

Student Handbook changes to Code of Student Conduct and Complaint Procedures
Original and new versions of changed sections in Footnote 2

Original version, 2.17, Student

2.17 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. The term includes dual-credit students who are simultaneously enrolled at the College and in an area school district. Where specifically indicated, some portions of this Code also may confer rights and obligations upon former students and individuals who are currently involved in the admissions process and/or have been accepted for admission or readmission. A student remains subject to discipline for prohibited conduct that occurs while suspended. Individuals who are not currently enrolled remain subject to discipline for conduct that occurred while they were enrolled.

New version, 2.17, Student

2.17 Student: A “student” or “registered student” is an individual who has registered and paid for one or more classes; the term includes an individual who is not currently taking classes but has registered and paid for one or more classes for the next semester. The term includes dual-credit students who are simultaneously registered at the College and in an area school district. A “former student” is an individual who previously registered and paid for one or more classes. An “admitted student” is an individual who has been accepted for admission but has not yet registered and paid for one or more classes.

2.17.1 Individuals who are not currently registered remain subject to discipline for conduct that occurred while they were registered. This includes a student who has withdrawn while conduct charges are being investigated or are pending.

2.17.2 Individuals who are between semesters but are registered for the next semester are subject to discipline for conduct that occurs between semesters if the conduct occurs on campus or at a College-affiliated activity or program.

2.17.3 An admitted student who has not yet registered and paid for a class is subject to the Code of Student Conduct while on campus or at a College-affiliated activity or program.

2.17.4 An applicant or prospective student is an individual who is applying or has applied for admission but has not yet been admitted. By seeking admission, an applicant is subject to the Code of Student Conduct during the admissions process and while on campus or at a College-affiliated activity or program.

2.17.5 Some provisions of the Student Handbook and Code of Student Conduct apply only to currently registered students and not to a person who is an “admitted student,” “applicant,” or “former student.” As may be appropriate, the Student Handbook and Code of Student Conduct will identify when a particular rule or statement applies to admitted students, applicants, and former students.

Original version, Complaint Procedure 300 under Section 300.2 (Scope of 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.

However, 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.

This procedure also applies to retaliation claims when a student believes that he or she was subjected to retaliation for having reported or opposed unlawful harassment or discrimination or having participated in an investigation of such a report.

New version, Complaint Procedure 300 under Section 300.2 (Scope of 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.

However, 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.

This procedure also applies to retaliation claims when a student believes that he or she was subjected to retaliation for having reported or opposed unlawful harassment or discrimination or having participated in an investigation of such a report.

Admitted students and applicants may use this complaint procedure to lodge complaints about alleged discrimination or harassment in the College's programs and activities, including the admissions and enrollment process.

Original version: Tobacco Use Policy [Student Handbook/Health—change section title only]

New version: Tobacco Use and Vaping Policy

Original version, 3.4 Disruption

Disruption includes 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 that materially or substantially disrupt the normal operations or activities of the College and/or that are directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

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 remove a student from his/her classroom for the remainder of the class whenever a student is disrupting the class such that the conduct impedes a meaningful learning environment.

3.4.6 Violating the College's policy or procedures on expressive activities. See Board [Policy VII.7003.A](#) and [Procedure VIII.7003.A.a](#).

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

New version, 3.4 Disruption

Disruption includes 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 inside and 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 such as 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 that materially or substantially disrupt the normal operations or activities of the College and/or that are directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

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 Violating the College's policy or procedures on expressive activities. See Board [Policy VII.7003.A](#) and [Procedure VIII.7003.A.a](#).

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

New content, 3.5, Disorderly Conduct

Attending an institution of higher education is not compulsory but, rather, a voluntary decision by the student to participate in an academic community. By voluntarily joining this community, the student agrees to adhere to behavioral standards that promote a learning environment where all individuals may contribute and benefit.

Disorderly conduct in the classroom includes 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 remove a student from his/her classroom for the remainder of the class whenever a student is disrupting the class such that the conduct impedes a meaningful learning environment.

