



*Wharton County Junior College*

DUAL CREDIT/CONCURRENT

# DUAL CREDIT/CONCURRENT STUDENT HANDBOOK





# Wharton County Junior College

## Dual Credit/Concurrent Student Handbook

This *Dual Credit/Concurrent Student Handbook* contains information about many of the services available to WCJC dual credit students, as well as policies and regulations that govern our community. The policies and procedures included in this handbook are to assist you by establishing a set of community standards designed to promote student safety and success. You are encouraged to become familiar with this information.

Wharton County Junior College makes every effort to include accurate and current information on policies, services, programs and procedures of the College in the *Dual Credit/Concurrent Student Handbook*. However, the College reserves the right to make changes considered expedient for its general well-being or that of any of its constituencies. Furthermore, the provisions of the *Dual Credit/Concurrent Student Handbook* do not constitute an irrevocable contract between any student and the College, and all provisions of the *Dual Credit/Concurrent Student Handbook* remain subject to revision at any time for any reason and without prior notice.

### Dual Credit Program Mission

The Dual Credit/Concurrent Enrollment program at Wharton County Junior College provides high school students the opportunity to complete college-level coursework while completing their high school credits. The Director of Dual Credit and University Transfer works with service area school districts and with universities to ensure that courses offered will transfer seamlessly to allow students to complete an associate and/or bachelor's degree.

### What is Dual Credit?

Dual Credit is a form of enrollment that allows a high school student to take certain courses at Wharton County Junior College (WCJC) and earn both college and high school credit. Dual Credit courses (and the grades that students earn in those courses) become a permanent part of the student's college and high school transcripts.

### What is Concurrent Enrollment?

Concurrent enrollment allows a high school student to take certain courses at Wharton County Junior College and earn college credit but not high school credit. The concurrent courses (and the grades that students earn in those courses) become a permanent part of the student's college transcript.

**Who is Eligible?**

Public, private, or home-schooled students who have met Texas Success Initiative (TSI) requirements for reading/writing and/or math by passing a state-recognized test may take Wharton County Junior College dual credit and concurrent classes. Students are not limited to a specific number of credit hours that they can enroll in for dual credit or concurrent course work; however, the student's high school may have limits on the number of credits that can be applied to the student's high school graduation plan.

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## **SECTION 1: WCJC STUDENT LOGISTICS**

### **APPLICATION PROCESS**

The application process for dual credit classes is very simple:

1. Complete your online [ApplyTexas](#) application.
2. Submit [TSI scores](#) or proof of exemption.
3. If attending class on a WCJC campus, submit proof of bacterial meningitis vaccination.

### **REGISTERING FOR CLASSES**

The WCJC dual credit director registers students according to rosters provided by the school district. Home-schooled students should consult the dual credit director to ensure they enroll in appropriate coursework.

### **PAYING FOR COURSES**

Students must pay for dual credit classes each semester. Students can pay in full or set up payment plans once they are registered.

Wharton County Junior College waives Tuition and the Technology Fee for students who reside in the Wharton County Junior College's taxing district (in-district students). For students who reside outside the taxing district, the college waives Tuition and the Out-of-District Student Fee.

Dual credit students are not eligible for financial aid. Students should check with their school district to find out if scholarships or other financial assistance may be available.

Students who have outstanding balances will not be allowed to register for the subsequent semester courses until the balance is paid.

### **STUDENT EMAIL**

All students are assigned an email address upon admission to the college. If you do not know your WCJC student email address or need to set up your account in order to access your email, [submit an IT Help Support Request](#) for assistance.

Students are expected to check their WCJC student email on a frequent and consistent basis in order to remain informed of college related communications. WCJC Student email is considered the official method of communication by the college. The college has the right to expect that such communications will be received and read in a timely manner. Students have the responsibility to recognize that certain communications may be time-critical. Students are responsible for the consequences of not reading, in a timely fashion, college-related communications sent to the official WCJC student email address.

All students should use their respective official WCJC student email address when conducting WCJC business (i.e. communicating with professors or other offices on campus). Errors encountered in forwarding emails or emails returned to the college with "Mailbox Full" or "User Unknown" are not acceptable excuses for missing official college communications via WCJC student email.

Students are responsible for taking all reasonable precautions, including safeguarding and changing

passwords, to prevent the use of their WCJC student email accounts by unauthorized individuals. Students should not share this information or access to college resources with others, including family members. No one at WCJC will ask a student to provide WCJC with his/ her WCJC student email account password.

WCJC is not responsible for the handling of e-mail by outside service providers or servers. Redirecting WCJC Student e-mail to another account does not absolve a student from the responsibilities associated with timely reading of communications sent to an official WCJC Student e-mail address.

### **PARKING INFORMATION**

As a precaution to keep our campuses as safe as possible, Wharton County Junior College requires students, including dual credit students, to register their vehicle and have a parking decal clearly displayed on vehicles parked on a WCJC campus. However, the procedures for obtaining a parking permit and the costs associated with the permits may vary according to the campus in which you will be parking your vehicle.

- WCJC will issue a parking permit that allows for parking at the Wharton, Richmond and Bay City campuses.
- However, UH Sugar Land holds authority over the parking permits issued for students and employees parking on the Sugar Land campus.
- In cases where students attend class or conduct business at both the WCJC Sugar Land campus and another WCJC campus, the student will be required to have two parking permits, one from WCJC and one from UH Sugar Land.

Visit the [Office of Security and Public Safety](#) to learn details about parking at each campus, including parking permits and fees, fines, parking spaces, vehicle registration and decals.

### **LOST AND FOUND**

The college is not responsible for articles left on campus. Lost articles, if found, are to be turned into the Office of Campus Security and Public Safety in the Pioneer Student Center, to the Security Offices at the Sugar Land and Richmond campuses, or to the Campus Specialist at the Bay City campus. Students can also visit the above offices to seek out a lost item.

## **SECTION 2: ACADEMIC STANDARDS, POLICIES, AND PROCEDURES**

Courses offered for dual credit must be in the WCJC core curriculum, a course required for a technical program offered by WCJC, or a foreign language course. WCJC may not offer remedial or developmental courses for dual credit.

### **ACADEMIC CALENDAR**

Dual credit classes follow WCJC's [Academic Calendar](#). On the Academic Calendar, you will find the start and end dates of each semester, drop deadlines, holidays, final exam dates, etc. for each academic term.

### **CREDIT HOURS**

The unit of measurement for academic work is the credit hour. One credit hour represents the credit earned in a course that is scheduled for one class hour a week for a semester. Most courses meet three hours a week and have a credit value of three semester hours.

### **FINANCIAL RESPONSIBILITY**

As a condition of a student's enrollment, tuition and fees are due at the time of registration and may be paid with cash, credit card, check, financial aid, scholarship or a third party. Students who owe the college on any account will have their grade records withheld, be denied access to future registration, have their transcripts withheld, and be denied access to advising transcripts in their [Online Services](#) account.

