

**Administrative  
Conduct Procedures**

Any member of the College District community, including but not limited to students, faculty, administrators, staff, and others will be permitted to submit a report regarding a respondent for an alleged violation of College District policies and rules or other types of misconduct.

For instances involving reports of sexual and/or gender-based misconduct, including sexual harassment, sexual violence (nonconsensual sexual contact, and nonconsensual sexual intercourse) sexual assault, sexual exploitation, domestic violence, dating violence, stalking, aiding or facilitating the commission of a violation, and retaliation targeting students, including claims against other students, employees, and third parties, see FFDA. For instances involving reports of discrimination, harassment, or retaliation involving other protected characteristics, see FFDB.

The College District's administrative conduct procedures may involve up to three steps, as noted below:

- Step 1: Investigation;
- Step 2: Administrative Conference; and
- Step 3: Appeal (if requested).

While the administrative conduct procedures set forth in this document do not constitute legal proceedings, the College District seeks to provide involved parties with due process as required by law. Any involved party needing accommodations for administrative conduct proceedings should submit requests to the administrative investigator.

**Reports of Alleged  
Policy Violation(s)**

Reports of alleged policy violation(s) will be submitted to the administrative investigator within a reasonable time frame following an incident. The reports may be submitted in writing through the [online reporting form](#)<sup>1</sup> and should include relevant information and facts.

**Notice to  
Respondent**

The administrative investigator will provide written notice to the respondent via email within ten College District business days, unless extenuating circumstances exist. The responsibility to cooperate with the administrative conduct procedures is not eliminated by failure to check College District email.

The written notice to the respondent will include all of the following:

1. A description of the alleged behavior reported including the date, time, and location, when available;
2. The specific College District policy/policies the respondent may have violated;

3. The referral body, if applicable, that is reporting the alleged behavior;
4. A reference to the Student Code of Conduct, which outlines the steps involved in the College District administrative conduct procedures;
5. Any action that the respondent must take and the deadline by which the action must be completed; and
6. Notice that the respondent may be accompanied during the administrative procedures by an adviser of the respondent's choice. The adviser may only speak to the respondent and will not directly address the administrative authority.

**Interim Measures**

In certain circumstances, the administrative conduct authority may impose immediate College District interim measures prior to and/or during the administrative conduct proceedings. Any interim disciplinary measures imposed will be enforced College District-wide. The interim disciplinary measures include, but are not limited to:

1. Temporary removal from a designated area, including but not limited to classroom, library, lab, campus, or College District premises;
2. An interim suspension, which may be imposed only:
  - a. To ensure the safety and well-being of members of the College District community or preservation of College District property;
  - b. To ensure the individual's physical or emotional safety and well-being; or
  - c. If the respondent poses an ongoing threat of disruption or interference to the normal operations of the College District, and the following will apply:
    - (1) During an interim suspension, the individual will be denied access (a no-trespass warning may be issued) to the campus (including classes) and/or all other College District activities or privileges for which the individual might otherwise be eligible, as the administrative conduct authority may determine to be appropriate.
    - (2) An interim suspension does not replace the regular process. During an interim suspension, the individual will not be permitted to attend classes. Upon issuance of an interim suspension, an administrative

conference will occur no more than ten College District business days after the respondent has been notified, unless extenuating circumstances exist. Maximum time limits for scheduling of the appeal request process may be extended at the discretion of the administrative conduct authority.

3. Restricted communication with one or more individual(s), group(s), or organization(s);
4. Restricted ability to participate in academic activities, including classes, internships, co-ops, and the like;
5. Restricted access to campus employment;
6. Administrative leave with or without pay for student employees; or
7. Any other restriction that may be deemed appropriate by the administrative conduct authority.

The conduct authority or designee will notify the respondent in writing of any interim measures. The measures will take place immediately upon notification and are applicable College District-wide unless otherwise specified. At any point in the process, interim measures may be implemented and will remain in place until it is determined they are no longer necessary.

**Holds and Removal of Active Status**

The administrative conduct authority or designee may place a hold on a student's account, transcript, registration, and/or diploma; or remove a student group and/or recognized student organization's active status and ability to conduct operations in any of the following situations:

1. A respondent has committed a violation of College District policy culminating in suspension or expulsion;
2. A respondent has been given interim restrictions pending an investigation and resolution of allegations of misconduct;
3. A respondent has failed to schedule or attend a required College District meeting or administrative conference;
4. A respondent has failed to complete one or more sanctions by the assigned deadline; or
5. An individual who is no longer attending the College District exhibits disruptive behavior that is impacting the College District community, and it is the determination of the administra-

tive conduct authority or designee that a review of the individual's file and meeting with the individual occur prior to the individual's reenrollment.

**Step 1: Investigation**

An investigation will be conducted to gather and examine information to help determine the merits of the reported behavior. Any party associated with the reported behavior may be interviewed as part of the investigation process. All involved parties will have the opportunity to provide the names of relevant witnesses to be contacted as part of the investigation. The respondent will cooperate with the College District's information gathering process. This will include the expectation to respond to College District email correspondence, appear if requested, and/or respond truthfully to questions asked by College District officials.

Educational  
Conversations

If the reported behavior is concerning but does not appear to be a violation (e.g., an incident that occurs outside of the College District's jurisdiction or repeated low-level behaviors), there may still be an institutional response without formal conduct charges. The respondent may be asked to meet to discuss the situation, be requested to participate in a mediated conversation, and/or may receive a letter regarding the concerning behavior.

