

**POLICIES AND PROCEDURES**

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Subject:	General Conduct Policy		
Source:	Board of Trustees		
Approval Authority:	Board of Trustees	Approval Date:	12/06/2023
Approved by Leadership Team:	Benson:	Hills:	McKown:
History:			
Remarks:	Replaced previous policy dated 10/25/2022		

The Board of Trustees of McLennan Community College (MCC), the legally constituted authority for the governance of the College, hereby adopts the following *General Conduct Policy* for the purpose of maintaining order and otherwise promoting the general interest, welfare, and purposes of the College.

Grievances or allegations related to discrimination claims shall be administered using the [Discrimination, Harassment, and Retaliation Resolution Process](#) (Policy F-V-s).

**I: Definitions**

- A. The term "student" includes all persons taking courses at MCC, both full-time and part-time, pursuing credit and non-credit courses.
- B. The term "faculty member" means any person hired by MCC to conduct classroom activities.
- C. The term "MCC official" includes any person employed by MCC performing assigned administrative, professional, or staff responsibilities.
- D. The term "member of the MCC community" includes any person who is a student, faculty member, staff member, or MCC official. A person's status in particular situations shall be determined by the President.
- E. The term "MCC premises" includes all land, buildings, facilities, and other property in the possession of, owned, used, or controlled by MCC.

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- F. The term "organization" means any number of persons who have complied with the formal requirements for MCC recognition.
- G. The term "Associate Director" means the MCC administrator authorized by the College to determine whether a student has violated the *General Conduct Policy* and to recommend imposition of sanctions.
- H. The Term "Title IX Coordinator" means the MCC official responsible for monitoring the College's implementation of Title IX, coordinating compliance, and investigating complaints of sex discrimination.
- I. The term "MCC Board of Trustees" means the legally constituted authority for the governance and orderly operation of MCC.
- J. The term "policy" is defined as the written regulations of MCC found in various documents, catalogues, and on the colleges website.
- K. The term "service animal" pertains to dogs (or miniature horses) that have been individually trained to do work or perform tasks for the benefit of an individual with a disability.
- L. The term "preponderance of evidence" is used to determine responsibility based on the evidence that the actions are "more likely than not" to have taken place.

### II – Jurisdiction & Applicability

The policies herein set forth shall govern the conduct of all persons, including but not limited to, students, employees, visitors, and independent contractors, on the MCC campus or other property or facilities owned or used by the College (hereafter, "premises") for any purpose, wherever situated, or while in attendance at or engaging in college-sponsored activities, wherever occurring. McLennan Community College retains the right to adjudicate alleged violations that occur prior to the individual leaving the College for any reason (such as withdrawal, transfer and/or graduation).

Persons violating any of these policies are subject to immediate removal and/or exclusion from MCC premises or activities. Such removal or exclusion shall be in addition to and not in lieu of further disciplinary action as set forth herein.

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The *General Conduct Policy* may apply to off-campus behavior when such alleged conduct represents a danger to the safety of the person accused or others, or causes significant disruption to campus or the rights of others.

### III - Assemblies or Other Group Activities

Any assembly or other group activity to be held on college premises must be conducted in accordance with the principles and policies set forth herein.

Any assembly or group activity, other than the regularly scheduled meetings of recognized student organizations, initiated, arranged, or promoted by students of the College must be approved in writing by the Vice President, Instruction and Student Engagement and/or designee. in advance of its occurrence. A request to hold such assembly or group activity must be submitted in writing at least two (2) weeks prior to the proposed date of occurrence. Such a request shall provide any reasonable information required by the College. Any such assembly or group activity which is part of the organized program of instruction of the College shall require advanced approval by the Vice President, Instruction and Student Engagement and/or designee. Any other assembly or group activity initiated, arranged, or promoted by an employee, group of employees, or person(s) not employed by the College, shall require advanced approval by the Vice President, Instruction and Student Engagement and/or designee

Formal approval of any assembly or group activity does not relieve its organizers or participants of any responsibilities regarding general conduct stated herein.

### IV - Visitors and Guests

Any people who are not students or employees of the College, while on the premises of the College are considered visitors, and shall conduct themselves in a manner consistent with the principles and policies stated herein. Violators are subject to removal from the premises and/or appropriate legal proceedings.

