

DISCIPLINE AND PENALTIES  
DISCIPLINE PROCEDURE

FMA  
(LOCAL)

**Reports of Alleged  
Misconduct**

College District faculty and staff will report and submit an alleged violation or violations of College District policies and procedures, including in the Student Code of Conduct [see FLB], committed by a student to the dean of students within a reasonable time following an alleged incident. For the purpose of reporting violations under this policy, “a reasonable time” means within fifteen College District business days of the date of an alleged incident.

For the purpose of reporting violations of scholastic dishonesty under this policy, “a reasonable time” means within fifteen College District business days of: (1) the date of an alleged incident; or (2) the date the instructor discovers the alleged scholastic dishonesty. If scholastic dishonesty is alleged, the instructor has the option to also report allegations of scholastic dishonesty discovered in previous assignments completed by the student for the same course within the same semester. The allegation(s) must be submitted in writing, through traditional or electronic means, and must describe the violation(s) and any surrounding facts.

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

Exception

Reports of sex discrimination or sexual harassment will be submitted in accordance with DIAA or FFDA, as appropriate.

Dismissal of  
Allegation

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

**First-Time Cases of  
Scholastic  
Dishonesty**

The district dean of students or designee will investigate initial or first-time cases of scholastic dishonesty in accordance with the student disciplinary procedures outlined in this policy. If a student is found responsible for scholastic dishonesty, the district dean of students or designee will impose an appropriate disciplinary penalty or penalties as outlined in policy [see FM].

Allegations of student misconduct that do not involve scholastic dishonesty will be addressed by the district dean of students or designee under this policy or others [see FLB and FM].

**Subsequent Cases  
of Scholastic  
Dishonesty**

If a student is reported for a subsequent allegation(s) of scholastic dishonesty after being found responsible for a previous allegation of scholastic dishonesty (whether consecutive or in the same or different course), the district dean of students or designee will refer the subsequent allegation(s) to the College District’s Honor Council for adjudication of the allegations.

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**Notification  
Conference**

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

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

The notification process will be utilized by the dean of students or designee for allegations involving: (1) first-time scholastic dishonesty violations and (2) other alleged violations of the Student Code of Conduct. All subsequent or repeat allegations involving scholastic dishonesty will be referred to the College District's Honor Council, as outlined in this policy.

Notification and  
Options in  
Scholastic  
Dishonesty Cases

For first-time cases of scholastic dishonesty and within three College District business days of receiving the report of alleged scholastic dishonesty, the dean of students or designee will send an email informing the student of the allegation(s) and providing the following two options:

1. The student may appear for a notification conference to be held within a reasonable time, not to exceed five College District business days, following the date of the email from the dean of students or designee; or
2. The student may review, sign, and return to the dean of students or designee a no contest plea form.

The no contest plea form will provide detailed information regarding the allegation(s), that the student immediately accepts an administrative decision finding the student responsible, that the student accepts the penalty(ies) imposed as part of the administrative decision, and that the student waives the right to appeal the administrative decision. The penalties contained in the no contest plea form are not subject to modification or negotiation. The student must sign, date, and return the no contest plea form via email to the dean of students or designee by the deadline provided or within two College District business days following the date of the email from the dean of students or designee. Once the no contest plea form is signed and received by the dean of students or designee, the administrative decision of the dean of students or designee will be final as of the date of the student's signature, binding, and the student will not be allowed to appeal that administrative decision.

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If the student does not submit the signed no contest plea form to the dean of students or designee by the deadline provided, the notification conference will be held within a reasonable time, not to exceed five College District business days, following the date of the initial email from the dean of students or designee. At the notification conference, the dean of students or designee will inform the student of the allegation(s) and provide the student an opportunity to respond and submit applicable documentation or evidence for consideration by the dean of students or designee.

Reasonable requests for extensions of time to hold the notification conference meeting may be considered and granted by the dean of students or designee at their sole discretion. Requests for extensions to sign and return the no contest plea form will not be granted.

“Not Responsible”  
Administrative  
Decision

After conferring with the student at the notification conference meeting, if the dean of students or designee determines the student did not commit a violation, the student will be found not responsible and will not be issued a disciplinary penalty under FM.

The student will be provided written notice of the “Not Responsible” administrative decision. A “Not Responsible” administrative decision from the dean of students or designee will be final, binding, and the student will not be allowed to appeal the “Not Responsible” administrative decision.

