

F.4.2.1 (Procedure) Prohibited Conduct

Responsible Departments: Vice Chancellor for Student Success, Vice Chancellor for Academic Success

Based on Board Policy: [F.4.2 - Student Code of Conduct](#)

Approved: 5-19-09

Last Amended:

Definitions

Unless the context requires a different meaning, the following definitions shall apply in the Code of Student Conduct:

1. ADMINISTRATION. Any administrative position, from the level of Dean through college President.
2. BOARD. The Board of Trustees of the Alamo Community College District.
3. CAMPUS. "Campus" is defined as all real property over which the College District has possession or control.
4. CHIEF OF THE COLLEGE DISTRICT POLICE DEPARTMENT. The Chief of the College District Police Department, or designated representative.
5. CLASS DAY. A day or evening on which classes are scheduled or final examinations are given.
6. COLLEGE DISTRICT. The Alamo Community College District including all of its colleges.
7. PRESIDENT. The President of the college or designated representative.
8. STUDENT. A person who is currently enrolled or who has been accepted for admission or readmission to a college of the College District.
9. CHIEF STUDENT AFFAIRS OFFICER. The college chief student affairs officer or designee.

Expressly Prohibited Behavior

All students shall obey the law, show respect for properly constituted authority, and observe correct standards of conduct. In addition to any and all activities prohibited by law, the following is a nonexclusive list of expressly prohibited behavior:

1. Gambling, as described by the Texas Penal Code.
2. Alcohol and narcotics are prohibited as follows:
 - a. The use of intoxicating beverages shall be prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas; provided, however, that with the prior consent of the Board, the provisions herein may be waived with respect to any specific affair that is sponsored by the College District. State law shall be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages.

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- b. No student shall possess, use, transmit, or attempt to possess, use, or transmit or be under the influence of (legal intoxication not required) any of the following substances on campus or off campus at a College District-sponsored activity, function, or event at all times:
 1. Any controlled substance or dangerous drug as defined by law, including, but not limited to, marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
 2. Alcohol or any alcoholic beverage.
 3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
 4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.
 - c. The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances is also prohibited under this procedure.
 - d. A student who uses a drug authorized by a licensed physician through a prescription specifically for that student's use shall not be considered to have violated this rule.
 - e. Lockers and cars parked on a College District campus or on premises leased or used for College District functions may be inspected by College District personnel if there is reasonable cause to believe they contain alcohol and/or narcotics.
3. Disorderly conduct shall include, but is not limited to, any of the following activities occurring at any time on property owned or controlled by the College District or at College District-sponsored functions:
 - a. Behavior of a boisterous and tumultuous character such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists.
 - b. Interference with the peaceful and lawful conduct of persons under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.
 - c. Violent and forceful behavior, such that there is a clear and present danger that free movement of other persons will be impaired.
 - d. Behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or fights.
 - e. Violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which there is reason to believe that such conduct will cause or provoke a disturbance.

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- f. Willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to participate effectively in such assembly or meeting when there is reason to believe that such conduct will cause or provoke a disturbance.
 - g. Willful and malicious behavior that obstructs or causes the obstruction of any doorway, hall, or any other passageway in a College District building or in off-campus premises at any College District-sponsored activity, function or event, to such an extent that students, employees, officers, or other persons, including visitors, having business with the College District are denied entrance, exit, or free passage in such building.
 4. Disruptive activities and disruption of lawful assembly as described in Chapter 51 of the Texas Education Code.
 5. Demonstrations. Students who, once informed of the prohibition of a demonstrative activity, continue to participate in such activity, are subject to disciplinary action. All student demonstrations and similar activities shall be precleared through the chief student affairs officer or designee, and shall adhere to the guidelines for student expression and demonstration available in the office of the chief student affairs officer.
 6. Intentionally falsifying any official College District record or giving false information in response to requests by College District officials.
 7. Financial transactions with the College District subject to disciplinary action are as follows:
 - a. Refusing to pay or failure to pay a debt, such as loans, fines, or other charges, owed to the College District.
 - b. Giving the College District an "insufficient funds" check or draft or stopping payment on a check or draft.
 - c. Failure to pay the College District the amount due on a check, draft or order on or before the fifth class day after the day the Business Office sends written notice that the drawee has rightfully refused payment on the check, draft, or order constitutes prima facie evidence that the student intended to defraud the College District.
 - d. Acting as representative of the College District in an attempt to legally bind the College District without authorization.
 - e. Making or attempting to make personal use of College District property.
 - f. As a student employee, knowingly accepting overpayment or refusing to return an overpayment, once notified of same, within the subsequent pay period.

