - a. In cases involving charges of sexual misconduct (Section 3.6), stalking (Section 3.3), or domestic violence (Section 3.6), if the respondent waives the right to contest the charges, the Dean or Compliance Officer or designee shall, subject to the Family Educational Rights & Privacy Act, notify the Title IX Coordinator and the reporting party of the disposition of the charge against the respondent. The notice to the reporting party shall be issued to the respondent. The notice shall inform the reporting party that both the reporting party and the respondent have a right to appeal the sanction.

#### 4.8.2 Conducting the Hearing

1. The Student Conduct Appellate Board shall hear the evidence. The chairperson of the Appellate Board shall preside over the hearing and shall be responsible for preserving order and decorum.
2. Hearings before the Appellate Board shall be closed to the public. The Board will make a record of the hearing either by tape recording or by a court reporter. No cameras or photographic equipment of any kind, nor any equipment designed or used to record or transmit sound, shall be permitted in the hearing room or in the hallways adjacent to the hearing room while the hearing is in progress or during any recess. This prohibition does not apply to any equipment under the direction of the Appellate Board to make the official recording of the hearing.
3. If the respondent fails without good cause (as determined by the Appellate Board) to appear at the scheduled hearing after receiving proper notice, the Dean or Compliance Officer or designee may proceed with the hearing in the student's absence, and the student forfeits any right to appeal. At the conclusion of the hearing, the hearing officer shall provide written notice to the student of the action taken.
4. The hearing will be conducted as an administrative hearing. Courtroom rules of evidence and judicial rules of civil procedure will not apply. Evidence, however, must be relevant to the proceeding and shall be of the type that would be accepted by reasonable persons in the conduct of their important affairs. Objections shall be directed to the chairperson. The chairperson may limit cumulative, repetitious or irrelevant testimony or documentary evidence and may impose reasonable time limits on the presentation of evidence by the parties. The chairperson may impose reasonable restrictions to prevent the harassment or badgering of witnesses. Finally, although the legal rules of evidence do not apply, the chairperson will give effect to legally recognized privileges, such as the attorney-client privilege. The chairperson may seek legal advice as appropriate, including the seeking of legal advice regarding the assertion of privilege by any party or witness, even if such would require a recess in the hearing.
5. Both the respondent and the Compliance and Judicial Affairs representative will have an opportunity to make an opening statement, present witnesses, cross-examine the witnesses presented by the other side, present documentary or other tangible evidence, and make a closing statement. Witnesses shall be sworn in by the court reporter or other person authorized by law to administer oaths. Opening statements ordinarily shall be limited to five minutes per side.
6. The Compliance and Judicial Affairs representative has the burden of proving the charges by a preponderance of the evidence, which means proof that leads a reasonable person to find that the facts are more likely to have occurred than not. The Appellate Board shall determine which evidence or testimony, if any, is probative and credible. The Appellate Board shall determine what weight, if any, to give to particular evidence or testimony.
7. The Compliance and Judicial Affairs representative will present its witnesses and documentation first, followed by the presentation by the student. The Compliance and Judicial Affairs representative will be permitted to present rebuttal evidence after the student completes the presentation of his or her case.
8. After each witness has been examined by both parties, members of the Appellate Board may question the witness. No Board member, however, is subject to questioning by either party or any witness.
9. Each party may present a closing argument. The Compliance and Judicial Affairs representative may reserve time for rebuttal. Neither party may present new evidence during closing arguments. The chairperson shall determine the number of minutes that the parties will be given for closing argument, taking into consideration the complexity of the case.
10. Before opening statements, all witnesses shall be excluded from the hearing room, with the exception of the student (and his or her advisor) and the member of the Compliance and Judicial Affairs representative. Under this rule, no witness may be present to hear or read the testimony of another witness, and witnesses may not converse with each other or any other person about the case outside the hearing room while the hearing is in progress. Each party is responsible for providing a copy of this rule to that party's witnesses. This rule does not preclude a witness from conferring with a party's legal counsel, advisor or representative. The chairperson shall have the authority to impose appropriate sanctions and restrictions for a violation of these instructions, including prohibiting the witness from testifying at the hearing. The prohibitions in this section will remain in effect until closing statements are concluded.
11. The Student Conduct Appellate Board shall deliberate in private. The Board shall issue written findings within 10 working days of the close of the hearing. The Board's decision shall state whether the respondent has violated this Code and will set forth findings of fact in support of its conclusion. The decision of the Student Conduct Appellate Board will be communicated in writing to the student and the Compliance & Judicial Affairs Office. The decision of the Student Conduct Appellate Board shall be based on a simple majority vote of the members of the Board.
12. In cases involving charges of sexual misconduct (Section 3.6), stalking (Section 3.3), or domestic violence (Section 3.6), the following additional procedures will apply:
  - a. The reporting party, his or her advisor, and the Title IX Coordinator may attend the hearing and shall not be excluded during the testimony of other witnesses;
  - b. The reporting party has a right to have his or her past sexual behavior or predisposition excluded from evidence or discussion, unless such evidence is offered to prove that someone other than the respondent engaged in the act alleged by the reporting party or if the evidence concerns specific incidents of the reporting

party's sexual behavior with respect to the respondent and is offered to prove consent;

- c. The reporting party will be given an opportunity to make an opening statement, if desired, and may proceed either before or after the Compliance and Judicial Affairs representative has presented their case;
- d. The reporting party has a right to question any witnesses;
- e. The reporting party has right to present witnesses and evidence;
- f. The Dean and respondent may question any of the reporting party's witnesses; however, should the reporting party testify, he or she may testify in a manner, as determined by the chair, that does not require the reporting party to directly confront or be directly questioned by the respondent while still preserving the respondent's right to challenge such testimony;
- g. The reporting party has a right to present rebuttal evidence and argument and to present a rebuttal to the reporting party's or Dean or Compliance Officer or designee's proposed sanction or sanctions;
- h. The reporting party has the right to present a closing statement prior to the respondent's closing statement; and
- i. The reporting party will receive a copy of the Board's written findings, subject to the Family Educational Rights & Privacy Act.

## 4.9 Hearing Procedure B:

### Impartial Hearing Officer

When the proposed discipline does not involve expulsion, suspension in excess of five working days, revocation of a degree, withdrawal of a diploma, or removal from campus pursuant to Sections 21.231-21.243 of the Texas Education Code, the student may request a hearing on the charge and proposed sanction before an Impartial Hearing Officer. The hearing officer may be a member of the Student Conduct Appellate Board or other full-time faculty member or administrator appointed by the Associate Vice Chancellor of Student Services. The hearing officer shall be impartial. Employees who were witnesses to the incident under review or who were involved in the investigation or evaluation of the charges under review shall be ineligible to serve as the hearing officer.

#### 4.9.1 Notification of Charges and Hearing Rights

1. All charges shall be presented to the respondent in writing by hand delivery, regular first-class mail or via email to the San Jacinto College email address or other email address designated by the student. A first-class letter will be deemed to have been received on the third day after the date of mailing, excluding any intervening Sunday or federal holiday. An email will be deemed to have been received on the second day after the sending of the message. The notice letter shall contain:
  - a. a statement of the specific charges and a general description of the evidence in support of the charges;
  - b. the provisions of the Code of Student Conduct that allegedly were violated;
  - c. the proposed penalty;
  - d. a copy of this procedure; and
  - e. contact information for the Dean or Compliance Officer or designee.

A student's failure to update his or her postal and email addresses with the College, refusal to accept delivery of a letter, or refusal or failure to open email will not constitute good cause for failure to comply with a notice.
2. The respondent shall have 4 working days in which to request a hearing after receipt of the notice. The request must be made in

writing and may be sent via hand delivery, U.S. mail, facsimile, or electronic mail. If the student does not timely request a hearing, the discipline may be imposed without further hearing.