Informal Resolution

For cases not involving allegations of scholastic dishonesty, if the dean of students or designee determines that addressing the allegation(s) informally is more appropriate, the dean of students or designee will recommend an informal resolution of the allegation(s). The dean of students or designee may recommend behavioral directives to support compliance with the College District’s *Student Code of Conduct*. If the student agrees to comply with all recommended behavioral directives, the dean of students or designee will issue an Informal Resolution Agreement and the student will not be issued a disciplinary penalty under FM. As part of the Informal Resolution Agreement, the student will be required to sign an Acknowledgement Statement indicating the student will comply with the *Student Code of Conduct* for the designated time or for the remainder of their attendance at the College District. Once the Acknowledgment Statement is signed, the Informal Resolution Agreement will be final, binding, and the student will not be allowed to appeal the informal resolution.

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Formal  
Administrative  
Decision and  
Misconduct  
Warranting a  
Disciplinary Penalty

If the dean of students or designee determines the student committed misconduct that warrants a penalty or penalties under FM, the dean of students or designee will provide the student a written administrative decision with notice of the penalty or penalties and the student's options, including the right to appeal to the Disciplinary Appeals Committee (DAC).

*Student Chooses  
to Appeal the  
Administrative  
Decision*

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

*Student Chooses  
to Accept the  
Administrative  
Decision*

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

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

The Acceptance of the Administrative Decision Statement must be signed no later than five College District business days following the administrative decision. Once the Acceptance of the Administrative Decision Statement is signed, the administrative decision of the dean of students or designee will be final, binding, and the student will not be allowed to appeal that decision. The student will be expected to comply with all disciplinary penalties and obligations set forth in the administrative decision.

*Student Chooses  
to Take No  
Action*

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

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*Scholastic  
Dishonesty  
Violations*

If the student was found responsible (whether by signing a no contest plea form or after investigation) for a scholastic dishonesty violation, as defined in the College District's *Student Code of Conduct*, the student may also receive a scholastic penalty in the course where the scholastic dishonesty took place. The faculty member will determine the appropriate scholastic penalty for the assignment or course, in accordance with the syllabus. [See FLB and FM]

Interim Disciplinary  
Action

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

**Honor Council**

The College District's Honor Council will review and adjudicate reports of subsequent allegation(s) of scholastic dishonesty (i.e., repeat offenders) under this policy.

Once a referral from the dean of students or designee is made, the Honor Council will assign the disciplinary matter to an Honor Council panel chair. The following steps apply:

1. The Honor Council panel chair will convene the panel of Honor Council members assigned to review the disciplinary matter.
2. The panel members will review the documentation and evidence related to allegations of scholastic dishonesty.
3. The Honor Council panel chair will request a response (in written, audio or video recording format) to the allegations from the student within five College District business days of the date the Honor Council panel chair first notifies the student.
4. In addition to the student's response, the student may also appear before the Honor Council panel in person or virtually. If the student elects to appear, the Honor Council panel chair will schedule the meeting and the dean of students or designee will notify the student of the date, time, and place.
5. Honor Council panel meetings with a student will be recorded by the College District. During the meeting, the student will receive an opportunity to present their response and additional information regarding the allegations. The Honor Council panel members may ask the student questions regarding the allegations. All participants appearing before the Honor

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Council will be expected to behave respectfully and uphold Collin College's core values and policies. If any participant behaves outside of the expectations set forth by the Honor Council panel chair during an appearance or a meeting, the meeting will be terminated by order of the Honor Council panel chair. When an Honor Council panel meeting is held virtually via web conferencing software approved by the College District, all participants in the meeting are required to have their cameras on for the duration of the meeting. Failure to comply will result in the Honor Council panel chair terminating or postponing the meeting to ensure compliance.