### **ATTENDANCE**

Regular class attendance and participation is critical to optimum achievement. A student enrolled in a course may be advised to withdraw from the course by the instructor if the student acquires absences in excess of two weeks' work and cannot, in the instructor's judgment, achieve the minimum course objectives. All instructors must include in the course syllabus a statement defining specific attendance policies for their individual courses.

If a student will be absent from class for any reason, including high-school related extracurricular activities, the student should contact the instructor. Instructor contact information can be found on the course syllabus.

### **DROPPING COURSES**

Once classes begin, dual credit/concurrent students must submit a [withdrawal form](#) to the Dual Credit Office.

Courses may be dropped with the designation of a "W" (withdrawn) until the end of the twelfth week of a regular session and until the end of the fourth week in a summer session. See the [Academic Calendar](#) for specific withdrawal deadline dates. Please keep in mind that while dropped dual credit classes do not count towards the state "six drop rule", dropping a course may affect current and future financial aid.

### **FINAL EXAMS**

All academic courses administer final exams. The final exam schedule is located online and is available at the start of each term.

## **GRADING AND GRADE POINTS**

The College considers grades extremely important permanent records and requires instructors to communicate their specific grading policies for each class at the beginning of the semester. At the end of the semester, the College requires instructors to submit final grades for all officially enrolled students.

Grade notations are as follows:

A	Excellent	4 grade points per semester hour
B	Good	3 grade points per semester hour
C	Average	2 grade points per semester hour
D	Poor	1 grade point per semester hour
F	Failure	0 grade points per semester hour
I	Incomplete: This grade is given only when a student misses the final examination. The instructor has the discretion to allow a make-up if the absence is caused by sickness or other emergency. By the following regular mid-semester, an "I" not made up will convert to an "F".	
W	Withdrawn: This grade indicates an official withdrawal from a course by the student or by administrative action after the attendance verification day and prior to the official drop date. This grade does not count toward the six-drop limit.	
WX	Withdrawn: This grade indicates an official withdrawal from a course by the student or by administrative action after the attendance verification day and prior to the official drop date. This grade does count toward the six-drop limit.	
X	Audit: No credit and no grade.	

GPA is calculated by adding the total number of grade points earned and then dividing by the total number of hours attempted at the College.

Grades earned in dual credit classes are included on the student's permanent college transcript.

### **ACADEMIC PROBATION**

Failure to achieve the required minimum standard of work (institutional GPA of at least 2.0) will result in a student being placed on academic probation for the next semester in which they are enrolled.

Students on academic probation are removed from probation when they have achieved the required minimum standard of work of a 2.0 GPA or higher.

### **ACADEMIC SUSPENSION**

Failure to achieve a cumulative average of at least 2.0 GPA while on academic probation results in suspension from the College for the following regular semester. A student who has been suspended from the College for poor scholarship and who re-enters after the expiration of the semester of suspension, re-enters on academic probation.

## **TRANSCRIPTS**

A transcript of college credits is an official copy of the student's permanent record bearing the college seal. For a fee, students may obtain copies of his or her transcript or request that the transcript be sent to another college or university by requesting transcripts through [Online Services](#). All admission information must be on file, and all holds must be cleared before a transcript can be issued.

## **APPEAL OF ACADEMIC DECISIONS**

If a student feels that their rights have been violated, [Regulation FLD - Student Complaints](#) provides the policy and process for working through a grievance. Grievances can include both non-academic (i.e. discrimination, actions of college or other students) and academic (grade appeal, academic decisions) concerns. Section 7 in this handbook on student grievance procedures details the process for filing a grievance.

## **SECTION 3: STUDENT SERVICES AND RESOURCES**

### **DUAL CREDIT DIRECTOR**

The Dual Credit Director is available to answer questions related to the dual credit program. The coordinator's office is located on the second floor of the Administration Building, Room 203, on the Wharton campus. The coordinator works with service areas school districts, private schools, and with parents of home-schooled students to determine the dual credit offerings that will best serve the needs of dual credit/concurrent students.

### **DEAN OF STUDENT SUCCESS**

The Office of the Associate VP of Academic Affairs is located on the second floor of the Pioneer Student Center, on the Wharton Campus. This office serves as an advocate and resource for students and works to uphold the student code of conduct as well as general regulations published by the College. Through this office, [students can file both academic and non-academic grievances](#), [report concerning behavior](#), [report incidents or student conduct](#), and [file a Title IX complaint](#).

### **BUSINESS OFFICE**

The Business Office processes all student payments for tuition and fees, as well as any other fees applied to student accounts. Students can pay fees online, by mail or in person on the Wharton, Richmond and Sugar Land campuses. Installment plans are also available.

### **CAMPUS BOOKSTORE**

Dual credit students must have the correct textbook for their classes. Students are responsible for purchasing their own textbooks, unless their school district has made other arrangements. To purchase a textbook, students can visit the WCJC Bookstore located on the Wharton campus in the Hutchins Memorial Building and on the Richmond campus. The Bookstore also offers textbook rental. Visit the [Bookstore website](#) to see store hours and contact information, or to order textbooks online.

### **CAMPUS LIBRARIES**

WCJC has two [libraries](#) available to students on campus - the J.M. Hodges Library is located on the Wharton campus, and the Fort Bend County Library is located on the Sugar Land campus. WCJC also maintains a cooperative agreement with the Fort Bend Public Library System and the Matagorda County

Library System for library services to students for students in those counties. All students can freely access all library locations.

The libraries offer a variety of learning resources, materials and equipment to support the instructional programs. The resources include books, periodical subscriptions, online data bases, internet access, photocopiers, and audio-visual materials. In general, library materials may be checked out for 14 days. Materials may not be held between semesters. Located within the library on the Wharton campus is the Learning Center, Open Computer Lab, Testing Center, and the Advising, Career, and Transfer Center.

### **DISABILITY SERVICES**

Disability Services provides services for students who may need academic accommodations for learning disabilities, health impairments, physical limitations and psychiatric conditions. WCJC is committed to providing a discrimination-free environment for its students with disabilities. Students with disabilities are encouraged to inform the college of any assistance they may need upon application. Early self-identification will allow the student to receive reasonable accommodations soon as possible.

In order to receive accommodations at WCJC, students must schedule and complete the ADA Intake and Orientation (takes about an hour). Documentation of disability is required and should be emailed as PDF to the Coordinator of Disability Services ([disabilityservice@wcjc.edu](mailto:disabilityservice@wcjc.edu)), prior to the meeting. Please note that the request for accommodation must be from the student. Please provide your WCJC student ID number and a good day and range of times for the meeting.

The documentation guidelines and additional information about Disability Services are available on our webpage at [Disability Services](#).