3. If the student requests a hearing, then the hearing ordinarily shall be held within 12 working days of the Dean or Compliance Officer or designee's receipt of the request for hearing. Upon receipt of the student's request for hearing, the Dean or Compliance Officer or designee shall promptly notify the student in writing of the date, time, and place of the hearing. The notice of hearing may be sent to the student by electronic mail, U.S. mail, or hand delivery. The notice letter shall identify the hearing officer and shall summarize the procedural rights afforded to the student by this code. The letter shall provide a postal address and email address for the hearing officer.
4. Upon a showing of good cause, or upon the mutual agreement of the parties, the hearing may be rescheduled.
5. At least three working days prior to the hearing, the respondent shall submit in writing to the Dean or Compliance Officer or designee and the hearing officer
  - a. any objection that, if sustained, would warrant a postponement of the hearing,
  - b. any objection to the hearing officer on the ground of bias or lack of neutrality, and
  - c. the name of the advisor or attorney, if any, who will appear with the student.

The student's advisor or legal counsel may attend the hearing and confer with the student but may not participate or cross-examine witnesses. An advisor may not be a witness in the matter.

Likewise, the College retains the right to have legal counsel present at any hearing, but the attorney shall not participate or cross-examine witnesses.

6. In the event that a student is a qualified person with a disability under federal law and is unable to represent himself or herself at the hearing because of his or her disability, the College, as a reasonable accommodation to the student, will permit the student to be represented by counsel at the hearing. If the student is represented by counsel, then the College also may be represented by counsel.
7. The student may choose at any time to withdraw a request for a hearing on the charges by signing an acknowledgment form and a written waiver of the hearing procedures (located in the Compliance & Judicial Affairs office). The Dean or Compliance Officer or designee will impose an appropriate sanction or sanctions given the nature of the charge, the evidence, and the student's disciplinary history, if any. Although the student will waive the right to contest the charges and to participate in a hearing, the student may seek review of the sanction under Section 5.0 of this procedure. The Dean or Compliance Officer or designee shall notify the student in writing of the right to appeal the sanction.

#### 4.9.2 Conducting the Hearing

1. An Impartial Hearing Officer shall hear the evidence. The Impartial Hearing Officer shall preside over the hearing and shall be responsible for preserving order and decorum.
2. Hearings before the hearing officer shall be closed to the public. The hearing officer will make a record of the hearing either by tape recording or by a court reporter. No cameras or photographic equipment of any kind, nor any equipment designed or used to record or transmit sound, shall be permitted in the hearing room or in the hallways adjacent to the hearing room while the hearing is in progress or during any recess. This prohibition does not apply to

- any equipment under the direction of the hearing officer to make the official recording of the hearing.
3. If the student fails without good cause (as determined by the hearing officer) to appear at the scheduled hearing after receiving proper notice, the Dean or Compliance Officer or designee may proceed with the hearing in the student's absence, and the student forfeits any right to appeal. At the conclusion of the hearing, the hearing officer shall provide written notice to the student of the action taken.
  4. The hearing is an informal but orderly conference. Courtroom rules of evidence and judicial rules of civil procedure will not apply. Evidence, however, must be relevant to the proceeding and of the type that would be accepted by reasonable persons in the conduct of their important affairs. Objections shall be directed to the hearing officer. The hearing officer may limit cumulative, repetitious, or irrelevant testimony or documentary evidence and may impose reasonable time limits on the parties' presentations. The hearing officer may impose reasonable restrictions to prevent the harassment or badgering of witnesses. Finally, although the legal rules of evidence do not apply, the hearing officer will give effect to legally recognized privileges, such as the attorney-client privilege. The hearing officer may seek legal advice as appropriate, including the seeking of legal advice regarding the assertion of privilege, even if such would require a recess in the hearing.
  5. The Compliance and Judicial Affairs representative has the burden of proving the charges by a preponderance of the evidence. The hearing officer shall determine which evidence or testimony, if any, is probative and credible. The hearing officer shall determine what weight, if any, to give to particular evidence or testimony.
  6. The Compliance and Judicial Affairs representative will make its presentation first, followed by the presentation by the respondent. The Compliance and Judicial Affairs representative will be permitted to present rebuttal evidence after the student completes the presentation of his or her case.
  7. Both the Compliance and Judicial Affairs representative and the student may present witnesses to address specific issues relevant to the matter. Witnesses shall be sworn in by the court reporter or other person authorized by law to administer oaths. The hearing officer may question any witness and may place reasonable limits on the length of a presentation by a witness. Cross-examination by the parties is not permitted.
    - a. In cases in which the proposed sanction is a
      - i. written warning or reprimand,
      - ii. attendance at an educational presentation or professional development meeting to receive information about the College's expectations or
      - iii. a change in instructors, the testimony of third parties will not be permitted during a party's presentation unless the hearing officer determines that such testimony is necessary to aid the fact-finding process.
  8. The hearing officer may question either party. The hearing officer is not subject to questioning by either party or any witness.
  9. Each party may present a five-minute closing argument. The Compliance and Judicial Affairs representative may reserve time for rebuttal. Neither party may present new evidence during closing arguments.
  10. Before the parties begin their presentations, all witnesses shall be excluded from the hearing room, with the exception of the student and the Compliance and Judicial Affairs representative. Under this rule, no witness may be present to hear or read the testimony of another witness and witnesses may not converse with each other or any other person about the case outside the hearing room while the hearing is in progress. Each party is responsible for providing a copy of this rule to that party's witnesses. This rule does not preclude a witness from conferring with a party's legal counsel or representative. The hearing officer shall have the authority to impose appropriate sanctions and restrictions for a violation of these instructions, including prohibiting the witness from testifying at the hearing. The prohibitions in this section will remain in effect until closing statements are concluded.
  11. The hearing officer shall issue written findings within 5 working days of the close of the hearing. The hearing officer's decision shall state whether the respondent has violated this Code and will set forth findings of fact in support of its conclusion. The decision of the hearing officer will be communicated in writing to the student and the Dean or Compliance Officer or designee.

## 5.0 Appeals

A respondent may appeal any ruling issued pursuant to Appropriate Hearing Procedure. The student may appeal a finding of misconduct, the sanction, or both. Additionally, in cases involving charges of sexual misconduct (Section 3.6), stalking (Section 3.3) or domestic violence (Section 3.6), the reporting party also will have a right to appeal a decision that is adverse to the reporting party.

The student shall complete an Appeals Hearing Request Form, which is available in the Compliance & Judicial Affairs office. The completed form must be submitted to the Associate Vice Chancellor of Student Services and the Compliance & Judicial Affairs office within 7 working days of notification of an adverse disciplinary decision from the Student Conduct Appellate Board or the hearing officer. The written appeal must state the specific grounds in support of the appeal and must provide argument in support of reversal or modification of the decision. No new evidence may be submitted, unless the evidence was not reasonably available at the time of the hearing despite the exercise of diligence by the student. The student must provide a copy of the appeal to the Dean or Compliance Officer or designee. The Dean or Compliance Officer or designee may submit a written response within 7 working days of receipt of the appeal. The Dean or Compliance Officer or designee must provide a copy of the written response to the student. The Associate Vice Chancellor of Student Services shall determine whether oral argument is needed. If the Associate Vice Chancellor determines that oral argument is needed, then the Associate Vice Chancellor shall notify the student and the Dean or Compliance Officer or designee of the time, date and location of the argument.

The appeal shall be based on the hearing record developed at the first level. The Associate Vice Chancellor of Student Services shall communicate his or her decision within 15 working days of the student's request for the appeal. If the Associate Vice Chancellor of Student Services is unavailable for any reason to hear the appeal, the Associate Vice Chancellor shall designate an impartial administrator to hear the appeal. A timely appeal to the Associate Vice Chancellor suspends the imposition of the sanction but other interim action may be taken as authorized by this Code.

The Associate Vice Chancellor of Student Services or designee may reject, accept or modify the ruling from the Appellate Board or hearing officer. The decision of the Associate Vice Chancellor or designee from an appeal based on Hearing Procedure B is final and non-appealable. The decision of the Associate Vice Chancellor or designee from an appeal based on Hearing Procedure A may be appealed to the Provost

or designee. The student must file the appeal within 7 working days of receipt of the Associate Vice Chancellor or designee's decision. The written appeal must state the specific grounds in support of the appeal and must provide argument in support of reversal or modification of the Associate Vice Chancellor or designee's decision. No new evidence may be submitted. The student must provide a copy of the appeal to the Dean or Compliance Officer or designee. The Dean or Compliance Officer or designee may submit a written response within seven working days of receipt of the appeal. The Dean or Compliance Officer or designee must provide a copy of the written response to the student. No oral argument will be provided. The Provost shall communicate his or her decision in writing within 20 working days of the Provost's receipt of the appeal.

