

POLICY LIT.8.02 STUDENT CODE OF CONDUCT AND DISCIPLINE

SCOPE: Students

The Student Code of Conduct applies to every student enrolled at Lamar Institute of Technology. The Code is adopted according to authority granted by the Board of Regents of The Texas State University System. Each student is expected to be fully acquainted with this policy.

1. Applicability:

- 1.1. This Code of Student Conduct, hereafter also referred to as this code, is applicable to:
 - 1.1.1. Any student currently enrolled;
 - 1.1.2. Enrolled in the previous semester/session and eligible to enroll in the next consecutive semester/ session; or
 - 1.1.3. Newly or readmitted and eligible to enroll in the next semester/session.
- 1.2. A student who withdraws from school is subject to disciplinary action for any conduct that occurred while the student met the aforementioned criteria.
- 1.3. Students involved in misconduct that would subject them to disciplinary action while not enrolled may be required to appear before the Associate Vice President of Student Services or designee before being readmitted to the college.
- 1.4. This code is adopted pursuant to authority granted by The Texas State University System Board of Regents.

2. Definitions:

- 2.1. "Disciplinary action" means proceedings under section III of this code.
- 2.2. "Hazing" means those activities defined in sections 37.151-37.157 of the Texas Education Code.
- 2.3. "Hearing Officer" means that person appointed by the Associate Vice President of Student Services to conduct disciplinary hearings.
- 2.4. "Notice" means correspondence:
 - 2.4.1. Sent by mail, addressed to the addressee at the local address and/ or permanent address, as shown on college records;
 - 2.4.2. Personally, delivered to the addressee; or
 - 2.4.3. Sent electronically from an LIT e-mail account to the student's LIT e-mail account.
- 2.5. "Preponderance of the evidence" means the greater weight of credible evidence. It means the strongest evidence, however slight the difference might be.

2.6. "Published college policy" means a written rule or policy from:

2.6.1. The Texas State University System Board of Regents;

2.6.2. A college policy and procedure statement;

2.6.3. A college division; or

2.6.4. A faculty, staff, or student handbook.

2.7. "College" means Lamar Institute of Technology (LIT).

2.8. "College official" means a person in an official college capacity, including regents, officers, faculty and administrative staff.

2.9. "College property" means property owned, controlled, used, or occupied by the college, including property physically removed from LIT.

3. Awareness of Policies:

3.1. Each student is expected to be fully acquainted with all published college policies, copies of which are available to each student for review online at www.lit.edu or in person in the Office of Student Services.

3.2. The college will hold each student responsible for compliance with these published policies.

3.3. A violation occurring off campus while participating in a college-sponsored program may be treated as if the violation occurred on campus.

3.4. Students also are expected to comply with all federal, state and local laws. Any student who violates any provision of those laws is subject to disciplinary action, notwithstanding any action taken by civil authorities. This principle extends to conduct off campus that is likely to have an adverse effect on the college or the educational process.

4. Responsibilities of Students

4.1. Conduct Required:

4.1.1. Students shall conduct themselves in a manner consistent with the college's mission as an educational institution. Students who conduct themselves in a manner that violates this Code of Student Conduct may be subject to disciplinary penalties.

4.2. Conduct Prohibited: Specific examples of conduct which are violations of this Code of Student Conduct include, but are not limited to, committing or attempting to commit the following:

4.2.1. Committing an act that would constitute a criminal offense under state, federal or municipal law;

- 4.2.2. Violating any published college policy;
- 4.2.3. Failing to comply with a directive from a college official, including a summons to the office of an administrative officer at a designated time;
- 4.2.4. Furnishing false information to the college or giving false testimony or evidence at a disciplinary or other administrative proceeding;
- 4.2.5. Issuing a check to the college without sufficient funds or otherwise failing to meet financial obligations to the college;
- 4.2.6. Endangering the health or safety of other persons, including, for example, throwing an object, without authorization, in or from college facilities;
- 4.2.7. Misusing fire extinguishers or other safety equipment on college owned or controlled property;
- 4.2.8. Interfering or disrupting college teaching, research or other activity, including administrative, disciplinary or public service activities;
- 4.2.9. Endangering the physical or mental health or safety of any person or intentionally or recklessly causing injury to any person;
- 4.2.10. Possession of or use of college keys without authorization;
- 4.2.11. Engaging in or submitting to hazing;
- 4.2.12. Violating published college policies on the possession or use of alcoholic beverages;
- 4.2.13. Gambling on college property;
- 4.2.14. Possessing, using, selling or distributing any illegal drug, controlled substance, and/or drug paraphernalia (The sanctions for this violation range from mandatory counseling to expulsion. A second infraction shall result in expulsion.);
- 4.2.15. Possessing or using a firearm, ammunition, weapon or replica thereof on college property (except as permitted by Texas Government Code Section 411.2031 - 411.2032, Texas Penal Code Section 46.035, Lamar Institute of Technology and the Texas State University System Rules and Regulations. For more information on "campus carry" regulations, see LIT's campus carry policy);
- 4.2.16. Possessing, igniting or detonating an explosive device, firework or flammable object on college owned or controlled property that could damage a person or property;
- 4.2.17. Stealing, destroying, damaging or misusing the property of the college or that of another person;
- 4.2.18. Forging, altering or misusing college documents, forms, records, student

identification cards or admission documents;

- 4.2.19. Advocating, either orally or in writing, the conscious and deliberate violation of any federal, state or local law;
- 4.2.20. Entering college buildings or facilities or using college equipment or resources without authorization;
- 4.2.21. Failing to maintain a current official mailing address in the Registrar's Office or giving a false or fictitious address to a college official;
- 4.2.22. Initiating, communicating or circulating a false report of a present, past or future bombing, fire, offense or other emergency that would cause action by an agency organized to deal with emergencies;
- 4.2.23. Placing a person in fear of imminent serious bodily injury;
- 4.2.24. Preventing or interrupting the occupation of a building, room, vehicle or other mode of conveyance;
- 4.2.25. Harassing or threatening (by any means) to take unlawful action against any person, causing or intending to cause annoyance or alarm;
- 4.2.26. Engaging in academic dishonesty as described in LIT policies and procedures;
- 4.2.27. Engaging in disorderly conduct on property owned or controlled by the college, or at a college function, that interferes with the college's programs or activities;
- 4.2.28. Using authority granted by state law, system rule or college policy to deprive a person of his or her civil rights;
- 4.2.29. Interfering with the expressive activities of others on campus;
- 4.2.30. Engaging in or making life-threatening gestures that endanger others or disrupt the learning environment;
- 4.2.31. Violating any published college policy relating to computer resources, electronic network facilities or the Internet;
- 4.2.32. Attempting to commit any of these prohibited acts; or
- 4.2.33. Engaging in sexual misconduct as described in the Texas State University System Sexual Misconduct Policy, including engaging in, but not limited to:
 - 4.2.33.1. dating violence;
 - 4.2.33.2. family (domestic) violence;
 - 4.2.33.3. retaliation;
 - 4.2.33.4. sexual assault;
 - 4.2.33.5. sexual exploitation;
 - 4.2.33.6. sexual harassment;
 - 4.2.33.7. sexual intimidation;
 - 4.2.33.8. sexual violence; or

4.2.33.9. Stalking

Related Procedures: LIT.8.02.01 Administration of Student Justice, LIT.8.02.02 Student Appeals, LIT.8.02.03 Student Rights and Responsibilities, LIT.8.02.04 Student Grievance Procedures; LIT.8.02.05 Academic Dishonesty

Relevant Forms/Documents:

Relevant TSUS Policies/Forms/Documents: TSUS Sexual Misconduct Policy

Relevant Statutes:

Relevant SACSCOC Standards:

Document History:

Adopted:

Reviewed:

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