### **IT HELP DESK**

The [IT Help Desk](#) assists student with myWCJC Portal, student email, Online Services and D2L Brightspace. To request IT assistance, students can complete an [IT Support Request](#). The IT Help Desk can also be contacted by calling 979-532-6568.

### **TITLE IX COORDINATOR**

The College's Title IX Coordinator is a designated agent of the College with primary oversight for coordinating College Title IX compliance responsibilities. The Title IX Coordinator's responsibilities are important to the overall development, implementation, and monitoring of the College's efforts to comply with Title IX legislation and regulations. The Title IX Coordinator works to ensure a fair and neutral process for all parties. Students are encouraged to contact the Title IX Coordinator for Students with questions or to discuss Title IX related matters – [mcphersonl@wcjc.edu](mailto:mcphersonl@wcjc.edu). [File a Title IX complaint](#).

## **SECTION 4: STUDENT RIGHTS AND RESPONSIBILITIES / CODE OF CONDUCT**

The College recognizes the necessity of establishing clear guidelines for student conduct to ensure the protection of rights for the individual and for the college as an institution of education. In addition to other formal rules and regulations, the following statements adopted by the college apply to all individuals of the college community as well as its guests.

A student is defined as an individual who is currently enrolled in the College and any prospective or former student who has been accepted for admission or readmission to the College.

## **STUDENT RIGHTS**

The following rights of all members of the college community shall remain inviolable:

1. To learn, teach, study, and search for truth without interference or harassment.
2. To move about the campus and in campus buildings freely and without interference or harassment.
3. To express opinions freely and without interference, individually or in groups, as long as such expression does not interfere with any other individual rights hereby guaranteed or result in damage to property. To be treated at all times with courtesy and respect, regardless of ethnic origin, cultural background, sex, creed or ideology, as long as one displays regard for the rights of others that are provided in this statement of individual rights.

If a student feels that their rights have been violated, [Regulation FLD - Student Complaints](#) provides the policy and process for working through a grievance. Grievances can include both non-academic (i.e. discrimination, actions of college or other students) and academic (grade appeal, academic decisions) concerns.

## **STUDENT RESPONSIBILITIES**

As a student of Wharton County Junior College, an individual assumes responsibility of observing a proper standard of conduct at all times. Students are also expected to understand and comply with all college policies and procedures.

All students shall obey the law, show respect for properly constituted authority, and observe proper standards of conduct. Each student shall:

- Demonstrate courtesy, even when others do not.
- Behave in a responsible manner, always exercising self-discipline.
- Attend all classes, regularly and on time.
- Prepare for each class and take appropriate materials and assignments to class.
- Obey all classroom rules.
- Respect the rights and privileges of students, faculty, and other WCJC staff and volunteers.
- Respect the property of others, including College property and facilities.
- Cooperate with and assist the College staff in maintaining safety, order, and discipline.

## **PROHIBITED CONDUCT**

All students shall obey the law, show respect for College administration, faculty, staff, employees, and shall observe correct standards of conduct. In addition to activities prohibited by law and/or other College policies or regulations, the following types of behavior shall be prohibited and subject to disciplinary action, including but not limited to, possible dismissal from WCJC.

1. Federal, State and Local Laws – violations of federal, state, or local law or WCJC policies procedures, or rules, including those in this Student Handbook.
2. Prohibited Weapons – Possession, distribution, sale or use of firearms, location-restricted knives, clubs, knuckles, or other prohibited weapons to include fireworks, as described in [College Regulation CHF](#), without prior approval.

3. Drugs and Alcohol – Behaviors regarding drugs and alcohol and associated paraphernalia as described in [Regulation FLBE](#).
  - a. A student shall be prohibited from using, possessing, controlling, manufacturing, transmitting, distributing, selling, or being under the influence of intoxicating beverages on College premises and at college-sponsored activities.
  - b. No student shall possess, use, control, manufacture, transmit, distribute, sell or attempt to possess, use, control, manufacture, transmit, distribute, sell or be under the influence of, any of the following substance on College premises or at College sponsored activities.
    - 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.
    - Any abusable glue, aerosol paint, or any other volatile chemical substance or inhalation.
    - Any performance-enhancing substance, including steroids.
    - Any designer drug.
    - Any other intoxicate or mood-changing, mind-altering or behavior-altering drug.
  - c. Paraphernalia – The use, possession, control, manufacture, transmission, distribution, or sale of paraphernalia related to any prohibited substance.
4. Debts – Owing a monetary debt to the College that is considered delinquent or writing an “insufficient funds” check to the College.
5. Disruptions – Disorderly conduct or disruptive behavior. Disorderly conduct shall include any of the following activities occurring on premises owned or controlled by WCJC:
  - a. Behavior of a boisterous or 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 at any time 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.
  - 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 to such an extent that the employees,

officers, and other persons, including visitors, having business with the College District are denied entrance into, exit from, or free passage in such building.

6. Behavior Targeting Others –

- a. Threatening another person, including a student or employee.
- b. Intentionally, knowingly, or negligently causing physical harm to any person.
- c. Engaging in conduct that constitutes harassment, sexual assault, dating violence, stalking, or bullying directed toward another person, including a student or employee as written in College Regulation FFDA, College Regulation FFDB and College Regulation FFE.
  - Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student’s race, color, religion, national origin, disability, age, gender or on any other basis prohibited by law, that adversely affects the student. Read full policy at [College Regulation FFDB](#).
  - Prohibited sexual harassment, which includes sexual violence, dating and domestic violence and stalking, is defined as unwelcome sexual advances; requests for sexual favors, sexually motivated physical, verbal, and non-verbal conduct or other conduct or communication of a sexual nature when the conduct is so severe, persistent, or pervasive that it limits or denies the student’s ability to participate in or benefit from the College’s educational program or activities. Read full policy at [College Regulation FFDA](#).
  - Bullying, which may include hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft, name-calling, rumor spreading or ostracism, is strictly prohibited. Bullying occurs when a student or group of students engages in written or verbal expression, expression through electronic means, or physical conduct that occurs on College premises or at a College sponsored activity and that:
    - has the effect or have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property; or
    - Is so sufficiently severe, persistent, and pervasive that the action or threat limits or denies a student’s ability to participate in or benefit from the College’s educational program.Read full policy at [College Regulation FFE](#).
  - A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College investigation regarding discrimination or harassment shall be subject to appropriate disciplinary action.
- d. Hazing with or without the consent of a student.
- e. Initiations by organizations that include features that are dangerous, harmful, or degrading to the student, a violation of which also renders the organization subject to appropriate discipline.
- f. Endangering the health or safety of members of the College community or visitors to the premises.