## **6.0 Emergency Suspension**

Pending a hearing or other disposition of charges against a student, the Provost, Associate Vice Chancellor of Student Services, Dean of Compliance & Judicial Affairs, Deans of Student Development or their designees may take such immediate interim action as is appropriate to the circumstances. This includes suspending the right of the student to be present on campus and to attend classes or activities. The College administration must undertake an individualized safety and risk analysis and determine whether the student poses an immediate threat to the health or safety of others. The College administration shall promptly send written notice to the student via hand delivery, electronic mail or first-class U.S. mail.

In determining whether an emergency suspension is warranted, the administration shall consider the weight and reliability of the evidence or report of wrongdoing. A student who is suspended on an emergency basis is entitled to a hearing at his or her request utilizing Hearing Procedure B. The hearing shall be held as soon as practicable, generally within 10 working days of the administration's receipt of the student's request.

# COMPLAINT PROCEDURES

- San Jacinto College Complaint Procedures for Students (p. 44)
- 100 Grade Appeals (p. 44)
- 200 General Complaints (p. 45)
- 300 Discrimination and Harassment Complaints (p. 46)
- 400 Complaints Alleging Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Intimate Partner Violence and Stalking (p. 49)

## San Jacinto College Complaint Procedures for Students

The College maintains several distinct procedures designed to provide efficiency and expertise in the resolution of student complaints. In situations in which a student alleges multiple, related complaints involving separate procedures (for example, a grade appeal and a discrimination complaint), the Administration reserves the right to process the complaints separately or to consolidate them. When complaints are consolidated, the Administration shall use the procedure that will provide the student with the maximum amount of process.

### Impartiality of College Officials

To facilitate prompt responses to grievances or grievance appeals and to preclude conflicts of interest, the Dean of Compliance & Judicial Affairs, the Associate Vice Chancellor of Student Services, the Campus Provosts, and/or the Chancellor may designate another College official to consider a grievance or grievance appeal and to render a decision.

### Retaliation Prohibited

Every student has the right to file a complaint or to participate in an investigation without being subjected to retaliation. Retaliation is an adverse action taken by an employee or student against an individual who makes a good faith complaint using the procedures in this code, including making a good faith report of discrimination, harassment, or sexual misconduct or who participates in an investigation pertaining to a complaint of discrimination, harassment, or sexual misconduct. For an action or decision to be considered adverse, it must be materially adverse and be of the type that would dissuade a reasonable person from exercising his or her rights to file a complaint or to participate in an investigation. Unlawful retaliation does not include petty slights or annoyances. Any employee or student who engages in retaliation may be subject to disciplinary action.

## 100 Grade Appeals

### Complaint Procedure 100

Grade determination and awarding of a final grade in a course is clearly the responsibility of the instructor. Final grade reports should be available to the student within a reasonable time following the end of the course, typically within seven days. When a student becomes aware of a final grade that is believed to be incorrect, the student may appeal the final grade received in the course. The student shall initiate the appeal process as soon as possible following the receipt or electronic posting of the grade. The appeal process shall be initiated no later than 30 days after the end of that semester and must be resolved within 120 days following the initiation of the appeal.

Students may not use this procedure to challenge the substance or content of an exam, test item, test answer, or assignment. At no step in the process may the instructor's questions or individual test items to be scrutinized. Only course syllabus (e.g., grading system), and letter or numerical grades as recorded in the instructor's grade book will be examined.

### The procedures for appealing a grade shall be as follows:

1. Student meeting with instructor: The student and instructor shall discuss the grade that the student believes is incorrect. At this meeting, only the grades on tests, projects, reports, etc. and the grading system listed in the syllabus will be discussed and recalculated as necessary. Whenever possible, the matter should be resolved at this meeting. If the instructor cannot resolve the problem immediately, the student will be notified of the availability of a copy of the grade appeal procedures in the office of the appropriate Dean. If, upon receipt of the instructor's written decision, the student is dissatisfied with the decision, the student may request a meeting with the department chair to appeal the decision of the instructor. (**Note:** *In the event there is no department chair, the student may request a meeting with the dean who will conduct the meeting in accordance with steps No. 1 and No. 2 of this procedure.*) The student must make the appeal within five (5) working days after notification by the instructor.
2. Student meeting with Department Chair/Program Director: The department chair must arrange a meeting no more than five (5) working days after receiving a request from the student unless exceptional circumstances warrant additional time. This meeting will include the student, the instructor and the department chair. Providing sufficient evidence of discrepancies or errors in the grade will be the responsibility of the student. If insufficient evidence is offered, the appeal will be denied. The student will be given an opportunity to present his/her case. The instructor will be given a chance for rebuttal.

### On hearing the evidence from both sides, the department chair will take one of the following actions:

- a. If, in the opinion of the department chair, the student failed to provide sufficient evidence of discrepancies or errors in the grades, the student will be notified in writing that the appeal is denied. The department chair will inform the student of the right to appeal the decision and about the procedures for appeal. At the same time, the department chair will notify the instructor in writing of this decision. The notification must be given within five (5) working days of meeting.
- b. If, in the opinion of the department chair, the student provided sufficient evidence of discrepancies or errors in the grades, the instructor will be notified within five (5) working days of the meeting. At the same time, the department chair will notify the student in writing of this decision.

The instructor will, in turn, inform the department chair in writing within five (5) working days whether he/she will change the grade. If the instructor changes the grade, the instructor notifies the student in writing and the matter is closed.

If the instructor chooses not to change the grade, the department chair will be notified of the decision in writing within five (5) working days after having received the recommendation from the department chair. Within five (5) working days after being informed of the instructor's decision to deny the grade change, the department chair will notify the student that the appeal is

denied and inform the student of further rights to appeal and the procedure for doing so. All time limits stated are in working days.

All time limits may be extended by mutual consent or by the dean due to exceptional circumstances.

3. Student Meeting with dean. Within five (5) working days after receiving notification from the department chair that the appeal has been denied, a student may request a meeting with the dean who will take either action A or action B as described in step No. 2 above. (**Note:** *In the event there is no dean or in the event that the dean conducted the initial meeting, the student will proceed to Step 4.*)
4. Student Meeting with Academic Appeals Committee. Within five (5) working days after receiving written notification from the dean that the appeal has been denied, a student appealing a grade in a course may request a hearing before an Academic Appeals Committee. This request will be in writing to the Provost. The committee will consist of one full-time instructor to be named by the student, one full-time instructor to be named by the instructor and one full-time instructor to be named by the Provost. The Provost will request that the student and instructor submit the name of their nominees within five (5) working days after notification of all parties involved. Upon receiving the names of those nominees and appointing a third instructor to the committee, the Provost will set the time, date and place of the closed hearing and notify all parties. This will be done within five (5) working days after having received the names of both nominees. A student may present written evidence relevant to the grade appeal and may be advised at the hearing by one or more persons of his/her own choice. The student may have a maximum of two (2) persons in the room at a time. The Academic Appeals Committee may request information from the instructor and/or other persons familiar with the matter.

Within five (5) working days after this hearing, the Academic Appeals Committee will notify the student, the instructor, and the Provost in writing of its findings:

1. A grade change is justified and will be made; or
2. A grade change is not justified and will not be made.

If the decision of the Academic Appeals Committee is to change the grade, the Provost will have five (5) working days to make the grade change. The decision of the Academic Appeals Committee will be final.

The same appeal process will be followed when the instructor is not accessible or no longer employed by San Jacinto College by excluding the step involving the instructor.