Disorderly conduct includes but is not limited to:

3.5.1 Making audible noise in a continuous or repeated manner that is (i) contrary to the faculty member's instructions and/or is otherwise inconsistent with the educational activity or (ii) contrary to the reasonable rules of decorum for the location. Examples include interrupting the instructor, staff member, or other person, playing music, slamming books, or emitting a noise from a device.

3.5.2 Engaging in a physical activity in a continuous or repeated manner that is (i) contrary to the faculty member's instructions and/or otherwise inconsistent with the educational activity or (ii) contrary to the reasonable rules of decorum for the location. Examples include walking around the classroom, throwing objects, blocking another person's view, or using a light-emitting device.

3.5.3 Creating, by chemical means, a noxious and unreasonable odor in a public place on campus.

3.5.4 Using abusive, indecent, profane, or vulgar language in a classroom, library, or public place on campus, and the language by its very utterance tends to incite an immediate breach of the peace.

3.5.5 Making offensive gestures and the gesture tends to incite an immediate breach of the peace.

3.5.6 Displaying a firearm or deadly weapon in a manner calculated to alarm.

Renumber subsequent sections and subsections to become:

3.6 Hazing

3.7 Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Other Inappropriate Conduct of a Sexual Nature

3.8 Dishonesty; Misrepresentation; Fabrication

3.9 Firearms, Fireworks, Explosives, Weapons

3.10 Alcohol-Related and Controlled Substance-Related Misconduct

3.11 Fire and Safety

3.12 Gambling

3.13 Property Violations

3.14 Misuse of Computing Resources, Technology, Cell Phones, or Cameras

3.15 Failure to Comply

3.16 Violations of Law and College Policy

- 3.17 Retaliation
- 3.18 Animals on Campus; Animal Cruelty
- 3.19 Privacy Violations
- 3.20 Smoking and Vaping [new content]

Original version, 3.7 Dishonesty; Misrepresentation; Fabrication

3.7.1 Cheating, plagiarism, collusion, or other forms of academic dishonesty fall within the jurisdiction of the Instructional Affairs Division. The definitions of prohibited conduct are contained in the College's [Academic Dishonesty policy](#), which is found in the Student Handbook. The Academic Dishonesty Policy contains a detailed explanation of academic dishonesty, prohibited conduct, sanctions, and procedures.

3.7.2 Making, possessing, or using any falsified College documents or records, including financial or employment 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; assisting another person in altering a record.

3.7.3 Making a false report to College police.

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

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

3.7.6 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.

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

3.7.8 Stealing or misappropriating of registered student organization funds.

3.7.9 Submitting false information to the College with the intent of obtaining a benefit or harming another person; omitting information that is requested by the College and that is necessary to ensure the accuracy of a record.

3.7.10 Withholding material information from a College official, including a faculty member or peace officer acting in the course and scope of their employment.

New version, 3.8 Dishonesty; Misrepresentation; Fabrication

3.8.1 Cheating, plagiarism, collusion, or other forms of academic dishonesty fall within the jurisdiction of the Instructional Affairs Division. The definitions of prohibited conduct are contained in the College's [Academic Dishonesty Policy](#), which is found in the Student Handbook. The Academic Dishonesty Policy contains a detailed explanation of academic dishonesty, prohibited conduct, sanctions, and procedures. While most academic dishonesty violations will be addressed by the Academic Dishonesty Policy, a charge may be referred to the Office of Student Rights and Responsibilities when the student previously was accused or sanctioned on two or more occasions.

3.8.2 Making, possessing, or using any falsified College documents or records, including financial or employment 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; assisting another person in altering a record.

3.8.3 Making a false report to College police.

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

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

3.8.6 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.

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

3.8.8 Stealing or misappropriating of registered student organization funds.

3.8.9 Submitting false information to the College with the intent of obtaining a benefit or harming another person; omitting information that is requested by the College and that is necessary to ensure the accuracy of a record.

3.8.10 Withholding material information from a College official, including a faculty member or peace officer acting in the course and scope of their employment.

Original version, Section 3.15.1 Violations of Law and College Policy

3.15.1 Violating published College policies, rules, regulations including, but not limited to parking, smoking, solicitation, distribution of literature, sexual misconduct, use of recording devices, and campus posting rules, all of which can be found in this Student Handbook or on the College website.