Visitors, including but not limited to the spouse or children of students, will generally not be admitted to classrooms or laboratories. Faculty members who desire an exception to this regulation should discuss the circumstances with the appropriate division chair. In any case, where the appropriate division chair has approved an exception, the faculty member may still, at any time, remove the visitor from a classroom in the interest of the learning environment.

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Students or employees of the College who bring a visitor to the College may not leave the visitor unattended on campus if the visitor is a minor.

### V - Rights and Responsibilities

#### A. General Statement

Students, employees, visitors, and independent contractors are expected to obey the regulations of the College and to conduct themselves in a socially acceptable manner.

#### B. Responsibilities for Administration of Conduct for Employees, Visitors, and Independent Contractors

The President or designee shall ensure enforcement of college conduct regulations as they relate to visitors, employees, and independent contractors.

Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as college employees. Violations of any policies, regulations, and guidelines may result in disciplinary action, including termination of employment or suspension with or without pay.

The *Non-Faculty Investigation Procedures* (Policy F-V-c) shall be followed for non-faculty contractual personnel and the *Academic Freedom, Responsibility and Tenure* (Policy F-III-a) shall be followed for faculty contractual personnel.

Inquiries regarding discrimination should be directed to the Section 504/ADA Title II Coordinator. Grievances related to discrimination claims shall be administered using the *Discrimination Resolution Process* (Policy F-V-s).

#### C. Responsibilities for Administration of Student Conduct

The Accommodations & Title IX office shall be responsible for student conduct. The Accommodations & Title IX office shall be responsible for the disposal and referral of individual cases as may properly come before him/her and recommending the formulation and revision of policies and procedures relating to student conduct.

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### D. Rights and Responsibilities of Students, Employees, Visitors, and Independent Contractors

1. These policies are based upon the principle that the College must safeguard, on college premises and in college affairs, the basic freedoms guaranteed by the Constitution of the United States of America. Equally important is the principle that the exercise of these freedoms requires respect for the rights and freedoms of others. Interference with the lawful and orderly use or enjoyment of college premises, facilities, and programs will not be permitted.
2. Students, Employees, Visitors, and Independent Contractors have the following responsibilities:
  - a. To be familiar with published regulations and comply with them.
  - b. To act according to standards of common decency and socially acceptable behavior.
  - c. To respect the rights and property of others.

### E. Family Educational Right and Privacy Act (FERPA)

FERPA protects the privacy of student education records, including personally identifiable information derived from student conduct records. Generally, schools must have written permission from a student in order to release any information from a student's education record. FERPA allows schools to disclose student records, without consent, in situations including, but not limited to school officials with legitimate educational interest, other schools to which a student is transferring, to comply with a judicial order or lawfully issued subpoena, to parents when there is a health or safety emergency involving the student, to parents when the student has committed a disciplinary violation with respect to use or possession of alcohol or a controlled substance and the student is under 21 years of age at the time of the disclosure, to the victim of an alleged perpetrator of a crime of violence or a nonforcible sex offense concerning the final results of a disciplinary Hearing.

## VI - Proscribed Conduct

### A. General Policy

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Freedom of discussion, inquiry, and expression is fostered by an environment in which the privileges of citizenship are protected, and the obligations of citizenship are understood. Accordingly, the MCC community has developed standards of behavior pertaining to students, student organizations, visitors, and employees. All are subject to disciplinary action according to the provisions of the *General Conduct Policy*. MCC may enforce its own conduct policies and procedures when a person's conduct directly, seriously, or adversely impairs, interferes with, or disrupts the overall mission, programs, or other functions of the College. College conduct proceedings may be instituted against a person alleged to have violated the *General Conduct Policy*. Proceedings under the *General Conduct Policy* may be carried out prior to, independent of, concurrent with or following civil or criminal proceedings. The standard of proof used in college conduct proceedings is the preponderance of evidence. College officials respect the rights and responsibilities of visitors, employees, and students and shall consider each alleged violation of college policy and each alleged violation of federal, state, and /or local law on a "case-by-case" basis and shall further attempt to initially use educational options and subsequent intervention and /or prevention options to assist visitors, employees, and students.