## 200 General Complaints

### Complaint Procedure 200

#### 200.1 Scope

San Jacinto College complies with the U.S. Department of San Jacinto College complies with the U.S. Department of Education's Program Integrity regulations, which require each state to have a student complaint procedure in order for public and private higher education institutions to be eligible for federal Title IV funds. Current, former, and prospective students may initiate a complaint with the Texas Higher Education Coordinating Board, after exhausting the institution's grievance/complaint process, by sending the required forms either by electronic mail to [studentcomplaints@the.cb.state.tx.us](mailto:studentcomplaints@the.cb.state.tx.us), or by mail to the

Texas Higher Education Coordinating Board  
Office of General Counsel  
P.O. Box 12788, Austin, Texas 78711-2788

Facsimile transmissions of the forms are not accepted.

A general complaint is a College-related problem, decision or condition that a student believes to be unfair, inequitable or adversely affecting the student's education at San Jacinto College or that affects the student's ability to use College services and programs. A student may not use Procedure 200 to complain about decisions affecting other students or persons. Procedure 200 also may not be used to address matters for which special procedures are published. In particular, this general procedure may not be used to address grade appeals; harassment and discrimination and sexual misconduct complaints under Complaint Procedure 300 or 400; traffic appeals; FERPA complaints (see Student Records Management Policy); or student discipline complaints, hearings or appeals.

Barring exceptional and unforeseeable circumstances, students should file their complaints within 10 working days after the problem, decision or condition arose. Complaints filed more than 10 working days after the conclusion of the semester or the posting of the student's final grades (whichever is later) will not be accepted.

#### 200.2 Steps

1. Students who wish to file a complaint should, when necessary, consult with an educational planner or counselor for guidance on how to identify the individuals to whom the student should direct the complaint under Step 2 or Step 3.
2. The student should first discuss the complaint with the College employee most directly responsible for the condition which brought about the complaint. Most matters will be resolved at this level.
3. If the discussion at Step 2 does not resolve the matter to the student's satisfaction and the student wishes to pursue the matter, the student may discuss the matter with the next level of supervisory authority.
4. If the discussion at Step 3 still does not resolve the matter to the student's satisfaction, the student may file a written complaint. The complaint shall be filed within 7 working days. The written complaint shall identify the requested remedy. If the general complaint is against another student or involves the application of a College policy or procedure, the student shall file the complaint with the Dean of Compliance & Judicial Affairs or Compliance Officer. The Dean of Compliance & Judicial Affairs or Compliance Officer will take appropriate action on matters within his or her jurisdiction or route the complaint to the appropriate senior administrator for action. If the general complaint is against a College employee, the Dean of Compliance & Judicial Affairs or Compliance Officer will forward the complaint to the Employee Relations Department. The Dean and the Employee Relations Department shall confer and determine an appropriate investigation plan. The officials conducting the review or investigation shall prepare a written communication regarding the disposition of the complaint. The officials shall render a decision within 20 working days, absent extenuating circumstances.
5. If the response at Step 4 does not resolve the matter to the student's satisfaction, the student may seek further review by submitting a written request to the campus Provost or appropriate senior level administrator. The decision of the campus Provost or appropriate senior level administrator will be final.

# 300 Discrimination and Harassment Complaints

(Excludes Sexual Harassment and Sexual Misconduct)

## Complaint Procedure 300

### 300.1 General Statement of Purpose

It is the policy of San Jacinto College to provide an educational, employment and business environment free of discrimination based on race, creed, color, national origin, citizenship status, age, disability, pregnancy, religion, gender, sexual orientation, gender expression or identity, genetic information, marital status or veteran status. Students, trustees, administrators, faculty, staff and other agents of the College will not engage in conduct constituting unlawful harassment or discrimination.

The College will promptly investigate all allegations of harassment and discrimination and take appropriate disciplinary action against individuals who engage in prohibited conduct. Disciplinary action may include dismissal of employees, expulsion of students and removal of visitors. The policy against discrimination applies to all programs and activities, including:

- Admission to programs of study
- Access to enrollment in courses
- Career placement services
- Counseling and guidance materials, tests and practices
- Technical education
- Physical education
- Competitive athletics
- Graduation requirements
- Student rules, regulations and benefits
- Treatment as a married and/or pregnant student
- Housing
- Financial assistance
- Health services
- School-sponsored extracurricular activities
- Other aid, benefits or services

These rules apply to harassment or discrimination that occurs in any program or activity under the substantial control of the College, whether the activity or program is on campus or off campus. Additionally, these rules apply when off-campus harassment or discrimination causes continuing effects on campus.

All administrators, faculty and staff are encouraged to promptly report incidents of discrimination, harassment, and violence. Additionally, the College has designated certain College employees as responsible officials who have mandatory reporting duties. The following employees have a duty to report alleged instances of unlawful discrimination or harassment that come to their attention:

- Chancellor, the Deputy Chancellor and President, Vice Chancellors, Associate Vice Chancellors, Assistant Vice Chancellors, Vice Presidents, Provosts, and Deans
- Registrar
- Faculty and Department Chairs
- Compliance Officer

- Police Department personnel
- Counselors
- Risk Management personnel
- Human Resources personnel
- Athletics personnel
- Directors and Managers

The College has appointed a Title IX/Discrimination Prevention Team to facilitate the College's compliance with state and federal laws prohibiting discrimination. A list of the team is found in Section 400.2 of Complaint Procedure 400.

### 300.2 Scope of this Procedure

This procedure applies to all harassment or discrimination complaints based on a protected status except those involving sexual harassment, sexual assault, domestic violence, dating violence or stalking. Complaints involving sexual harassment, sexual assault, domestic violence, dating violence or stalking are addressed in Complaint Procedure 400.

This procedure does apply to sexual discrimination complaints, such as a complaint alleging denial of admission into a program because of gender. In the event that a sexual discrimination complaint overlaps with a sexual harassment complaint, or in the event it is difficult to determine whether a sexual discrimination complaint encompasses sexual harassment, Procedure 400 will be used.

### 300.3 What is Discrimination?

Discrimination is the act of treating similarly situated persons differently based on their race, color, national origin, religion, sex, disability, age, veteran or military status, genetic information or any other basis protected by law.

As it pertains to students, this prohibition applies to all College operations and activities including but not limited to admission, housing, discipline, counseling, scholarship and loan programs, co-curricular experiences and athletics.

### 300.4 What is Discriminatory Harassment?

Discriminatory harassment is a violation of Section 3.2.3 of the Code of Student Conduct.

Discriminatory harassment is physical, verbal or nonverbal conduct directed at a person because of his or her race, color, national origin, sex (gender), religion, disability, age, veteran status, genetic information or any other protected status and that is so severe, persistent or pervasive that the conduct:

1. Affects a person's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the student's academic performance or an employee's work performance; or
3. Otherwise adversely affects a person's educational or employment opportunities.

Examples of prohibited harassment include, but are not limited to, offensive or derogatory comments, jokes or slurs because of the individual's protected status or because of the individual's need for an accommodation based on disability or religion; actions that are designed to humiliate or embarrass; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic or other negative



stereotypes; or other kinds of aggressive conduct such as theft or damage to property when motivated by the individual's protected status.

### 300.5 Complaint Process

Students may use this procedure to file a complaint against another a student, a College employee, College contractors or third parties who are visiting the College or participating in a College activity. The student may seek an informal or formal resolution at any time. No student is ever required to make a report to the person who is engaging in discrimination or harassment. A student may seek resolution or general information about this complaint procedure by contacting any member of the Title IX/ Discrimination Prevention Team.

#### 300.5.1 Formal Complaint Process

Although students may file a complaint at any time, the College encourages students to report their concerns as soon as possible after the alleged incident(s) so that prompt action can be taken to investigate and resolve the complaint. A delay in reporting may result in a loss of evidence or witness memory or availability. Students are encouraged to file complaints during the same semester that the alleged incidents occurred or within 30 days of the conclusion of the semester.

**Content of complaint:** Complaints must be signed and in writing.

Students are encouraged to describe all incident(s) or action(s) considered by the reporting party to be harassing, discriminatory, or violent. Reporting parties should provide the following information:

- Contact information, including address, telephone and email;
- Name of person(s) directly responsible for alleged violation(s);
- Date(s) and place(s) of alleged violations;
- Nature of alleged violation(s);
- Detailed description of the specific conduct that is the basis of alleged violation(s);
- Copies of documents, emails, text messages, photos or other physical evidence pertaining to the alleged violation(s);
- Names of any witnesses to alleged violation(s);
- Action requested to resolve the situation;
- Reporting party's signature and date of filing; and
- Any other relevant information.