7. Property –
  - a. Intentionally, knowingly, or negligently defacing, damaging, misusing, or destroying College property or property of others.
  - b. Stealing or theft of College property or the property of others.
  - c. Theft, sabotage, destruction, distribution, or other use of the intellectual property of the college or third parties without permission.
8. Directives –
  - a. Failure to comply with the directive of a College official.
  - b. Failure to provide identification upon request.
9. Tobacco and E-cigarettes – Possession or use of tobacco products or e-cigarettes on College property without authorization [[Regulation FLBD](#)]
10. Misuse of Technology –
  - a. Violating policies, rules, or agreements signed by the student regarding the use of technology resources.
  - b. Attempting to access or circumvent passwords or other security-related information of the College District, students, or employees or uploading or creating computer viruses.
  - c. Attempting to alter, destroy, disable, or restrict access to College District technology resources including but not limited to computers and related equipment, College District data, the data of others, or other networks connected to the College’s system without permission.
  - d. Using the internet or other electronic communications to threaten College students, employees, or volunteers.
  - e. Sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another’s reputation, or illegal.
  - f. Using email or websites to engage in or encourage illegal behavior or threaten the safety of the College, students, employees, or visitors.
  - g. Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten the safety of the College, students, employees, or visitors.
11. Dishonesty –
  - a. Scholastic dishonesty, which includes cheating, plagiarism, and collusion.
    - Cheating, which includes, but is not limited to:
      - Copying from another student’s test or class work.
      - Using test materials not authorized by the person administering the test.
      - Collaborating with or seeking aid from another student during a test without permission from the test administrator.

- Knowingly using, buying, selling, stealing or soliciting, in whole or in part, the contents of an unadministered test, paper, or another assignment.
  - The unauthorized transporting or removal, in whole or in part, of the contents of the unadministered test.
  - Substituting for another student, or permitting another student to substitute for one's self, to take a test.
  - Bribing another person to obtain an unadministered test or information about an unadministered test.
  - Manipulating a test, assignment, or final course grade.
  - Plagiarism – the appropriating, buying, receiving as a gift, or obtaining by any means another's work and the unacknowledged submission or incorporation of it in one's own written work.
  - Collusion – the unauthorized collaboration with another person in preparing written work for fulfillment of course requirements.
- b. Making false accusations or perpetrating hoaxes regarding the safety of the college, students, employees or visitors.
  - c. Intentionally or knowingly providing false information to the College.
  - d. Intentionally or knowingly falsifying records, passes or other College related documents.
12. Gambling or Other Conduct – Gambling or engaging in any other conduct that College officials might reasonably believe will substantially disrupt the college program or incite violence.

Students are directed to [College Regulation FLB](#) to read full policy on Student Conduct.

### **DISCIPLINE**

A student shall be subject to discipline, including suspension, in accordance with [College Regulation FM](#) and [College Regulation FMA](#), if the student violates this policy:

1. While on College premises;
2. While attending a College activity; or
3. While elsewhere if the behavior adversely impacts the educational environment or otherwise interferes with College operations or objectives.

### **DISCIPLINE PROCEDURE**

Students are directed to [College Regulation FMA](#) to read full policy on Disciplinary Procedures.

1. Reports of Alleged Misconduct – Alleged violations of WCJC policies or procedures will be submitted to the Dean of Student Success or designee (henceforth known as the Dean) within a reasonable amount of time following an alleged incident, not to exceed ten (10) business days. Allegations must be submitted in writing, through the [Incident Report Form](#), and must describe the incident and alleged violation and any surrounding facts.

The Dean shall investigate the matter as necessary. If an allegation is deemed to be unfounded, the Dean shall dismiss the allegation and shall provide the student written notice that the allegation of misconduct was made against the student and that the allegation was dismissed.

Exception: Reports of sex discrimination or sexual harassment shall be submitted in accordance with [College Regulation FFDA](#), as appropriate.

2. Conference – If it is determined that the allegation warrants further consideration, the Dean shall summon the student for a conference to be held within a reasonable time, not to exceed ten (10) business days, following the receipt of the allegation of misconduct.

At the conference, the Dean shall notify the student of the allegation(s) and provide the student an opportunity to respond.

3. Unfounded Allegations – After conferring with the student, if the Dean determines that the student did not commit a violation, the allegation(s) shall be dismissed as unfounded. The student shall be provided written notice of the dismissal.
4. Misconduct Warranting a Penalty – If the Dean determines that the student committed misconduct that warrants a penalty other than suspension or expulsion, the Dean shall provide the student written notice of the penalty and the student’s right to appeal.

a. Penalties for Misconduct include:

- Reprimand – A verbal or written warning to the student following a rule violation. Repetition of such misconduct may result in more severe disciplinary action.
- Restitution – Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damage.
- Scholastic Penalties – The assignment of a failing grade on an assignment or examination or in a course by an instructor based on scholastic dishonesty; including cheating, collusion, and plagiarism; committed by a student. The instructor shall submit a written report of the incident and of the planned action to the instructor’s dean.
- Educational – Referral to drug and alcohol counseling or rehabilitation programs or student assistance programs. (Per [College Regulation FLBE](#))
- Conditional Probation – The placing of a student on notice that continued infraction of regulations may result in suspension or expulsion from the College District. Conditional probation may include restrictions on a student’s rights and privileges or specified community service. The probation may be for a specified length of time or for an indefinite period according to the relative severity of the infraction or misconduct. Failure to fulfill the terms of the probation may lead to suspension or expulsion.
- Suspension – Forced withdrawal from the College District for either a definite period of time or until stated conditions have been met. Normally, suspension shall extend through a minimum of one regular long semester (with summer sessions not counting in the one semester minimum time lapse). However, suspension may exceed the one semester

minimum.

- Expulsion – Permanent forced withdrawal from the College District. A student receiving disciplinary expulsion shall have the action noted in the student’s permanent record.

Refer to [College Regulation FM](#) to read full policy.

- b. Suspension – If the Dean determines that the student committed misconduct that warrants a suspension, the Dean shall inform the student in writing of the determination, and a hearing shall be scheduled for consideration by the disciplinary appeals committee as described below.
  - c. Expulsion – If the Dean determines that the student committed misconduct that warrants expulsion, the official shall inform the student in writing of the determination. The Dean shall forward the determination and all evidence collected during the investigation and conference to the College President in order to schedule an expulsion hearing before the Board.
  - d. Interim Disciplinary Action – The Dean may take immediate disciplinary action, including suspension pending a hearing, against a student for policy violations if the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the educational environment.
5. Disciplinary Appeals Committee
- a. The disciplinary appeals committee shall be convened:
    - On request of a student appealing a penalty other than suspension or expulsion. The request must be filed in writing, [on a form provided by the College](#), within ten (10) business days of the date of the administration’s written notice.
    - Automatically, if the Dean determines that a student committed misconduct warranting suspension.
  - b. Composition of Committee – The Disciplinary Appeals Committee shall be composed of at least three WCJC employees and a minimum of one student. All members of the committee shall be eligible to vote during the hearing.
  - c. Hearing Notice – The Dean shall notify the student by letter of the date, time, and place for the hearing. Unless the student and the Dean otherwise agree, the hearing shall take place within a reasonable time period, not to exceed ten (10) business days after the date of the student’s request for a hearing or the Dean’s determination that the student should be suspended. The Notice shall:
    - Direct the student to appear on the date and at the time and place specified.
    - Advise the student of his or her rights
      - To have a private hearing.
      - To be assisted by an advisor or legal counsel at the hearing.
      - To call witnesses, request copies of evidence in the College’s possession, and offer evidence and agreement on his or her own behalf.