### B. Misconduct

Any person found to have committed the following misconduct while defined as a visitor, employee, or student is subject to disciplinary sanction(s), condition(s), and /or restriction(s). Misconduct includes, but is not limited to:

#### 1. Academic Dishonesty

"Academic dishonesty" includes, but is not limited to: cheating, plagiarism, collusion, falsifying academic records, misrepresenting facts, and any act designed to give an unfair academic advantage to the person.

a. "Cheating" includes, but is not limited to:

- i. Copying from another student's work during an examination, test, or while completing an assignment;
- ii. Using unauthorized assistance, materials, or devices during a test or other assignment;
- iii. Failing to comply with instructions given by the person administering the test;

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- iv. Possessing materials during a test that are not authorized by the person administering the test, such as class notes, textbooks, or other unauthorized aids;
- v. Possessing, using, buying, stealing, transporting, selling, or soliciting in whole or in part items including, but not limited to: the contents of an un-administered test, test key, homework solution, or computer program/software. Possession, at any time, of current or previous test materials without the instructor's permission;
- vi. Collaborating with, seeking aid, or receiving assistance from another student or individual during a test or in conjunction with other assignments without the instructor's permission;
- vii. Discussing the contents of an examination with another student who has taken or will take an examination without the instructor's permission;
- viii. Substituting for another person, or permitting another person to substitute for oneself in order to take a course, a test, or complete any course-related assignment, including but not limited to, signing in/registering attendance for another student without the instructor's permission;
- ix. Paying or offering to pay money, other valuables, obtaining by any means, or coercing another person to obtain items including, but not limited to: an un-administered test, test key, homework solution, or computer program/software; or information about an un-administered test, test key, homework solution or computer program/software;
- x. Falsifying research data, laboratory reports, and/or other academic work offered for credit;
- xi. Taking, keeping, misplacing, damaging, or altering the property of the College, or of another, if the student knows or reasonably should know that an unfair academic advantage would be gained by such conduct;
- xii. Misrepresenting facts, including providing false grades or resumes, for the purpose of obtaining an academic or financial benefit or injuring another person academically or financially; and
- xiii. Attempting to commit or assisting with the commission of any of the foregoing listed violations.

b. "Plagiarism" includes, but not limited to:

- i. The appropriation of, buying, receiving as a gift, or obtaining by any means, material that is attributable, in whole or in part, to another source, including words, ideas, illustrations, structure, computer code,

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other expression and media, and presenting that material as one's own academic work being offered for credit; and

- ii. The advertisement and/or promotion of services or materials intended for the purposes of plagiarism using on or off campus forums.

c. "Collusion" includes, but is not limited to:

- i. The unauthorized collaboration with another person in preparing academic assignments offered for credit. ii. Collaboration with another person to commit a violation of any section of the rules on academic dishonesty.

d. "Falsifying academic records" includes, but is not limited to:

- i. Altering or assisting in the alteration of any official college record and/or submitting false information.
- ii. Omitting requested information that is required for, or related to, any academic record of the College. Academic records include, but are not limited to: applications for admission, the awarding of a degree, grade reports, test papers, registration materials, grade change forms, and reporting forms used by the Office of Student Records.
- iii. Former students found to have engaged in such conduct are subject to a bar against readmission, revocation of a degree, and withdrawal of a diploma.

e. "Misrepresenting facts" to the College or an agent of the College includes, but is not limited to:

- i. Providing false grades, resumes, or other academic information.
- ii. Providing false or misleading information in an effort to receive a postponement or an extension on a test, quiz, or other assignment to obtain an academic or financial benefit for oneself or another individual.
- iii. Providing false or misleading information in an effort to injure another student academically or financially.

NOTE: See Academic Integrity information at <http://www.McLennan.edu/academicintegrity/>

2. Alcoholic Beverages \*



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- a. Use, possession, sale, delivery, manufacture, or distribution of alcoholic beverages, except as expressly permitted by college policy and federal, state, and/or local law.
- b. Being under the influence of alcohol and /or intoxication as defined by federal, state, and/or local law, including but not limited to:
  - i. Public intoxication; ii. Driving under the influence of alcohol or impaired;
  - iii. Actual physical control of a vehicle while under the influence of alcohol;
  - iv. Providing alcohol to individuals under the age of 21;
  - v. Social Host: Providing a location for any individual under 21 year of age to possess or consume alcohol;
  - vi. Transporting an open container of alcohol;
  - vii. Incapacitation due to alcohol; viii. Possession of a fake ID; and ix. Underage possession of alcohol.
- c. Persons in violation of the College’s alcohol policies may also face criminal sanctions provided by federal, state, and local law when applicable.