The student's failure to provide a written complaint or to provide the information requested above may adversely impact the ability of the College to conduct a complete and thorough investigation and may limit the College's ability to take appropriate corrective action.

**Where to file the complaint:** Complaints from students alleging harassment or discrimination should be filed with the Compliance and Judicial Affairs Office through the following link: [www.sanjac.edu/incident-report](http://www.sanjac.edu/incident-report). Students may also report to any member of the Title IX/ Discrimination Prevention Team.

To ensure that all student complaints are properly processed, any College administrator who receives a complaint under this procedure shall promptly notify the Compliance and Judicial Affairs Office in writing.

#### Title IX/Discrimination Prevention Team:

##### Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Sandra Ramirez (employees)—Co-Lead Title IX Coordinator and Equal Opportunity Compliance Officer  
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[sandra.ramirez@sjcd.edu](mailto:sandra.ramirez@sjcd.edu)

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**300.5.2 Processing the Complaint**

The Compliance and Judicial Affairs Office will evaluate student complaints to determine whether they are covered by this procedure. If the nature of the complaint is governed by Title IX of the Education Amendments of 1972, the Compliance and Judicial Affairs Office shall notify the Title IX Coordinator. The Title IX Coordinator shall determine whether interim action is needed (e.g., a mutual no-contact order, temporary reassignment or temporary suspension), and will assign an impartial investigator from the Compliance and Judicial Affairs Office. The College shall make every effort to avoid depriving any student of his or her education prior to a ruling on the merits. The College may remove a respondent from an education program or activity on an emergency basis only after undertaking an individualized safety and risk analysis, determining that an immediate threat to the health or safety of others justifies removal, and providing the respondent with notice and an opportunity to challenge the removal immediately following the removal.

An investigation will be initiated if the complaint is within the scope of this policy and articulates sufficient specific facts, which if determined to be true, would support a finding that the College's policy was violated. The College may decline to process a complaint under a variety of circumstances, including:

1. the complaint does not describe conduct covered by this procedure;
2. the student declines to cooperate in the College's investigation; or
3. the complaint has been withdrawn or the requested remedy has already been implemented, or was offered and rejected.

If the College declines to process a complaint pursuant to this procedure, the College shall send the student a written notification explaining the reason(s). The name and contact information of the investigator will be provided to the reporting party and the respondent. The respondent shall receive written notice of the allegations and shall be informed of his or her right to submit a written response to the allegations within 10 working days, unless unusual circumstances warrant additional time.

The written notice shall inform the respondent that retaliation against the reporting party is prohibited and may result in disciplinary action.

In cases in which the respondent is an employee, the complaint will be forwarded to the Employee Relations Department, and processed according to the applicable procedure relating to employees. In these cases, the Compliance and Judicial Affairs Office will only conduct interviews with students, and information will be shared with the Employee Relations Department to determine outcomes.

**300.5.3 Investigating the Complaint**

Barring unusual circumstances (e.g., multiple reporting parties, a complaint filed the day before the winter break), the investigation shall be completed as promptly as possible, typically within 60 to 90 days. An investigation shall commence even if a law enforcement agency is conducting a separate criminal investigation against the respondent. However, the College's investigation may be temporarily delayed when requested by police investigators or the District Attorney's Office. If the College's investigation is temporarily delayed due to a pending criminal investigation, the reporting party and respondent will be notified.

The investigator shall interview the reporting party, the respondent and other individuals determined by the investigator to possess relevant information. The reporting party and the respondent each will be permitted to provide witness names, documentation or other tangible evidence to the investigator.

During meetings pertaining to the investigation and complaint process, the reporting party and the respondent may be represented or accompanied by an advisor. Advisors, however, may not actively participate in meetings or interview witnesses.

The investigator shall prepare a written report that summarizes and analyzes the available evidence (including inculpatory and exculpatory evidence) and objectively evaluates the parties and witnesses. The report shall state whether a preponderance of the evidence establishes a violation of the College's policies. The investigator will consider the totality of circumstances, including the context and duration of the conduct and its severity. Facts will be considered on the basis of what is reasonable to persons of ordinary sensitivity.

If the respondent is a student, the findings shall be submitted to the Associate Vice Chancellor of Student Services or designee. If the respondent is an employee or visitor, the findings shall be submitted to the appropriate leader, which ordinarily will be the Provost, Vice President of Human Resources, Associate Vice Chancellor or other Vice President. If a complaint is directed at an administrator who would otherwise act on the complaint, then the function assigned to that person will be assigned to another person.

The investigator's written report shall be submitted to the Associate Vice Chancellor or designee. The Associate Vice Chancellor will permit the respondent and the reporting party to review the findings report via email. Student identifiable information, if confidential by law, will be redacted. The respondent and the reporting party will each have 10 working days to provide comments to the Associate Vice Chancellor via email. After receiving the comments from the parties (or if no comments are submitted), the Associate Vice Chancellor will confer with the investigator to discuss the findings and to review the investigation record. The Associate Vice Chancellor shall determine whether additional investigation is needed, whether to dismiss the complaint due to insufficient evidence, or whether to proceed with a disciplinary consequence or other corrective action. The action shall be reasonably calculated to prevent a reoccurrence of the misconduct

and/or to ameliorate its impact. The Compliance and Judicial Affairs Office will prepare a final determination letter, which shall be sent to the respondent and the reporting party outlining the decision and any disciplinary or corrective action. The final determination may be redacted to protect student information that is confidential by law under the Family Educational Rights & Privacy Act. All deadlines in this procedure may be extended by mutual agreement or for good cause.

### 300.6 Review and Appeals

If the investigation does not result in the assignment of disciplinary consequences against the respondent, the reporting party may submit a written appeal to the Provost or designee. The request for an appeal must be submitted within 10 working days of the final determination. The reporting party may submit a written brief with his or her request for an appeal. The Provost or designee shall provide written notice to the respondent of the appeal. The respondent will have 10 working days to respond to the appeal and the parties' briefs, if any. The Provost or designee shall review the record and issue a written ruling within 20 working days. A copy of the ruling shall be provided to both parties.

If the respondent is proposed for major discipline (expulsion, a suspension exceeding five days, or revocation or withdrawal of a degree), he or she may request a hearing to contest the charge(s) and the sanction(s) under Section 4.8 of the Code of Student Conduct. If the proposed discipline involves a consequence that is less than expulsion, a suspension exceeding five days, or revocation or withdrawal of a degree, the student may request a hearing under Section 4.9 of the Code of Student Conduct. If the respondent desires to contest the sanction(s) but not the charge(s), then the respondent may submit a written appeal to the Provost or designee. The Provost or designee shall review the record and issue a written response within 20 working days. A copy of the response shall be provided to both parties. The Provost or designee shall notify the reporting party of any sanctions that are imposed that directly relate to the reporting party.

If the respondent is an employee and is assigned a disciplinary consequence, he or she may seek review in accordance with the employment policies of the College.

### 300.7 Retaliation Prohibited

Every student has the right to file a complaint or to participate in an investigation without being subjected to retaliation. Retaliation is an adverse action taken by an employee or student against an individual who makes a good faith report of discrimination, harassment or sexual misconduct or who participates in an investigation pertaining to a complaint of discrimination, harassment or sexual misconduct. For an action or decision to be considered adverse, it must be materially adverse and be of the type that would dissuade a reasonable person from exercising his or her rights to file a complaint or to participate in an investigation. Unlawful retaliation does not include petty slights or annoyances. Any employee or student who engages in retaliation may be subject to disciplinary action.

### 300.8 Office for Civil Rights

Students who have experienced discrimination or harassment based on a protected status may file a complaint with the U.S. Department of Education. ([www2.ed.gov/about/offices/list/ocr/docs/howto.html](http://www2.ed.gov/about/offices/list/ocr/docs/howto.html) (<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>))

## 400 Complaints Alleging Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Intimate Partner Violence and Stalking

### Complaint Procedure 400

#### 400.1 Scope

This procedure addresses sexual harassment, sexual violence, dating violence, sexual misconduct, domestic violence or stalking (see Sections 3.3 and 3.6 of the Code of Student Conduct). Students may use this procedure to file a complaint against another a student, a College employee, College contractors or third parties who are visiting the College or participating in a College activity. For ease of reference, the phrase "sexual misconduct" occasionally is used to encompass all categories addressed in this procedure.