6. The Honor Council panel chair may postpone a scheduled meeting for good cause and all parties involved will be notified by the dean of students or designee of the new meeting date, time, and place. Honor Council procedures will also address notification procedures for postponing or rescheduling a meeting.
7. Once the Honor Council panel chair notifies the student that a response is requested, the Honor Council panel chair will also place the disciplinary matter on the agenda for consideration at the next scheduled meeting of the Honor Council. The Honor Council panel chair may not place a disciplinary matter on the agenda for consideration for a meeting that is more than thirty (30) College District business days from when the matter was first referred to the Honor Council by the dean of students or designee. If the Honor Council is unable to meet and issue a written determination within thirty (30) College District business days after the matter was first referred, the Honor Council panel chair must refer the matter back to the dean of students for formal disciplinary adjudication.
8. The Honor Council panel chair will present the disciplinary matter and recommendations to the Honor Council for consideration and vote. In order for the Honor Council to issue a written determination, the Honor Council will deliberate and vote to determine (1) if the student is responsible for the alleged subsequent scholastic dishonesty violation(s) and (2), if so, the appropriate, proportionate disciplinary penalty, as defined in policy FM. A majority vote of the Honor Council panel (with a quorum of three as outlined below) is required before a determination can be made and issued to student.
9. Once the Honor Council votes, the Honor Council panel chair will issue a written determination form finding the student responsible or not responsible for the alleged violations and, if

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applicable, recommending an appropriate disciplinary penalty or penalties as listed in policy FM.

10. The Honor Council panel chair will send the written determination form to the dean of students or designee for transmitting the notification to the student.

The dean of students or designee will transmit the written determination of the Honor Council to the student within three College District business days, along with notification of the student's right to accept or appeal the Honor Council's decision by the deadline provided.

In cases where expulsion is not recommended by the Honor Council, the decision of the Honor Council's written determination may be appealed to the designated leadership team member as provided in this policy.

In cases where expulsion is recommended, the student may appeal to the District President or designee as provided in this policy.

Composition of  
Honor Council

Honor Council members will be faculty and staff members selected according to procedures developed by the District President or designee.

Honor Council At  
Large

The Honor Council will be a district-wide standing Collin College committee that meets frequently depending on need during the academic calendar year, not including Collin College-approved holidays or closings.

The chairperson will designate an appropriate Honor Council member to act as Honor Council panel chair for each disciplinary review panel. The Honor Council panel chair will coordinate with the dean of students or designee to obtain documentation related to the student's prior scholastic dishonesty case(s).

Honor Council  
Panels

Each Honor Council panel will be composed of at least three employees, comprised of the following: (1) the Honor Council panel chair who is a faculty member; (2) one additional faculty member; and (3) one staff member who has prior experience with the adjudication of scholastic dishonesty cases. Honor Council panels may also include: at least one current member of the student government association or current student who is in good academic and disciplinary standing (when practicable to include students on a given panel), and one additional Honor Council member, whether staff or faculty, beyond the three panel quorum outlined above.

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Honor Council Procedures	All Honor Council procedures will be written and included in the current Student Code of Conduct. When an allegation is referred to the Honor Council for adjudication, the student will receive notice of the allegation and a copy of the Honor Council procedures.
<b>Evidence in All Cases of Student Misconduct</b>	<p>For all reports and allegations submitted under this policy, evidence will be handled in accordance with the following:</p> <ol style="list-style-type: none"><li>1. Legal rules of evidence do not apply, unless otherwise required by applicable law or regulations.</li><li>2. The dean of students or designee, the Disciplinary Appeals Committee chairperson or associate chairperson, the Honor Council panel chair, and/or the District President or designee may admit evidence or exclude evidence considered to be hearsay, irrelevant, immaterial, unduly repetitious, or needlessly cumulative.</li><li>3. For all cases, the College District will be required to prove by a preponderance of the evidence (i.e., more likely than not to have occurred) that the charges are true.</li><li>4. A student may not be compelled to testify.</li></ol>
<b>Disciplinary Appeals Committee (DAC)</b>	The Disciplinary Appeals Committee (DAC) will be convened at the request of a student appealing the administrative decision and/or disciplinary penalty or penalties imposed by the dean of students or designee. The student's appeal must be submitted in writing within five College District business days of the date of the dean of students or designee's written administrative decision.
Composition	The DAC will be composed of at least three College District employees and a minimum of one current College District student, when appropriate. To hold an appeal hearing, a quorum of three DAC members must be met. The members of the DAC and the committee chairperson will be designated according to procedures developed by the designated leadership team member. All members chosen to serve on the DAC appeal hearing panel will be eligible to vote on the issue of whether or not the student violated College District policies and procedures, including the student code of conduct, and whether the student should receive an appropriate disciplinary penalty or penalties.
DAC Appeal Hearing Notice	The dean of students or designee will notify the student by letter of the date, time, and place for the DAC appeal hearing. Unless the student and the dean of students or designee otherwise agree or unless there are unforeseeable circumstances beyond the College District's control, the DAC appeal hearing will take place within a reasonable time period, not to exceed ten College District business days after the date of the student's request for the appeal hearing.