\*Upon approval by the President, alcoholic beverages may be served at the Bosque River Stage, Conference Center, Northwood House, McLennan House and Gardens, Highlander Ranch, and other designated areas, and subject to all federal, state and local law and regulations regarding possession, use and sale of alcoholic beverages. This policy does not apply to leased facilities.

**3. Narcotics or Drugs**

- a. Use, possession, sale, delivery, manufacture, or distribution of any narcotic, drug, medicine prescribed to someone else, chemical compound, or other controlled substance, except as expressly permitted by federal, state, and/or local law.
- b. Possession of drug-related paraphernalia, except as expressly permitted by federal, state, and/or local law.
- c. Being under the influence of narcotics, drugs, medicine prescribed to someone else, chemical compound, or other controlled substance, except as expressly permitted by federal, state, and/or local law.

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- d. Persons in violation of the College's narcotics and other drugs policy will also face criminal sanctions provided by federal, state, and local law when applicable.
- e. For further information regarding MCC's drug and alcohol policy please see the *Highlander Guide* at [www.mclennan.edu/highlander-guide/](http://www.mclennan.edu/highlander-guide/).

### 4. Weapons and Explosives

- a. Use or possession of any item used as a weapon, including, but not limited to: a handgun, a firearm, ammunition, fireworks, a pellet gun, an airsoft or paintball gun, a BB gun, a knife, or explosive or noxious materials on college premises except as expressly permitted by federal, state, and/or local law.
- b. A Licensed holder may carry a concealed handgun on or about the licensed holder's person while the licensed holder is on the campus of an institution of higher education or private or independent institution of higher education in this state.
- c. The following link provides information on designated areas where the possession of a concealed handgun is prohibited:  
[www.mclennan.edu/employees/policy-manual/](http://www.mclennan.edu/employees/policy-manual/).
- d. All persons, including licensed holders are prohibited from openly carrying a handgun on the campus premises.

### 5. Flammable Materials/Arson

- a. Use or possession of flammable materials, including but not limited to: incendiary devices or other dangerous materials, or substances used to ignite, spread, or intensify flames for fire, except as expressly permitted by MCC officials.
- b. Attempting to ignite and/or igniting MCC and/or personal property on fire either by intent or through reckless behavior which results, or could predictably result, in personal injury or property damage of MCC premises.

### 6. Theft, Damage, or Unauthorized Entry, Possession, or Use

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- a. Attempted or actual theft of property or services of the College, other college students, other members of the college community, or campus visitors.
- b. Possession of property known to be stolen or belonging to another person without the owner's permission.
- c. Attempted or actual damage to property owned or leased by the College, by other college students, other members of the college community, or campus visitors.
- d. Attempted or actual unauthorized use of a credit card, debit card, student identification card, cell phone, personal identification number, test number, Self-Service account information, personal check, or other unauthorized use of personal property or another's information.
- e. Alteration, forgery, or misrepresentation of any form of identification.
- f. Possession or use of any form of false identification.
- g. Individuals engaged in freedom of expression activities may be subjected to discipline for the following actions:
  - a) Activities which are illegal;
  - b) Activities that deny the rights of other students, faculty and staff of the College;
  - c) Activities that substantially obstruct or restrict the free movement of persons on any part of the College, including the free entry or exit from College Facilities;
  - d) Activities that deny the use of office or other facilities to the students, faculty, staff or guests of the College;
  - e) Activities that threaten or endanger the health or safety of any person on the College campus;
  - f) Activities that include the use of obscenities, libelous statements or "fighting words", as defined by the law;

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- g) Activities that result in damage to or destruction of College property;
- h) Activities that attempt to prevent a College event or other lawful assembly by the threat or use of force or violence; and
- h. Unauthorized entry into or use of college premises or equipment including another student's room.
- i. Unauthorized possession, use, duplication, production, or manufacture of any key or unlocking device, college identification card or access code for use in college premises or equipment.
- j. Unauthorized use of the MCC name, logo, registered marks or symbols; however, registered student organizations are permitted to use the word "MCC" as a part of their organizational names and to use the complete statement "a registered student organization at McLennan Community College."
- k. Unauthorized use of the College name to advertise or promote events or activities in a manner that suggests sponsorship and/or recognition by the College.