Prohibited conduct may be verbal or physical and proof of force or physical injury is not required. The parties may be the opposite sex or the same sex. In determining whether sanctionable conduct has occurred, the College may consider the on-campus impact of incidents that occurred off campus.

This complaint procedure constitutes a grievance procedure required by Title IX of the Education Amendments of 1972. As used in this procedure, "complaint" and "grievance" are synonymous.

Title IX is a federal statute that prohibits discrimination on the basis of gender in education programs. The College has appointed Title IX Coordinators who facilitate the College's compliance with Title IX and other laws that prohibit discrimination. These officials can assist students with claims of sexual harassment, sexual assault, dating violence, domestic violence and stalking.

**Note: A student's procedural rights under Complaint Procedure 400 are subject to change, depending on future amendments to federal regulations. Students and employees are advised to consult the website versions of Complaint Procedure 400 for the most current copy of the applicable procedures.**

#### 400.2 Title IX Discrimination Prevention Team

##### Associate Vice Chancellor of Student Services

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281-922-3403

In addition to the Title IX Coordinators, other College employees are designated as “responsible officials” who have reporting duties. The following employees have a duty to report alleged instances of sexual harassment and sexual misconduct:

- Chancellor, the Deputy Chancellor and President, Vice Chancellors, Associate Vice Chancellors, Assistant Vice Chancellors, Vice Presidents, Provosts, and Deans
- Registrar
- Faculty and Department Chairs
- Police Department personnel
- Risk Management personnel
- Human Resources personnel
- Athletics personnel
- Directors and Managers

### 400.3 Reporting Options

Students have several options when reporting sexual harassment, sexual assault, domestic violence, dating violence or stalking. They may seek informal guidance from College counselors or other College officials or they may file a formal College grievance. Students also may file a report directly with the College police or any local law enforcement agency. Students are not required to file a police report in order to receive assistance from the College. Additionally, reporting an offense does not commit the student to pursuing further legal action. Students who desire assistance in order to make a police report may contact the Dean of Compliance & Judicial Affairs or Compliance Officer, the Counseling Office or the Title IX Coordinator.

**San Jacinto College Police Department:**

From campus phone: 5555  
From cell phones: 281-476-9128  
Non-emergency: 281-476-1820

**Hearing Impaired Phone Number for text messages:**

713-469-1071

**Houston Police Department:** 713-884-3131

(non-emergency)

**Pasadena Police Department:** 713-447-1511;

713-477-1221 (non-emergency)

#### 400.3.1 Assistance for Victims – Confidential and Non-Confidential Options

Students who have experienced a sexual assault, sexual violence, stalking, domestic violence or other crimes may seek advice, assistance

and resources from the Compliance & Judicial Affairs office, the Educational Planning, Counseling, & Completion office or the College's Title IX Coordinator. Individuals within these offices can assist the reporting party with accessing medical or counseling services, advocacy services, social support services, legal services and police services. Even in the absence of a formal complaint, the College may be able to provide assistance to the reporting party with respect to his or her academic, living, transportation, or working situations. For example, a student might wish to explore changing a class or class time.

**Contact information for the San Jacinto College Educational Planning, Counseling, & Completion Department:**

Central Campus: 281-478-2768

North Campus: 281-459-7192

South Campus: 281-922-3444

**Off-campus resources include the following:**

**The Houston Area Women's Center:** 713-528-7273

**The Bridge Over Troubled Waters – 24 hour hotline:**  
713-473-2801

**Confidential Communications:** In response to an act of sexual harassment or sexual violence, a victim may be unsure whom to contact for information about options and resources. Some victims may prefer a confidential consultation before deciding on a course of action. Most San Jacinto College personnel will have a duty to report complaints that come to their attention. Below, this procedure addresses when confidentiality may be honored.

Confidential communications are those communications that cannot be disclosed to another person without the reporter's consent, except under very limited circumstances such as an imminent threat or danger to self or others. Victims may speak confidentially with a licensed professional counselor in the College's Educational Planning, Counseling & Completion offices: North Campus: 281-459-7192; Central Campus: 281-478-2768; South Campus: 281-922-3444, pastoral counselors in the community, medical personnel, licensed social workers and victims' advocates. These individuals may assist victims in reviewing their options and identifying resources. These individuals are not required to report incidents of sexual harassment, sexual violence or sexual misconduct to the College's Title IX Coordinator.

Victims also may choose to speak confidentially with advisors, educational planners, and front-desk staff in the Educational Planning, Counseling, & Completion office. These individuals are not professional counselors but have been specially designated to serve as a resource where students may obtain information about this procedure and about support services. These individuals are not required to report the names of victims to the College's Title IX Coordinator. However, these individuals will be required to report de-identified information such as the date, time and nature of the incident. The purpose of this general reporting obligation is to enable the College to identify patterns or trends involving sexual harassment or violence.

**Non-Confidential Communications:** "Responsible employees" as listed in Section 400.2 may be required to report allegations of sexual harassment, sexual misconduct or sexual assault, even if they have been requested by the person confiding in them to keep the discussion confidential. Non-confidential communications consist of those communications that will be disseminated to the Title IX Coordinator and others on a need-to-know basis in order to ensure that necessary steps are taken to

protect the community as a whole and appropriate disciplinary measures are considered and taken if warranted. The employees identified in Section 400.2 have a reporting obligation. They must report to the Title IX Coordinator all relevant details of the occurrence, including names of those involved and relevant facts including date, time and location.

When receiving a sexual misconduct report from an alleged victim, responsible employees shall notify the victim that

1. the employee has an obligation to report the complaint to the Title IX Coordinator and
2. the alleged victim may request confidentiality, which will be evaluated by the Title IX Coordinator.

The responsible employee shall also inform the alleged victim that he or she may speak confidentially with a licensed professional counselor, pastoral counselor or others identified in this procedure and that those communications will not be reported to the Title IX Coordinator without the alleged victim's consent.

**Requests for Confidentiality:** To the greatest extent possible, the College shall maintain the confidentiality of information and records related to investigations of complaints based on sexual harassment and sexual misconduct. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law. A Title IX Coordinator will evaluate a student's request for confidentiality in the context of the College's responsibility to provide a safe and nondiscriminatory environment for the entire college community. The Title IX Coordinator will make every effort to respect a student's request for confidentiality; however, there are situations in which the College must override a student's request for confidentiality in order to meet its Title IX obligations. When weighing a student's request for confidentiality that could preclude a meaningful investigation or potential discipline of the respondent, the College will consider a range of factors. These factors include, but are not limited to,

1. circumstances that suggest there is a risk of the respondent committing additional acts of sexual violence or other violence (e.g., whether there have been other sexual violence complaints about the same respondent, whether the respondent has a history of arrests, etc.);
2. whether the sexual violence was perpetrated with a weapon;
3. the age of the student subjected to the sexual violence; and
4. whether the school possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence).

If the College determines that it must disclose a reporting party's identity to a respondent, it will inform the reporting party prior to making this disclosure and take whatever interim measures are necessary to protect the reporting party and ensure the safety of others.

Finally, while federal law requires San Jacinto College to include certain reported incidents of sexual assault, domestic violence, dating violence and stalking among its annual campus crime statistics, such information will be reported in a manner that does not identify victims.

**Complaints involving victims under the age of 18:** Complaints involving abuse of minors must be reported to Children's Protective Services or other law enforcement agencies. The phone number for the Texas Department of Family and Protective Services is 1-800-252-5400.

## 400.4 Evidence Preservation in Sexual Assault Cases/ Medical Exams

If a student experiences a sexual assault or other criminal offense, it is important that the student take action to preserve evidence. Such evidence will be helpful in the event that the victim seeks a protective order or desires to pursue a criminal prosecution. Victims of sexual assault should not wash, shower, bathe or change clothes prior to a medical exam or treatment. If the victim needs to remove an item of clothing, it should be placed in a paper bag (not a plastic bag). Instead of changing clothes, the victim may separately bring a change of clothing to the hospital to wear after the examination. Evidence of violence, such as visible injuries or bruising or damage to a vehicle, will need to be photographed. Likewise, evidence of emails, text messages or phone messages must be preserved and not deleted or altered.