- To make an audio recording of the proceedings, after first notifying the Dean in advance of the hearing, or, at the student's own expense, to have a stenographer present at the hearing to make a stenographic transcript of the hearing.
  - To ask questions of each witness who testified against the student.
  - 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.
  - Contain a description of the allegations of misconduct in sufficient detail to enable the student to prepare his or her defense against the charges.
  - State the proposed punishment or range of punishments that may be imposed.
- d. Failure to Appear for Hearing – The disciplinary appeals committee may impose appropriate punishment upon a student who fails without good cause to appear for the hearing; for purposes of assessing punishment, the committee may proceed with the hearing in the student's absence.
- e. Hearing Procedure – The hearing shall proceed as follows:
1. The chairperson shall read the description of the misconduct.
  2. The chairperson shall inform the student of his or her rights.
  3. The designated official or representative shall present the College's case.
  4. The student or representative shall present the student's defense.
  5. The designated official or representative shall present rebuttal evidence.
  6. The committee members may ask questions of witnesses testifying on behalf of the student or the College.
  7. The designated official or representative shall summarize and argue the College's case.
  8. The student or representative shall summarize and argue his or her case.
  9. The designated official or representative shall have an opportunity for rebuttal argument.
  10. The committee members shall deliberate in closed session. The committee members shall vote on the issue of whether or not the student violated College policies and procedures, including the rules for student conduct.
  11. If the committee finds the student did commit misconduct, the committee shall determine whether the penalty assessed, or proposed in the case of suspension, by the Dean is appropriate and, if necessary, shall assess a different or additional penalty.
  12. The committee chairperson shall communicate the decision and any findings of facts in support of the committee's decision to the student in writing within ten (10) business days of the hearing. The notice shall include procedures for appealing the committee's decision to the College President.

All hearings shall be recorded by the College.

- f. Evidence – Evidence shall be handled in accordance with the following:
- Legal rules of evidence do not apply; the committee chairperson may admit evidence or exclude evidence considered to be irrelevant, immaterial, and unduly repetitious.
  - At the hearing, the College shall be required to prove by a preponderance of the evidence that the charges are true.
  - A student may not be compelled to testify.
  - The committee shall determine if a violation has occurred and assess an appropriate penalty based solely on the evidence presented at the hearing.

6. Appeal to College District Administration – A student may, within ten (10) business days of receiving notice of the disciplinary appeal committee’s decision, petition in writing the College President to review the decision. The student’s petition shall state with particularity why the decision is believed to be incorrect. After receiving notice of the appeal, the disciplinary appeals committee chairperson shall forward all evidence considered during the hearing, the audio recording of the hearing, and the digest of the hearing, if applicable, to the College President.

The College President shall hold a conference within ten College District business days after the appeal notice is filed. At the conference, the student may provide information concerning any documents or information relied on by the committee. The College President may set reasonable time limits for the conference. The conference shall be audio recorded.

The College President shall 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 College President may consider the evidence included in the student’s petition, provided during the conference, and forwarded by the committee chairperson. The College President may act to affirm, modify, remand, or reverse the decision of the disciplinary appeals committee.

7. Appeal to Board - If the College President affirmed or modified the decision of the disciplinary appeals committee or if the time for a response has expired, the student may appeal the decision to the Board. The appeal notice must be filed in writing, on a form provided by the College District, within ten College District business days after receipt of the written response from the College President, or, if no response was received, within ten College District business days of the response deadline.

The College President or designee shall inform the student of the date, time, and place of the Board meeting at which the appeal will be on the agenda for presentation to the Board.

The College President or designee shall provide the Board the evidence presented to the College President, as well as the audio recording of the College President’s conference with the student and the written response provided by the College President to the student.

The College District shall determine whether the appeal will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BD]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student and the administration to each make a presentation and provide

rebuttal and an opportunity for questioning by the Board. The Board shall hear the appeal and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the hearing. The hearing, including the presentation by the student or the student's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the evidence. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the evidence by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the Dean of Student Success's decision.

8. Expulsion Hearing - If the Dean determines that the student's misconduct warrants expulsion [see Conference, above], the Board shall convene to conduct an expulsion hearing. The College President or designee shall inform the student of the date, time, and place of the Board meeting at which the appeal will be on the agenda for presentation to the Board. The notice shall contain the contents described at Disciplinary Appeals Committee—Contents of Notice, above.

The College President or designee shall provide the Board the documentation presented by the Dean of Student Success.

The Board shall proceed according to the procedures set out at Disciplinary Appeals Committee—Failure to Appeal for Hearing, Hearing Procedure, and Evidence, above, with the Board substituted for references to the committee and the presiding officer of the Board substituted for the committee chairperson.

## **SECTION 5: FERPA – FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974**

### **RIGHTS UNDER FERPA FOR POST-SECONDARY INSTITUTIONS**

FERPA affords students certain rights with respect to their educational records. These rights include:

- The right to inspect and review the student’s education records within 45 days of the day the college receives a request for access. A written request can be submitted to the Registrar and must identify the record the student is requesting to view. The college official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
- The right to request the amendment of the student’s education records that the student believes are inaccurate. Students may ask the college to amend a record that they believe is inaccurate. They should write the college official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the college decides not to amend the record as requested by the student, the college will notify the student of the decision and advise the student of his or her right to a hearing regarding a request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student’s educational records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the college in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the college has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Optional: Upon request, the college discloses education records without consent to officials of another school in which a student seeks or intends to enroll (Note: FERPA requires an institution to make a reasonable attempt to notify the student of the records request unless the institution states in its annual notification that it intends to forward records on request.)
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the college to comply with the requirements of FERPA.

The name and address of the Office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202

Further information concerning this policy and laws on which it is based is available through the Office of Admissions and Registration.