### 7. Actions Against Members of the College Community and Others

- a. Conduct, intentional or reckless, which threatens or endangers the health or safety of oneself or others, including, but not limited to acts such as physical assault, physical abuse, verbal abuse, threats, intimidation, harassment, and/or coercion.
- b. Conduct, intentional or reckless, which detracts from another's ability to realize the intended benefits of the College's resources and opportunities.
- c. Substantial disruption of MCC operations including obstruction of teaching, research, administration, other college activities, and/or other authorized nonMCC activities.
- d. Recording without knowledge. Using electronic or other means to make a video, audio, or photographic record of any person in a location where there is

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a reasonable expectation of privacy without the person's prior knowledge, when such a recording is likely to cause injury, distress or damage to reputation. This includes, but is not limited to, taking video, audio, or photographic records in shower/locker rooms, residence hall rooms, and restrooms. The storing, sharing, and/or distributing of such unauthorized records by any means is also prohibited.

NOTE: Students are permitted to record classroom instructions and activities.

### e. Disruptive Behavior

i. Classroom Disruption. Engaging in substantial or repeated behaviors that interfere with an instructor's ability to teach and a student's ability to benefit from instruction. ii. Obstructing or restraining the passage of any person at an exit or entrance on the College campus or property. iii. Infringement on the rights of other members of the College community that presents danger to herself/himself or others, cause physical harm to others, or damage to property.

f. Title IX of the Education Amendments of 1972 is a Federal civil rights law that prohibits discrimination on the basis of sex in educational programs and activities that receive Federal funds. Examples of discrimination prohibited under Title IX include discrimination on the basis of sex including, gender discrimination, pregnant and parenting discrimination, sexual harassment or sexual violence such as rape, dating violence, domestic violence, stalking, sexual assault, sexual battery, and sexual coercion. Individuals aware of incidents involving sexual misconduct are encouraged to report the offense immediately to the Title IX Coordinator.

Concerns dealing with Title IX and other non-specified Civil Rights Issues contact:

Dr. Claudette Jackson  
Director, Accommodations & Title IX  
Title IX Coordinator  
McLennan Community College  
Student Services Building, Room 319  
1400 College Drive  
Waco, TX 76708 Phone:  
254-299-8465  
[titleix@mclennan.edu](mailto:titleix@mclennan.edu)

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Please refer to the Discrimination, Harassment, and Retaliation Resolution Process (E-XXIII) and Sexual Misconduct Policy (E-XXIII-a) for further guidance. See <https://www.mclennan.edu/employees/policy-manual/docs/F-V-S.pdf> and <https://www.mclennan.edu/employees/policy-manual/docs/E-XXVIII-A.pdf>, respectively.

### 8. Gambling, Wagering, Gaming, and Bookmaking

Gambling, wagering, gaming and/or bookmaking as defined by federal, state, and/or local laws are prohibited on MCC premises or by using college equipment or services.

### 9. Hazing

"Hazing" means any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization if the act:

- a. is any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
- b. involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar 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. involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by Paragraph (E), 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. is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code; or
- e. involves coercing, as defined by Section 1.07, Penal Code, the student to consume:

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- i. a drug; or
- ii. an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, as defined by Section 49.01, Penal Code.

NOTE: See Texas Education Code, Sections 37.151-37.155 and Section 51.936 at <http://www.statutes.legis.state.tx.us/?link=ED>.

### 10. False Alarms or Terroristic Threats

Intentional sounding of a false fire alarm, falsely reporting an emergency or terroristic threat in any form, issuing a bomb threat, constructing mock explosive devices, destruction or activation of fire sprinklers, filing false police reports, improperly possessing, tampering with or destroying fire equipment or emergency signs on college premises.

### 11.. Financial Irresponsibility

Failure to meet financial obligations owed to the College, or components owned or operated by the College, including, but not limited to the writing of checks from accounts with insufficient funds.