Students who have just experienced a sexual assault or other sexual violence should call 911 and locate a safe place. If the incident occurred on campus, the student should contact Campus Police. Campus Police assistance is available 24 hours a day. Campus personnel may assist the victim in obtaining transportation to a hospital or clinic, a police department or other location. Prompt medical attention in a case of recent assault is necessary to document and treat any injuries and screen for certain medical conditions or transmitted diseases. Victims may receive a medical exam with or without police involvement. A nurse examiner may perform a Sexual Assault Forensic Exam (SAFE). Such exams generally are available in hospital emergency rooms.

## 400.5 Filing a Complaint

### 400.5.1 Informal Resolution

A student may, at any time, meet with a counselor or any member of the Title IX/Discrimination Prevention Team to discuss the student's options. No student is required to contact the alleged offender regarding the offender's alleged conduct.

A student may seek informal resolution by contacting the appropriate Dean or any member of the Title IX/Discrimination Prevention Team. Informal resolution may include a meeting between the Compliance and Judicial Affairs representative and the respondent to reinforce the requirements of the College's policy against harassment. Informal resolution is not a precondition to filing a formal complaint. Further, if informal resolution is undesirable or ineffective, then the reporting party may initiate a formal complaint at any time.

### 400.5.2 Formal Complaint Process

Although students may file a complaint at any time, the College encourages students to report their concerns as soon as possible after the alleged incident(s) so that prompt action can be taken to investigate and resolve the complaint. A delay in reporting may result in a loss of evidence or witness memory or availability. Students are encouraged to file complaints during the same semester that the alleged incidents occurred or within 30 calendar days of the conclusion of the semester.

The reporting party is encouraged to submit written complaints that describe all incident(s) or action(s) considered by the reporting party to be harassing or violent. Reporting parties should provide the following information:

- Contact information, including address, telephone and email;
- Name of person(s) directly responsible for alleged violation(s);
- Date(s) and place(s) of alleged violations;
- Nature of alleged violation(s) as defined in this policy;

- Detailed description of the specific conduct that is the basis of alleged violation(s);
- Copies of documents, emails, text messages, photos or other physical evidence pertaining to the alleged violation(s);
- Names of any witnesses to alleged violation(s);
- Action requested to resolve the situation;
- Reporting party's signature and date of filing; and
- Any other relevant information.

The student's failure to provide the information requested above may adversely impact of the College to conduct a complete and thorough investigation and may limit the College's ability to take appropriate corrective action.

#### Where to file the complaint:

Complaints alleging misconduct by a student shall be filed with any member of the Title IX/Discrimination Prevention Team who addresses student concerns.

Complaints alleging misconduct by an employee or campus visitor shall be filed with any member of the Title IX/Discrimination Prevention Team who addresses employee concerns.

To ensure that all student complaints are properly processed, any College administrator who receives a complaint under this procedure shall promptly notify the Title IX Coordinator and the Associate Vice Chancellor of Student Services in writing.

#### Associate Vice Chancellor of Student Services

Joanna Zimmermann (students)—Co-Lead Title IX Coordinator  
8060 Spencer Highway  
Pasadena, Texas 77505  
joanna.zimmermann@sjcd.edu  
281-476-1863

#### Vice Chancellor, Human Resources, Organizational and Talent Effectiveness

Sandra Ramirez (employees)—Co-Lead Title IX Coordinator and Equal Opportunity Compliance Officer  
4624 Fairmont Parkway, Pasadena, Texas 77504  
sandra.ramirez@sjcd.edu  
281-998-6348

#### Vice Chancellor, Strategic Initiatives, Workforce Development, Community Relations and Diversity

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8060 Spencer Hwy., Pasadena, TX 77505  
allatia.harris@sjcd.edu  
281-459-7140

#### Vice President, Human Resources

Vickie Del Bello (employees)  
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Pasadena, Texas 77504  
vickie.delbello@sjcd.edu  
281-998-6357

#### Director of Employee Relations

TBD (employees)  
4620 Fairmont Parkway  
Pasadena, Texas 77504  
281-998-6357

#### Dean of Compliance & Judicial Affairs

Clare Iannelli (students)  
8060 Spencer Highway  
Pasadena, Texas 77505  
clare.iannelli@sjcd.edu  
281-478-2756

**Compliance Officer**

Danessa Trahan (students)  
8060 Spencer Highway  
Pasadena, Texas 77505  
danessa.trahan@sjcd.edu  
281-478-2756

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Erin Dickson (students)  
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Pasadena, Texas 77505  
erin.dickson@sjcd.edu (danessa.trahan@sjcd.edu)  
281-478-2756

**Dean of Student Development—Central Campus**

Shelley Rinehart (students)  
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Pasadena, Texas 77505  
shelley.rinehart@sjcd.edu  
281-998-6150, ext. 1012

**Dean of Student Development—North Campus**

Tami Kelly (students)  
5800 Uvalde Road  
Houston, Texas 77049  
tami.kelly@sjcd.edu  
281-459-7653

**Dean of Student Development—South Campus**

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13735 Beamer Road  
Houston, Texas 77089  
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281-922-3455

**Provost - Central Campus**

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Pasadena, Texas 77505  
van.wigginton@sjcd.edu  
281-542-2000

**Provost - North Campus**

William Raffetto  
5800 Uvalde Road  
Houston, Texas 77049  
william.raffetto@sjcd.edu  
281-459-7101

**Provost - South Campus**

Brenda Jones  
13735 Beamer Road  
Houston, Texas 77089  
brenda.jones@sjcd.edu  
281-922-3403

### 400.5.3 Processing and Investigating the Complaint

The Title IX Coordinator or designee will evaluate the complaint to determine whether it is covered by this procedure. A formal investigation will be initiated if a complaint is within the scope of this policy and articulates sufficient specific facts, which if determined to be true, would support a finding that the College's policy was violated. The College may decline to process a complaint under a variety of circumstances, including

1. the complaint does not describe conduct covered by this procedure;
2. the student declines to cooperate in the College's investigation; or
3. the complaint has been withdrawn or the requested remedy has already been implemented or was offered and rejected.

If the College declines to process a complaint pursuant to this procedure, the College shall send the student a written notification explaining the reasons.

If the Compliance and Judicial Affairs Office proceeds with a complaint investigation, the Title IX Coordinator or designee shall determine whether interim action is needed pending completion of an investigation (e.g., a mutual no-contact order, temporary reassignment, or emergency suspension under Section 6.0). The College shall make every effort to avoid depriving any student of his or her education prior to a ruling on the merits. The College may remove a respondent from an education program or activity on an emergency basis only after undertaking an individualized safety and risk analysis, determining that an immediate threat to the health or safety of others justifies removal, and providing the respondent with notice and an opportunity to challenge the removal immediately following the removal. The Title IX Coordinator shall appoint an impartial investigator who is not a member of the affected department (e.g., a complaint by a student athlete will be investigated by someone outside the athletic department) to investigate the complaint. In cases in which the respondent is a student, the investigator typically will be the Dean of Compliance & Judicial Affairs or Compliance Officer. In cases in which the complaint is filed against an employee, the Employee Relations department typically will conduct the investigation. In some instances, a team comprised of Compliance & Judicial Affairs and Employee Relations will conduct the investigation together.

The Title IX Coordinator or designee shall notify the reporting party and the respondent of the name and contact information of the investigator(s). The respondent shall be informed of his or her right to submit a written response to the allegations within 10 working days, unless unusual circumstances warrant additional time. The written notice shall inform the respondent that retaliation against the reporting party is prohibited and may result in disciplinary action.

### 400.5.4 Time Frame for Investigation

Barring unusual circumstances (e.g., multiple reporting parties, a complaint filed the day before the winter break), the investigation ordinarily will be completed as promptly as possible, typically within 60 to 90 days. An investigation shall commence even if a law enforcement agency is conducting a separate criminal investigation against the respondent. However, the College's investigation may be temporarily delayed when requested by police investigators or the District Attorney's Office. If the College's investigation is temporarily delayed due to a pending criminal investigation, the reporting party and respondent will be notified of the reasons for the action. All deadlines in this procedure may be extended by mutual agreement or for good cause.