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- b. Any type of physical activity, such as sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- c. Any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- d. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, shame, or humiliation, or that adversely affects the mental health or dignity of the student or discourages the student from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a student to leave the organization or the institution rather than submit to acts described above.
- e. Any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Texas Penal Code.

A person commits an offense if the person:

- a. Engages in hazing.
- b. Solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing.
- c. Recklessly permits hazing to occur.
- d. Has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or first-hand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the Chancellor or designee.

10. Scholastic dishonesty. College personnel with administrative authority may initiate disciplinary proceedings against a student accused of scholastic dishonesty. "Scholastic dishonesty" includes, but is not limited to, cheating on a test, plagiarism, and collusion.

- a. "Cheating on a test" includes, but is not limited to:
 - 1. Copying from another student's test paper;
 - 2. Using materials during a test that are not authorized by the person giving the test;
 - 3. Collaborating with another student during a test without authority;
 - 4. Knowingly using, buying, selling, stealing, transporting, or soliciting, in whole or in part, the contents of a test, without consent of the instructor;

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5. Substituting for another student, or permitting another student to substitute for one's self, to take a test;
 6. Bribing or otherwise influencing another person to obtain a test not authorized for distribution by the instructor;
 7. Reporting fraudulent research results.
 - b. "Plagiarism" means the appropriation of another's work and the unacknowledged incorporation of that work in one's own work offered for credit.
 - c. "Collusion" means the unauthorized collaboration with another person in preparing any scholastic work offered for credit or non-credit.
 11. Assault. Students are prohibited from assaulting any person on College District property or while under the College District's jurisdiction.
 12. Intentionally, knowingly, or recklessly endangering the health or safety of members of the College District community or visitors to the campus.
 13. Intentionally, knowingly, or recklessly damaging, defacing, or destroying College District property.
 14. Forging, altering, or misusing College District documents, records, or ID cards.
 15. Violating College District policies, regulations, or administrative rules concerning traffic, parking, and the use of College District facilities.
 16. Failing to comply with lawful directions of College District officials acting in performance of their duties.
 17. Failing to comply with the College District attendance policy or classroom academic requirements of the faculty.
 18. Failing to comply with College District policies, procedures, regulations, and administrative rules.
 19. Committing an act which violates state or federal law while on campus.

Any student violating the foregoing shall be subject to discipline, including suspension.

Legal Reference - TACC Policy Reference Manual

FL(LEGAL) - Student Rights and Responsibilities

FLA(LEGAL) - Student Rights and Responsibilities: Involvement in Decision Making

FLAA(LEGAL) - Student Expression

FLBA(LEGAL) - Student Conduct: Dress Code

FLBC(LEGAL) - Student Conduct: Hazing

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FLBE(LEGAL) - Student Conduct: Alcohol and Drug Use

FLBE(EXHIBIT) - Student Conduct: Alcohol and Drug Use

FLBF(LEGAL) - Student Conduct: Weapons

FLBG(LEGAL) - Student Conduct: Assaults

FLBH(LEGAL) - Student Conduct: Disruptions

FLC(LEGAL) - Student Rights and Responsibilities: Interrogations and Searches