### **DISCLOSURE OF DIRECTORY INFORMATION**

Under FERPA, students have the right to prevent the disclosure of “Directory Information.” Directory Information is described as follows: name, address, telephone number, dates of attendance, class,

previous institutions attended, major field of study, awards, honors, degree(s) conferred (including dates), past and present participation in officially recognized sports and activities, physical factors (height, weight of athletes), date and place of birth. To prevent disclosure of directory information, complete the [Request to Prevent the Disclosure of Directory Information form](#) and send it to the Office of Admissions and Registration. A notification is sent to students each semester regarding the process to prevent disclosure of directory information. It is the student's responsibility to read the notification. This form must be signed and received in the WCJC Office of Admission and Registration prior to the 12th class day in fall or spring semester and the 4th class day of the summer term to prevent disclosure for that semester. If not received by that date, it will be assumed that the above information may be disclosed for the remainder of the current semester. A new form for non-disclosure must be completed for each semester.

The Solomon Amendment requires that colleges provide information to military recruiters, upon request. This information is usually a subset of the directory information, but can include additional items.

## **SECTION 6: SEXUAL MISCONDUCT AND HARASSMENT**

### **Statement of Nondiscrimination**

The College District prohibits discrimination, including harassment, against any student on the basis of sex or gender. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.

### **Definitions**

- **Discrimination** - Discrimination against a student is defined as conduct directed at a student on the basis of sex or gender that adversely affects the student.
- **Sexual Harassment by an Employee** - Sexual harassment of a student by a College District employee includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:
  - A College District employee causes the student to believe that the student must submit to the conduct to participate in a college program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
  - The conduct is so severe, persistent, or pervasive that it limits or denies the student's ability to participate in or benefit from the College District's educational program or activities.
- **Sexual Harassment by Others** - Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it limits or denies a student's ability to participate in or benefit from the College District's educational program or activities.
- **Sexual Violence** - Sexual violence is a form of sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability.

- Dating Violence - “Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- Domestic Violence - Domestic violence” means violence committed by:
  - A current or former spouse or intimate partner of the victim;
  - A person with whom the victim shares a child in common;
  - A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - Any other member of the victim’s family as defined by state law;
  - Any other current or former member of the victim’s household as defined by state law;
  - A person in a dating relationship with the victim as defined by state law; or
  - Any other person who acts against the victim in violation of the family violence laws of this state or the jurisdiction where the conduct occurs.
- Stalking - “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

- “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.
- Gender Based Harassment - Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student’s gender, the student’s expression of characteristics perceived as stereotypical for the student’s gender, or the student’s failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct limits or denies a student’s ability to participate in or benefit from the College District’s educational program. Acts of gender-based harassment may also be considered sex discrimination or sexual harassment.
- Prohibited Conduct - In this policy, the term “prohibited conduct” includes discrimination, harassment, dating violence, domestic violence, stalking, and retaliation as described by this policy, even if the behavior does not rise to the level of unlawful conduct.

- Complainant - In this policy, the term “complainant” refers to an applicant for admission or a student who is alleged to have experienced prohibited conduct. The term also includes a former student who is alleged to have experienced prohibited conduct while participating, or attempting to participate, in the College District’s educational program or activity.
- Respondent - In this policy, the term “respondent” refers to a person who is alleged to have committed prohibited conduct.
- Confidential Employee - A “confidential employee” is a person who holds a professional license requiring confidentiality, such as a counselor or medical provider, who is supervised by such a person, or a person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source.
- Days – “Days” shall mean College District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”
- Extension of Timelines – Timelines established by this policy and associated procedures may be subject to a limited extension if good cause, as defined in this policy and College District regulations, exists. The College District shall promptly provide written notice to the parties of an extension and the reason for the extension.

### **Reporting Procedures**

A victim of prohibited conduct has the right to report the incident to the College District and to receive a prompt and equitable resolution of the report.

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to the Title IX coordinator, the College President, or another employee. A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation. A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct.

Alternatively, a student may submit the report electronically through the College District’s website. The submission of an anonymous electronic report may impair the College District’s ability to investigate and address the prohibited conduct.

A victim of a crime has the right to choose whether to report the crime to law enforcement, to be assisted by the College District in reporting the crime to law enforcement, or to decline to report the crime to law enforcement.

It is important that a victim of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.

### **Title IX Coordinator for Students**

Reports of discrimination based on sex, including sexual harassment and gender-based harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate

its efforts to comply with Title IX of the Education Amendments of 1972, as amended, and related state and federal laws:

Title IX Coordinator for Students: Lindsey McPherson, Associate VP of Academic Affairs

Address: 911 Boling Highway, Wharton, TX 77488

Physical Location: Pioneer Student Center, Wharton Campus, 2<sup>nd</sup> floor

Telephone: 979-532-6905

Email: McPhersonL@wcjc.edu

### **Timely Reporting**

A failure to immediately report prohibited conduct may impair the College District's ability to investigate and address the conduct.

### **Advisor**

Each party to the complaint may be assisted by an advisor of the party's choice who may participate in the proceedings in a manner consistent with College District procedures.

### **Investigation of the Report**

The College District may request, but shall not require, a written report. If a report is made orally, the Title IX coordinator or designee shall reduce the report to written form.

- A. Initial Assessment** - Upon receipt or notice of a report, the Title IX coordinator shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the Title IX coordinator shall promptly offer supportive measures to the complainant. The Title IX coordinator shall explain the process for filing a formal complaint and assess any request not to investigate. If the College District moves forward with the investigation, the Title IX coordinator shall immediately provide notice to the known parties to the complaint. If the Title IX coordinator determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the Title IX coordinator shall refer the complaint for consideration under the appropriate policy.
- B. Request Not to Investigate** - The complainant may request that the College District not investigate the allegations. If the complainant requests that the allegations not be investigated, in deciding whether to initiate the investigation, the College District must consider the factors described by law and any other factors the College District considers relevant. The College District shall promptly notify the complainant of the decision regarding whether it will conduct the investigation. If the College District decides not to investigate the allegations, the College District shall take reasonable steps to protect the health and safety of the College District community.
- C. Formal Complaint** - To be considered a formal complaint under Title IX, the complainant or the Title IX coordinator must sign the written report.