### 12. Failure to Comply

- a. Failure to comply with reasonable directives and/or requests of an MCC official in the performance of her/his duties.
- b. Failure to present identification on request or identify oneself to any MCC official acting in the performance of her/his duties.

### 13. Providing False Information or Misuse of Records

Knowingly furnishing false information to MCC, to an MCC official in the performance of her/his duties, or to an affiliate of MCC, either verbally or through forgery, alteration, or misuse of any document, record, or instrument of identification.

### 14. Abuse, Misuse or Theft of College Information Resources

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Unauthorized use of MCC information resources is prohibited, and may be subject to criminal prosecution in addition to disciplinary sanctions, conditions and/or restrictions pursuant to the *General Conduct Policy*. "Information resources" means procedures, equipment and software, regardless of location, that are employed, designed, built, operated, and maintained to collect, record, process, store, retrieve, display, and transmit college information, and associated personnel, including consultants and contractors, regardless of whether the personnel are employed by the College or retained as independent contractors. Usage of MCC information resources may be subject to security testing and monitoring, and users have no expectation of privacy except as otherwise provided by applicable privacy laws.

Abuse, misuse, or theft of college information resources includes, but is not limited to the following:

- a. Unauthorized use of MCC information resources including, but not limited to: private information and passwords, the unauthorized sharing of private information or passwords with individuals who otherwise have no authority to access MCC information resources.
- b. Use of MCC information resources for unauthorized or nonacademic purposes including, but not limited to: illegal access, attempted or actual unauthorized accessing, copying, transporting or installing programs, records, data, or software belonging to the College, another user, or another entity, and/or illegal activity (e.g., sharing copyrighted materials or media).
- c. Purposely engaging in activity that may harass, intimidate, threaten, endanger, or abuse others, or acts in a manner that impedes, interferes with, or disrupts any MCC authorized activity including but not limiting to: furnishing false information and/or withholding information, misuse of authority by virtue of one's leadership position, or falsely identifying oneself as a representative of MCC on social networking sites or other public forums.
- d. Attempted or actual breach of the security of another user's account and/or computing system, depriving another user of access to college computing and/or networking resources, compromising the privacy of another user or disrupting the intended use of computing or network resources.
- e. Attempted or actual use of MCC's computing and/or networking resources for personal, political, or commercial purposes.



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- f. Access, creation, storage, or transmission of material deemed offensive, indecent, or obscene (as defined by Chapter 43 of the State of Texas Penal Code on Public Indecency). Exceptions may be made for academic research where the aspect of the research has been explicitly approved by MCC official processes for dealing with academic ethical issues. Discovery of explicit material, including pornography, on any college-owned information resource or networks must be reported to the Campus Police immediately.
- g. Attempted or actual destruction, disruption, or modification of programs, records or data belonging to or subscribed to by the College or another user or destruction of the integrity of computer-based information.
- h. Attempted or actual use of computing and/or networking facilities that interferes with the normal operation of MCC's computing and/or networking systems; or through such actions, causing a waste of such resources (e.g., people, capacity, computer).
- i. Intentional "spamming" of students, faculty, or staff (defined as the sending of unsolicited and unwanted emails to parties with whom one has no existing business, professional, or personal acquaintance).
- j. Use of computing and/or network resources to engage in an activity that may harass, threaten, or abuse others.
- k. Allowing another person, either through one's personal computer account, or by other means, to accomplish any of the above. Users who share their access with another individual shall be responsible and held liable for all usage of their account.
- l. Per Texas Government Code, MCC information resources are strategic assets of the State of Texas that must be managed as valuable state resources. As such, use of MCC information resources is subject to college operating policies and other applicable laws. Unauthorized use is prohibited, usage may be subject to security testing and monitoring, misuse is subject to criminal prosecution, and users have no expectation of privacy except as otherwise provided by applicable privacy laws.
- m. Engaging in acts that contravene the mission and goals of the College or acts that expose the College to liability.