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The dean of students may extend the College District's ten-day timelines within this policy by sending written notice to the parties of the extension.

*Contents of  
Notice*

The notice will:

1. Direct the student to appear on the date and at the time and place specified.
2. Advise the student of their rights to:
  - a. Have a private appeal hearing.
  - b. Be assisted by an adviser or legal counsel at the appeal hearing.
  - c. Call witnesses, request copies of evidence in the College District's possession, and offer evidence and agreement on their own behalf.
  - d. Make an audio recording of the proceedings, after first notifying the dean of students or designee in advance of the hearing, or, at the student's own expense, to both have a stenographer present at the appeal hearing and to make a stenographic transcript of the appeal hearing at the student's own expense.
  - e. Ask questions of each witness who testifies against the student.
3. Contain the names of witnesses who will testify against the student and a description of documentary and other evidence that will be offered against the student.
4. Contain a description of the allegation(s) of misconduct in sufficient detail to enable the student to prepare their defense against the charges.
5. State the proposed disciplinary penalty or range of disciplinary penalties that may be imposed.

Failure to Appear  
for DAC Appeal  
Hearing

If a student has good cause to miss the DAC Appeal Hearing, the student must notify the dean of students or designee as soon as possible and no later than 24 hours before the time set for the DAC Appeal Hearing. The DAC may impose an appropriate disciplinary penalty or penalties upon a student who fails without good cause to appear for the appeal hearing or who fails to notify the dean of students or designee by the proscribed deadline. For purposes of assessing an appropriate disciplinary penalty or penalties, the DAC may proceed with the appeal hearing in the student's absence.

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Each DAC Appeal Hearing will be recorded by the College District. When a DAC Appeal Hearing is held virtually via web conferencing software approved by the College District, all participants in the DAC Appeal Hearing are required to have their cameras on for the duration of the hearing. Failure to comply will result in the DAC Appeal Hearing chairperson or associate chairperson terminating or postponing the Appeal Hearing to ensure compliance.

DAC Appeal  
Hearing Procedures

The DAC will determine if a violation has occurred and assesses an appropriate disciplinary penalty or penalties based solely on the evidence presented at the DAC Appeal Hearing.

All participants in DAC Appeal Hearings will be expected to behave respectfully and uphold Collin College's core values and policies. If any participant behaves outside of the expectations set forth by the DAC Appeal Hearing chairperson or associate chairperson, the DAC Appeal Hearing will be terminated by order of the DAC Appeal Hearing chairperson or associate chairperson.

The appeal hearing will proceed as follows:

1. The chairperson or associate chairperson will read the description of the alleged misconduct.
2. The chairperson or associate chairperson will inform the student of their rights.
3. The dean of students or designee will present the College District's case.
4. The student or representative will present the student's defense.
5. The dean of students or designee will present rebuttal evidence.
6. The DAC members may ask questions of witnesses testifying on behalf of the student or the College District.
7. The dean of students or designee will summarize and argue the College District's case.
8. The student or representative will summarize and argue their case.
9. The dean of students or designee will request an opportunity for rebuttal closing arguments and the DAC Chairperson may grant or deny that request.

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10. The DAC members will deliberate in closed session. The DAC members will vote on the issue of whether or not the student violated College District policies and procedures, including the rules for student conduct, and whether the student should receive an appropriate disciplinary penalty or penalties.
11. If the DAC finds the student committed misconduct, the DAC members will determine whether the disciplinary penalty assessed, or proposed in the case of recommendation for expulsion, by the dean of students or designee is appropriate and, if necessary, will assess a different or additional penalty.
12. The DAC chairperson or associate chairperson will communicate the decision and any findings of facts in support of the DAC's decision to the dean of students or designee in writing within ten College District business days of the appeal hearing. The dean of students or designee will notify the student in writing within ten College District business days of the appeal hearing of the DAC's decision and the disciplinary penalty or penalties imposed, if any. The notice will include procedures for accepting the DAC's decision or appealing to the designated leadership team member.