- D. Notice to Parties** - The notice to the parties must describe the allegations and the formal and informal options for resolution of the complaint. The notice must state that the respondent is presumed not responsible until a determination regarding responsibility is made. The notice must also include information regarding the option to select an advisor, the opportunity to inspect and review evidence, and the prohibition on knowingly making false statements or submitting false information during the investigation and any ensuing proceedings.  
If the allegations are subsequently amended, the College District shall provide an updated notice reflecting the new allegations.
- E. Informal Resolution** - The College District may offer to the parties a process for the informal resolution of a formal complaint as defined by law. If the parties voluntarily agree in writing to participate in informal resolution of the complaint, the Title IX coordinator shall determine within three days if informal resolution is appropriate for the complaint. If the Title IX coordinator determines that informal resolution is appropriate, then the Title IX coordinator or designee may facilitate that resolution within ten days. If the Title IX coordinator does not determine informal resolution to be appropriate, then the complaint will be subject to the formal resolution process. This process is not available in situations where an employee is alleged to have sexually harassed a student.
- F. Formal Resolution** - If the complaint is not subject to the informal resolution process, the Title IX coordinator shall authorize or undertake an investigation, except as provided below at Criminal or Regulatory Investigation.
- G. Supportive Measures** - If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the Title IX coordinator shall promptly provide supportive measures intended to address prohibited conduct, protect the safety of the parties and others, and protect the parties from retaliation prior to the completion of the investigation. Examples of possible supportive measures include academic accommodations, such as extensions of deadlines or other course-related adjustments and modifications of class schedules; housing and dining modifications; temporary removal from an education program or activity in accordance with law; counseling; health services; campus escort services; mutual restrictions on contact between the parties; and increased security and monitoring of certain areas of the campus.
- H. College District Investigation** - The investigation may be conducted by the Title IX coordinator or designee or by a third party designated by the College District, such as an attorney. The investigation may consist of personal interviews with the complainant, the respondent, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations. The parties shall be provided an equal opportunity to present witnesses and evidence and to inspect and review any directly related evidence obtained by the College District so that the parties may meaningfully respond during the investigation process. The parties expected to participate in an investigative interview or other meeting shall be provided written notice in enough time to prepare to participate.  
At least ten days prior to the completion of the investigation report, the College District must

send each party and the party's advisor evidence subject to inspection and review. The parties may submit a written response for consideration by the investigator.

- I. **Criminal or Regulatory Investigation** - If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation. Any delay under this provision shall constitute good cause for an extension of timelines established by this policy and associated procedures.

### **Concluding the Investigation**

The investigation shall be completed within a reasonable time, not to exceed 30 days from the date of the report.

The investigator shall prepare a written report of the investigation. The investigation report shall be filed with the Title IX coordinator within five days following the completion of the investigation.

- A. **Notification of the Report** - The Title IX coordinator shall provide the investigation report, within the extent permitted by the Family Educational Rights and Privacy Act (FERPA) or other law, to the complainant and the respondent promptly following receipt. The parties shall be given ten days to respond to the report.

### **College District Action**

The Title IX coordinator shall submit the investigation report and any response from the parties to the Case Decision Maker promptly after receipt of the parties' response but no later than the expiration of the parties' deadline to respond.

The Decision Maker or designee shall summon the parties for a hearing to be held within a reasonable time, not to exceed ten days, following the receipt of the investigation report. The hearing shall be conducted in accordance with law and College District procedures.

After the hearing, the Decision Maker or designee shall determine whether each individual allegation of prohibited conduct occurred using a preponderance of the evidence standard and determine the appropriate disciplinary or corrective action. In making the determination, the Decision Maker or designee shall evaluate all relevant evidence objectively and shall not make credibility assessments based on a person's status as the complainant, the respondent, or a witness. The Decision Maker or designee shall create a written determination regarding responsibility in accordance with law and College District procedures within five days following the hearing and submit the determination to the parties simultaneously.

### **Disciplinary or Corrective Action**

If the Decision Maker or designee determines that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

Examples of disciplinary or corrective action may include:

- Implementing the disciplinary measures described in FM for students or DH and DM series for employees;
- Providing a training program for those involved in the complaint;
- Providing a comprehensive education program for the College District community;
- Providing counseling for the victim and the party who engaged in prohibited conduct;
- Permitting the victim or student who engaged in the prohibited conduct to drop a course in which they both are enrolled without penalty;
- Conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred;
- Involving students in efforts to identify problems and improve the College District climate;
- Increasing staff monitoring of areas where prohibited conduct has occurred;
- Reaffirming the College District's policy against discrimination and harassment; and
- Taking other actions described in College District regulations.

#### **Dismissal of Complaint**

- A. Mandatory Dismissal** - An allegation presented as a formal complaint under Title IX is subject to the mandatory dismissal procedures under law.
- B. Permissive Dismissal** - Any complaint may be dismissed at any time on request of a complainant. The Title IX coordinator must first assess the request in accordance with this policy at Request Not to Investigate, above.  
A complaint may also be dismissed if specific circumstances prevent the College District from gathering evidence sufficient to reach a determination as to the complaint or allegations.
- C. Notice of Dismissal** - Upon dismissal of a complaint, the Title IX coordinator shall provide the parties written notice of the dismissal.

#### **Confidentiality**

To the greatest extent possible, consistent with law, the College District shall respect the privacy of the complainant or the respondent or a person who makes a report or serves as a witness. Limited disclosures may be necessary to carry out the purposes of this policy and associated regulations and to comply with applicable law.

## **Retaliation**

The College District prohibits retaliation against any person for the purpose of interfering with a right or privilege under this policy; the complainant; or a person who, in good faith, makes a report or complaint, serves as a witness, or otherwise participates or refuses to participate in an investigation, proceeding, or hearing under this policy. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct.

A person who is alleged to have experienced retaliation may pursue a claim under this policy or policy DAAA, as appropriate.

## **Appeal**

- A. Suspension - If the Decision Maker or designee determines that a student committed prohibited conduct that warrants a suspension, the official shall forward the determination and all evidence collected during the investigation and hearing to the College President. A conference shall be scheduled within ten days of the notice of determination in accordance with FMA, beginning at Appeal to College District Administration.
- B. Expulsion - If the Decision Maker or designee determines that the student committed prohibited conduct that warrants expulsion, the official shall forward the determination and all evidence collected during the investigation and hearing to the College President to schedule an expulsion hearing before the Board in accordance with FMA.
- C. Other Action - If the Decision Maker or designee determines that the student committed prohibited conduct that warrants other discipline or corrective action, the Decision Maker or designee shall inform the student that the student may appeal the determination within ten days in accordance with FMA, beginning at Appeal to College District Administration.

## **Records Retention**

Retention of records shall be in accordance with the College District's records retention procedures.

## **SECTION 7: STUDENT GRIEVANCE**

The College strives to provide a safe, humane and responsive learning environment for students. When conflicts arise, students are encouraged to resolve the complaint/grievance informally. In the case that an issue cannot be resolved informally, the student has a right to initiate a formal complaint. Student complaints or grievances may include, but are not limited to, a grade appeal or academic decision and issues involving classroom instruction, campus services or offices, as well as issues with other students.

Students are encouraged to resolve all grievances informally, first by meeting with the person directly involved with the grievance. If the grievance cannot be resolved, students can submit a formal grievance.

### **Formal Grievance Process**

Formal grievances and complaints must be in writing, submitted on the official [Grievance Form](#). No anonymous complaints will be accepted. Documentation that supports the grievance should be submitted with the Grievance Form. If unable to submit documents at that time, documents may be presented at the Level One conference; however, no new documents may be submitted by the student

after the Level One conference unless the student did not know the documents existed before the Level One conference.

**Level One:**

Grievance forms must be filed:

- Within 15 days of the date the student first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
- With the lowest level administrator who has the authority to remedy the alleged problem.