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15. Vehicles, Skateboards, Rollerblades, Scooters, Bicycles or Similar Devices

- a. Use of skateboards, rollerblades, scooters, bicycles, or other similar devices in the College's buildings or on college premises in such a manner as to constitute a safety hazard or cause damage to the College or personal property.
- b. Traffic obstruction. Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College sponsored or supervised activities.
- c. Reckless driving. Driving in a manner that recklessly endangers the health and/or safety of oneself or others. Driving includes, but is not limited to, vehicles, bicycles, skateboards, scooters, and other mobile devices.

16. Tobacco

McLennan Community College does not permit the use of tobacco and vaping products on the College campus, except in personal vehicles. The use of these products is also prohibited in college owned, rented, or leased vehicles.

The term "tobacco and vaping products" includes cigarettes, chew, vape pens, e-cigarettes, cigars and any other form of tobacco or vaping.

Please refer to the *Tobacco Products Policy* (E-XXIII) for further guidance. See <https://www.mclennan.edu/employees/policy-manual/docs/E-XXIII.pdf>

17. Violation of Published College Policies, Rules or Regulations

Violation of any published college policies, rules or regulations that govern students, student organizations, employees, visitors, and contractors.

18. Violation of Federal, State and/or Local Law

Misconduct which constitutes a violation of any provisions of federal, state and/or local laws.

19. Abuse of the Discipline System

- a. Failure of a visitor, employee or student to respond to a notification to appear before the Associate Director, or any other official involved in the conduct

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process, during any stage of a disciplinary proceeding. Failure to comply with or respond to a notice issued as part of a disciplinary procedure and/or failure to appear will not prevent the conduct process from proceeding, to include possible disciplinary action.

- b. Falsification, distortion, or misrepresentation of information in disciplinary proceedings.
- c. Disruption or interference with the orderly conduct of a disciplinary proceeding.
- d. Filing an allegation known to be without merit or cause.
- e. Discouraging or attempting to discourage an individual's proper participation in or use of the disciplinary system.
- f. Influencing or attempting to influence the impartiality of a member of a disciplinary committee prior to and/or during a disciplinary proceeding.
- g. Harm, threat of harm, or verbal, physical or written intimidation, of any person prior to, during and/or after disciplinary proceedings.
- h. Influencing or attempting to influence another person to commit an abuse of the discipline system.
- i. Retaliation against any person or group who files grievances or provides evidence, testimony, or allegations in accordance with the *General Conduct Policy*.
- j. Failure to comply with the sanction(s), condition(s), and/or restriction(s) imposed under the *General Conduct Policy* by a College official.
- k. Complicity Attempting, aiding, abetting, conspiring, hiring, or being an accessory to any act prohibited by this code shall be considered to the same extent as completed violations.

### 20. Animals

- a. Care: Failing to properly leash and control an animal or properly dispose of its organic waste.

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- b. Cruelty: Intentionally, knowingly, or recklessly torturing or in a cruel manner killing or causing serious bodily injury to an animal, failing to provide necessary food, water or care for an animal in the person's custody, abandoning unreasonably an animal in the person's custody, transporting or confining an animal in a cruel manner, causing bodily injury to any animal without the owner's consent, causing one animal to fight with another animal, or seriously overworking an animal. Intentionally, knowingly, or recklessly attacking, injuring or killing an assistance animal or inciting another to attack, injure or kill an assistance animal.

This policy is not intended to prohibit:

- i. Killing or injuring an animal within the scope of a person's employment or furthering the goals of legitimate educational curriculum as designed and approved by the College.
  - ii. Killing or injuring an animal when the actor had a reasonable fear of bodily injury to self or other person by that animal.
- c. Damage: Allowing a personal animal to damage College property.
- d. Unauthorized Location: Taking or keeping an animal in college facilities without authorization. The only exception is service animals as outlined by American with Disabilities Act.

21. Bullying/Cyberbullying

Misconduct, on- or off-campus, which is defined by hostile or repeated behaviors that would be considered intimidating and that would cause distress to another person, where the behaviors are not protected by First Amendment guarantees.

- a. Bullying. Defined as the use of repeated or severe verbal and/or non-verbal means in order to coerce or force a person to do something or to degrade a person, including, but not limited to, the use of taunting, teasing, or coercive language, pushing, punching, or creating threatening notes/letters/signs.
- b. Cyberbullying. Defined as an act of bullying that takes place using different kinds of technology and social media. Using various types of electronic devices to inflict emotional and/or mental pain, and to degrade another person.

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