After the DAC  
Appeal Hearing

The dean of students or designee will notify the student in writing, within three College District business days of the appeal hearing, of the DAC's decision and the disciplinary penalty or penalties imposed, if any. The notice will include procedures for accepting the DAC's decision or for appealing. In cases where expulsion is not recommended by the DAC, the decision of the DAC is final and the student may not appeal that decision.

**Appeal to the  
Designated  
Leadership Team  
Member for  
Subsequent  
Scholastic  
Dishonesty Cases**

A student may appeal, within five College District business days of receiving notice of the Honor Council's written determination, in writing the designated leadership team member to review the determination of the Honor Council. To initiate the appeal to the designated leadership team member, the student must submit an appeal form provided by the dean of students or designee within the time for appeal that is prescribed in the notice of written determination. The student's petition will state with particularity why the decision is believed to be incorrect.

After receiving notice of the appeal, the Honor Council panel chair will forward all documents and evidence considered to the designated leadership team member.

The designated leadership team member may, but is not required to, hold a conference within ten College District business days after the appeal notice is filed, unless an extension is needed by the

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designated leadership team member. At the conference, the student may provide information concerning any documents or information relied on by the Honor Council. The designated leadership team member may set reasonable scope and time limits for the conference. The conference will be audio recorded.

The designated leadership team member will provide the student a written response, stating the basis of the decision, within ten College District business days following the conference. In reaching a decision, the designated leadership team member may consider the evidence included in the student's appeal, provided during the conference, and forwarded by the Honor Council panel chair.

The designated leadership team member may act to affirm, modify, remand, or reverse the decision of the Honor Council.

The designated leadership team member's decision is final and non-appealable, except when expulsion is recommended by the Honor Council and affirmed by the designated leadership team member.

After the Appeal to  
the Designated  
Leadership Team  
Member

The designated leadership team member or designee will notify the student in writing within ten College District business days of the appeal of the decision and the disciplinary penalty or penalties imposed, if any. The notice will include procedures for accepting the designated leadership team member's decision or appealing to the District President or designee solely in those cases where expulsion is recommended and affirmed.

**Appeals to the  
District President or  
Designee**

Only for cases when expulsion is the penalty recommended and affirmed by the DAC or by designated leadership team member, the student may appeal that prior determination to the District President or designee. Additionally, if the District President elects to review those cases where expulsion is recommended and affirmed, this policy will also apply.

The District President or designee will review all recommendations for expulsion, whether or not the student chooses to proceed through the disciplinary appeals process. The designated leadership team member will forward the recommendation for expulsion and evidence to the District President or designee for review and final consideration.

The appeal request must be submitted in writing within three College District business days of the prior determination. To initiate the appeal to the District President or designee, the student must submit the Final Appeal Form provided to the student.

Upon request, the dean of students or designee, the DAC chair, the Honor Council, or the designated leadership team member, will

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forward the recommendation for expulsion and evidence to the District President or designee for review and final consideration.

The District President or designee may request a meeting with the student prior to issuing a final administrative decision.

The District President or designee may act to affirm, modify, or reverse the recommendation for expulsion.

The student will be notified in writing of the District President or designee's decision within five College District business days. The District President or designee's decision is final and non-appealable. Unless otherwise specified in writing, expulsion will have College District-wide effect, and an expelled student may not enroll for admission to any campus without the District President or designee's approval unless the student's petition to revoke the expulsion is approved [see Petition to Revoke Expulsion].

**Petition to Revoke  
Expulsion**

Once five calendar years from the date of the District President or designee's final decision have expired, the student may petition to revoke the expulsion. To initiate the expulsion revocation process, the student must complete the Expulsion Revocation Form and return it to the dean of students or designee.

If the petition to revoke the expulsion is approved by the District President or designee, the student will be required to meet with the dean of students or designee prior to returning to the College District. Once the meeting with the dean of students or designee is concluded, the student will be allowed to return to all College District campuses and will be considered to be in good disciplinary standing.

If the petition to revoke expulsion is not approved by the District President or designee, the student's expulsion will remain in effect and the student will not be allowed to return to the College District.

**Administrative  
Decisions Related to  
a Crime of Violence  
or Non-Forcible Sex  
Offense**

Upon written request, the College District will disclose to the alleged victim of a crime of violence or non-forcible sex offense, as those terms are defined under the *Clery Act*, the report on the results of any disciplinary proceeding and/or appeal(s) conducted by the College District against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the College District will treat the alleged victim's next of kin as the alleged victim.