Upon receipt of a formal written grievance, the Dean of Student Success or designee will review the grievance, assess validity, and forward to the appropriate authority for review and resolution.

Note: if the only administrator who has authority to remedy the alleged problem is the Level Two or Level Three administrator, the complainant may begin at Level Two or Level Three, respectively, following the procedure, including deadlines, for filing the complaint form at Level One.

The administrator shall investigate as necessary and schedule a meeting with the student within ten (10) days after receipt of the written complaint. The administrator may set reasonable time limits for the meeting.

Absent extenuating circumstances, the administrator shall provide the student a written response within ten (10) days following the meeting. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any relevant documents or information the administrator believes will help resolve the complaint.

**Level Two:**

If the student did not receive the relief requested at Level One or if the time for response has expired, the student may request a conference with the appropriate vice president to appeal the Level One decision.

The appeal notice must be filed in writing, via the [Appeal of Grievance](#) form, within ten (10) days of the date of the written Level One response or, if no response was received, within ten (10) days of the Level One response deadline.

After receiving notice of appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The student may request a copy of the Level One record.

The Level One record shall include:

- The original complaint form and any attachments.
- All other documents submitted by the student at Level One.
- The written response issued at Level One and any attachments.
- All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Level Two administrator shall schedule a meeting within ten (10) days after the appeal notice is filed. The meeting shall be limited to the issues and documents considered at Level One. At the meeting, the student may provide information concerning any documents or information relied on by the administration for the Level One decision. The Level Two administrator may set reasonable time limits for the conference.

The Level Two administrator shall provide the student a written response within ten (10) days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Two administrator may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Level Two administrator believes will help resolve the complaint.

### **Level Three:**

If the student did not receive the relief requested at Level Two or if the time for response has expired, the student may request a conference the College President or designee to appeal the Level Two decision.

The appeal notice must be filed in writing, via the [Appeal of Grievance](#) form, within ten (10) days of the date of the written Level Two response or, if no response was received, within ten (10) days of the Level Two response deadline.

After receiving notice of appeal, the Level Two administrator shall prepare and forward a record of the complaint to the Level Three administrator. The student may request a copy of the Level Two record.

The Level Two record shall include:

- The Level One record.
- The written response issued at Level Two and any attachments.
- All other documents relied upon by the Level Two administrator in reaching the Level Two decision.

The Level Three administrator shall schedule a meeting within ten (10) days after the appeal notice is filed. The meeting shall be limited to the issues and documents considered at Level Two. At the meeting, the student may provide information concerning any documents or information relied on by the administration for the Level Two decision. The Level Three administrator may set reasonable time limits for the conference.

The Level Three administrator shall provide the student a written response within ten (10) days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Level Three administrator may consider the Level One and Level Two records, information provided at the Level Three conference, and any other relevant documents or information the Level Three administrator believes will help resolve the complaint.

### **Level Four:**

If the student did not receive the relief requested at Level Three or if the time for response has expired, the student may appeal the decision to the Board.

The appeal notice must be filed in writing, via the [Appeal of Grievance](#) form, within ten (10) days of the date of the written Level Three response or, if no response was received, within ten (10) days of the Level Three response deadline.

The College President or designee shall inform the student of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The College President or designee shall provide the Board the record of the Level Three complaint. The student may request a copy of the Level Three record.

The Level Three record shall include:

- The Level One record.
- The Level Two record.
- The written response issued at Level Three and any attachments.
- All other documents relied upon by the Level Three administrator in reaching the Level Two decision.

The appeal shall be limited to the issues and documents considered at Level Three, except that if at the Level Four hearing the administration intends to rely on evidence not included in the Level Three record, the administration shall provide the student notice of the nature of the evidence at least three days before the hearing.

The College shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [[Regulation BD](#)]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

In addition to any record of the Board meeting required by law, the Board shall prepare a separate record of the Level Four presentation. The Level Four presentation, including the presentation by the student or the student's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Three.

## CAMPUS DIRECTORY

WCJC Main Line: 979-532-4560

Academic Advising -----	979-532-6388	Housing -----	979-532-6368
Admissions and Registration-----	979-532-6303	IT Help Desk -----	979-532-6568
Adult Learning Center / HSE Lab ---	979-532-6301	Library (Wharton) -----	979-532-6509
Associate VP of Academic Affairs –	979-532-6905	Library (Sugar Land) -----	281-633-5100
Athletics -----	979-532-6480	President’s Office -----	979-532-6304
Automotive Services -----	979-532-5608	Student Life -----	979-532-6519
Bookstore (Wharton) -----	979-532-6414	Testing (Richmond) -----	281-239-1532
Bookstore (Richmond) -----	281-239-1513	Testing (Sugar Land) -----	281-243-8434
Business Office / Cashier-----	979-532-6412	Testing (Wharton) -----	979-532-6386
Career Services -----	979-532-6388	Title IX Coordinator for Students --	979-532-6905
Counseling Services -----	979-532-6388	Veterans Services -----	281-239-1540
Continuing Education -----	281-239-1531		
Cosmetology Services -----	979-532-6422	<b>ACADEMIC DIVISIONS</b>	
Dental Hygiene Services -----	979-532-6429	Allied Health -----	979-532-6428
Disability Services -----	979-532-6384	Communications and Fine Arts -----	979-532-6978
Dining Services -----	979-532-6323	Life Sciences -----	979-532-6460
Dir. of Dual Credit/Univ. Transfer---	979-532-6964	Math and Physical Sciences -----	979-532-6396
Financial Aid -----	979-532-6345	Social and Behavioral Sciences -----	281-239-1581
Fitness Center -----	979-532-6372	Technology and Business -----	979-532-6342
Health Center -----	979-475-6300	Vocational Science -----	979-532-6575

## **DISCLOSURE STATEMENT**

Wharton County Junior College is committed to equal opportunity for all students, employees, and applicants without regard to race, color, religion, gender, national origin, veteran status, age, sexual orientation, gender identity and expression, disability, political affiliation or belief, and for all beneficiaries of programs funded under Title I, WIOA on the basis of citizenship status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in WIOA Title I financially assisted work or program.

No person, including students, faculty, staff, part-time staff, and temporary workers, will be excluded from participation in, denied the benefits of, or be subjected to discrimination or harassment under any program or activity sponsored or conducted by Wharton County Junior College on the basis of the categories listed above.

All student inquiries concerning WCJC policies, compliance with applicable laws, statutes, and regulations (such as Title VI, Title IX), and complaints should be directed to:

**Lindsey McPherson, Associate VP of Academic Affairs**

[McPhersonL@wcjc.edu](mailto:McPhersonL@wcjc.edu), 979-532-6905

Physical: Pioneer Student Center, 2<sup>nd</sup> floor

Mailing: 911 Boling Highway, Wharton, TX 77488