#### 400.5.5 Interviews and Documentation

The investigator shall interview the reporting party, the respondent, and other individuals determined by the investigator to possess relevant information. The reporting party and the respondent each will be permitted to provide documentation or other tangible evidence to the investigator. The reporting party and the respondent may suggest witnesses to interview; however, the decision whether to interview is a matter of professional judgment for the investigator in light of the issues at hand, in light of the information already obtained in the investigation, and in light of the resources available.

#### 400.5.6 Right to Representation

During meetings pertaining to the investigation and complaint process, the reporting party and the respondent may be represented or accompanied by an advisor. Advisors, however, may not actively participate in meetings or interview witnesses.

#### 400.5.7 Review of Evidence and Investigative Reports

The investigator shall prepare a written report that summarizes the findings and states whether a preponderance of the evidence establishes a violation of the College's policies. The investigator will consider the totality of circumstances, including the context and duration of the conduct and its severity. Facts will be considered on the basis of what is reasonable to persons of ordinary sensitivity.

If the respondent is a student, the report shall be submitted to the Associate Vice Chancellor of Student Services or designee. If the respondent is an employee or visitor, the report shall be submitted to the appropriate leader, which ordinarily will be the Provost, Vice President of Human Resources, or other Associate Vice Chancellor or Vice President. If a complaint is directed at an administrator who would otherwise act on the complaint, then the function assigned to that person will be assigned to another person.

The Associate Vice Chancellor of Student Services will permit the respondent and the reporting party to review the preliminary findings (with a copy to the Title IX Coordinator). Student identifiable information, if confidential by law, will be redacted. The respondent and the reporting party will each have 10 working days to provide comments and suggested corrections to the Associate Vice Chancellor. After receiving the comments from the parties (or if no comments are submitted), the Associate Vice Chancellor will confer with the investigator to discuss the preliminary findings and to review the investigation record. The Associate Vice Chancellor shall determine whether additional investigation is needed; whether to dismiss the complaint due to insufficient evidence; or whether to proceed with a disciplinary consequence or other corrective action. The action shall be reasonably calculated to prevent a reoccurrence of the misconduct and/or to ameliorate its impact. The Compliance and Judicial Affairs office's final determination shall be sent to the respondent, the reporting party, and the Title IX Coordinator. The final determination may be redacted to protect student information that is confidential by law under the Family Educational Rights & Privacy Act.

#### 400.6 Hearings and Appeals

If the investigation does not result in the assignment of disciplinary consequences against the respondent, the reporting party may submit a written appeal to the Provost or designee. The appeal must be submitted within five school days or receiving notice of the disposition of the complaint. The Provost or designee shall provide written notice to the respondent of the appeal. The appeal will be based on the written record. Both parties will have five school days to submit written comments. The

Provost or designee shall review the record and issue a written response within 20 school days. A copy shall be provided to both parties.

If the respondent is a student and is proposed for major discipline (expulsion, a suspension exceeding five days, or revocation or withdrawal of a degree), he or she may request a hearing to challenge the charge and sanction under Section 4.8 of the Student Code of Conduct. If the proposed discipline involves a consequence that is less than expulsion, a suspension exceeding five days, or revocation or withdrawal of a degree, the respondent may request a hearing under Section 4.9 of the Student Code of Conduct. If the respondent or the reporting party is dissatisfied with the outcome of a disciplinary hearing, either (or both) may appeal the adverse ruling under Section 5.0; however, the appeal shall be heard by the Provost. The appeal must be submitted within five school days or receiving notice of the disposition of the complaint. The appeal will be based on the written record. The Provost or designee shall review the record and issue a written response within 20 school days. A copy shall be provided to both parties.

If the respondent waives the right to contest the charges, the Compliance and Judicial Affairs office shall, subject to the Family Educational Rights & Privacy Act, notify the Title IX Coordinator and the reporting party of the disposition of the charge against the respondent. The notice to the reporting party shall be issued simultaneously with the notice issued to the respondent. The notice shall inform the reporting party that both the reporting party and the respondent have a right to appeal the sanction to the Provost.

If the respondent is an employee and is assigned a disciplinary consequence, he or she may seek review in accordance with the employment policies of the College.

Any disclosure of the disposition or results from any proceeding involving a student will be governed by the Family Educational Rights and Privacy Act (FERPA) and other applicable law.

#### 400.7 Reporting Party's Rights During Disciplinary Proceedings

In disciplinary hearings and appeals involving allegations of sexual harassment, sexual assault, dating violence, stalking, intimate partner violence or domestic violence (see Sections 3.3 and 3.6), the Compliance and Judicial Affairs office presenting the case shall, subject to the Family Educational Rights & Privacy Act, notify the Title IX Coordinator and the reporting party that the respondent has requested a hearing and the date and time of the hearing. The reporting party shall receive written notice of the following rights and options:

- the right to attend and participate in the hearing;
- the right to have his or her past sexual history excluded from evidence;
- the right to provide testimony at the hearing in a manner that does not require the reporting party to directly confront or to be directly questioned by the respondent while preserving the respondent's right to challenge such testimony;
- the right to receive assistance from the College's Title IX Coordinator;
- the right to provide input to the Compliance and Judicial Affairs representative presenting the case regarding potential witnesses, evidence and argument that may be presented at the hearing or during a subsequent appeal;
- the right to know the outcome of the hearing; and



- the right to information regarding the procedure for appealing the final disposition.

The notice to the reporting party shall include a copy of the applicable disciplinary procedure. Additionally, the notice shall inform the reporting party of his or her right to be accompanied during any disciplinary proceeding by an advisor of his or her choice. If the reporting party intends to attend the hearing and/or to bring an advisor, he or she shall notify the Dean or Compliance Officer or designee in writing at least three business days prior to the hearing. The student's advisor may not cross-examine witnesses or otherwise participate in the proceeding. An advisor may not be a witness in the matter.

The Dean or Compliance Officer or designee shall notify the respondent and the chairperson of the Appellate Board of the reporting party's intent to attend the hearing.

### **400.8 Retaliation Prohibited**

Every student has the right to file a complaint or to participate in an investigation without being subjected to retaliation. Retaliation is an adverse action taken by an employee or student against an individual who makes a good faith report of discrimination, harassment, or sexual misconduct or who participates in an investigation pertaining to a complaint of discrimination, harassment or sexual misconduct. For an action or decision to be considered adverse, it must be materially adverse and be of the type that would dissuade a reasonable person from exercising his or her rights to file a complaint or to participate in an investigation. Unlawful retaliation does not include petty slights or annoyances. Any employee or student who engages in retaliation may be subject to disciplinary action.

### **400.9 Office for Civil Rights**

Students may file complaints of discrimination and harassment with the Office for Civil Rights, Department of Education, Washington, D.C., at the same time they file a grievance, during or after use of the grievance process, or without using the grievance process at all. If a student files a complaint with the Office for Civil Rights, the complaint must be filed no later than 180 days after the occurrence of the possible discrimination.

U.S. Department of Education  
1999 Bryan Street, Suite 1620  
Dallas, Texas 75201-6810  
Telephone: 214-661-9600  
Fax: 214-661-9587  
Email: [OCR.Dallas@ed.gov](mailto:OCR.Dallas@ed.gov)

### **400.10 Campus Sex Crimes Prevention Act**

In compliance with the Campus Sex Crimes Prevention Act (Section 1601 of "Public Law 106-386") and the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, all persons required to register as part of the State of Texas Sex Offender Registration Program are required to provide notice of their presence on campus to the campus police department. Information on registered sex offenders can be obtained through the Texas Department of Public Safety Crimes Record Service at: [records.txdps.state.tx.us/SexOffender](http://records.txdps.state.tx.us/SexOffender) (<http://records.txdps.state.tx.us/SexOffender>).

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# SAN JACINTO COLLEGE

*Your Goals. Your College.*

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77505

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**South Campus**  
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