New version, Section 3.16.1 Violations of Law and College Policy

3.16.1 Violating published College policies, rules, regulations including, but not limited to parking, smoking and vaping, solicitation, distribution of literature, sexual misconduct, use of recording devices, and campus posting rules, all of which can be found in this Student Handbook or on the College website.

Original version, 3.18 Privacy Violations

3.18.1 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 without consent of the owner of the information.

3.18.2 Using a cell phone or other recording device to make a recording of another person's intimate body area without the subject's knowledge or consent.

3.18.3 Using a cell phone or other recording device to record another person who is undressing or using restroom facilities or other facilities where there is a reasonable expectation of privacy.

3.18.4 Engaging in surveillance or recording of any type without the subject's knowledge or consent in areas where there is a reasonable expectation of privacy.

3.18.5 Disseminating or displaying a recording (regardless of who made the recording) that violates 3.18.1, 3.18.2, 3.18.3, or 3.18.4.

3.18.6 Using a recording device to secretly record a conversation to which the student is not a party.

3.18.7 The conduct described in 3.18 also may violate 3.13 relating to misuse of electronic devices.

New version, 3.19 Privacy Violations, including Unauthorized Photography

3.19 Privacy Violations, including Unauthorized Photography

3.19.1 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 without consent of the owner of the information.

3.19.2 Using a camera, cell phone, or other recording device to make a recording or photo of another person's intimate body area without the subject's knowledge or consent.

3.19.3 Using a camera, cell phone, or other recording device to record or take a photo of another person who is undressing or using restroom facilities or other facilities where there is a reasonable expectation of privacy.

3.19.4 Engaging in surveillance or recording of any type without the subject's knowledge or consent in areas where there is a reasonable expectation of privacy.

3.19.5 Taking a photo or video of a person from a vantage point that a reasonable person would view as an invasion of personal privacy.

3.19.6 Taking a photo or video of a person without their consent in a location on campus this is not open for members of the public to congregate, such as an internal office area.

3.19.7 Livestreaming, disseminating, or displaying images or a recording (regardless of who made the photo or recording) in violation of section 3.19 of this code of conduct or San Jacinto College Procedure III.3006.A.a, "Use of Recording Devices by Employees and Students."

3.19.8 Using a recording device to secretly record a conversation to which the student is not a party.

3.19.9 Violating San Jacinto College Procedure III.3006.A.a, "Use of Recording Devices by Employees and Students," including provisions that restrict the recording of classroom lectures without the instructor's permission and provisions that restrict the recording of a meeting of a student organization.

New version Section 3.20 Smoking and Vaping [new content; no original version]

Students are subject to discipline for violating the College's smoking and vaping policy.

<https://www.sanjac.edu/about-san-jac/college-operations/policies-and-procedures/policy-vi-kk-tobacco-use-and-smoking>. "Smoking" includes inhaling, exhaling, burning, vaporizing or vaping, using any form of tobacco (synthetic or other plant-based substances), using liquid nicotine, or using electronic devices or any other device that delivers tobacco or nicotine. The

prohibition also applies to smokeless tobacco products, including liquid nicotine and chewing tobacco.

3.20.1 Disciplinary considerations include, but are not limited to, the following: whether the violation occurred indoors or outdoors; whether the violation presented a fire hazard; whether the individual is a repeat offender; whether tobacco or smoking litter was left in the area; whether the individual intentionally exposed an unwilling recipient to smoke; whether no-smoking signage has been tampered with; and whether the offender is cooperative and accepts responsibility for the violation.

Original version, Technology Expectations for Students

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, students may see the College website for the associated policy and procedure.

New version, Technology Expectations for Students

Recording and Photography 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. The College's rules and regulations are found in Section 3.19 of the Code of Student Conduct and [<https://www.sanjac.edu/procedure-iii3006aa-use-recording-devices-employees-and-students>] San Jacinto College Procedure III.3006.A.a, "Use of Recording Devices by Employees and Students."