Informal Resolution  
Meeting

The respondent will participate in an informal resolution meeting as part of the investigation. During this meeting, the following information will be reviewed:

1. The respondent's rights and responsibilities;
2. The alleged violation(s);
3. Information that was provided as the basis for the alleged policy violation(s), which may be partially redacted if necessary;
4. The perspective of the respondent as it pertains to the alleged violation(s); and
5. Resolution options.

Additionally, the administrative investigator will be able to answer any questions regarding student conduct policies and procedures. The respondent is responsible for determining how the respondent would like to proceed in the process. Finally, the administrative investigator may provide a range of sanctions that may apply given the alleged violation(s) but cannot ensure any specific outcome.

Informal  
Resolutions

In instances in which the respondent accepts responsibility for violating the Code of Conduct, the respondent may agree to an informal resolution. If the respondent accepts responsibility for violating

College District policy, the respondent will be informed of the recommended sanction(s). If the respondent accepts responsibility for violating College District policy and agrees to the sanction(s) recommended, then the respondent may waive the respondent's right to an administrative conference and complete the recommended sanction(s) through an informal resolution. Once the respondent agrees with the terms of the informal resolution, the outcome (decision of responsibility and recommended sanction(s)) is final and is not eligible to be appealed.

In instances in which an informal resolution is not utilized, the initial student conduct report, the results of the investigation, and all supporting documentation will be submitted for consideration and resolution as part of the student conduct administrative conference process.

#### Responsible Action Protocol

The College District recognizes that a student's concern for potential disciplinary action related to alcohol, drugs, and other substances may hinder the student's actions in response to a medical emergency. In order to alleviate those concerns and ensure that students and their guests receive prompt medical attention, the College District has adopted a Responsible Action Protocol, as follows:

1. Students are urged to contact emergency officials by calling the College District Police Department at (817) 515-8911 or 911 to report the incident. Students should remain with the individual(s) needing emergency treatment and cooperate with emergency officials, so long as it is safe to do so, and to meet with appropriate College District officials after the incident and cooperate with any College District investigation.
2. Students who seek emergency medical attention for themselves or others related to the consumption of alcohol, drugs, or other substances will not face disciplinary action for their personal use provided that the students complete an educational program or activity; however, this protocol does not provide protection for disciplinary action for other potential policy violations (e.g., damage and/or destruction of property, failure to comply, physical violence, sexual misconduct, and the like).
3. Student groups or recognized student organizations who seek emergency medical attention for their members or guests related to the consumption of alcohol, drugs, or other substances will not face disciplinary action for incidents involving alcohol, drugs, or other substances provided that the groups or organizations followed the event and risk management procedures as outlined by student activities and other College District policies, and provided that the groups or organizations

complete an educational program or activity; however, this protocol does not provide protection for disciplinary action for other potential policy violations (e.g., damage and/or destruction of property, failure to comply, hazing, physical violence, sexual misconduct, and the like).

4. The Responsible Action Protocol applies only to those students, student groups, and recognized student organizations who seek emergency medical assistance in connection with an alcohol, drug, or other substance-related medical emergency and does not apply to individuals experiencing an alcohol, drug, or other substance-related medical emergency who are found by College District officials.
5. The Responsible Action Protocol is not intended to shield or protect those students, student groups, or recognized student organizations that repeatedly violate College District policy. In cases, where repeated policy violations occur, the College District reserves the right to take disciplinary action regardless of the manner in which the incident was reported. Additionally, the College District reserves the right to initiate the administrative conduct process in cases in which the violation(s) are egregious.
6. The Responsible Action Protocol only provides amnesty from violations of TCC policy. It does not grant amnesty for criminal, civil, or other legal consequences for violations of federal, state, or local laws or ordinances.
7. Administrative conduct authority will make a determination regarding eligibility for amnesty under the Responsible Action Protocol during the initial review or investigation [see FKC(LEGAL) and (LOCAL).]

Unfounded Allegations

As a result of the investigation process, and if it is determined that the respondent did not commit the alleged policy violation or reported misconduct, the conduct case will be dismissed as unfounded. The respondent will be provided written notice of the dismissal by College District email.

**Step 2:  
Administrative  
Conference**

Once the investigation has been completed, and if the respondent did not enter a mutual resolution, an administrative conference will be scheduled. The respondent will receive a minimum of five College District business days' notice of the administrative conference, unless the respondent waives this right or extenuating circumstances exist.

The written notice to the respondent regarding the administrative conference will include the following:

DISCIPLINE AND PENALTIES

FM  
(REGULATION)

1. The administrative conference date, time, and location;
2. Notice that the administrative conference does not constitute a legal proceeding and that legal counsel will not be provided;
3. Notice of the respondent's rights and responsibilities; and
4. Communication to the respondent that the respondent must provide notice if the respondent intends to have an attorney serve as an adviser during the administrative conference. The notice must be submitted in writing no less than three College District business days before the administrative conference is scheduled to occur. In these instances, it will be arranged for a College District attorney to also be present during the administrative conference. The College District will have the authority to postpone the administrative conference, if necessary.

The conduct administrator will facilitate the administrative conference. There may be circumstances where additional College District officials are asked to be present at the administrative conference.

During the administrative conference, the conduct administrator will review the allegations and give the respondent an opportunity to view the supporting documentation, share the respondent's perspective on the reported behavior, and submit other information and supporting documentation for consideration (if applicable). The administrative conference procedures will be audio recorded and will be the only audio recording allowed. If requested, a copy will be provided to the respondent at the respondent's own expense.

After the administrative conference, the conduct administrator may find that the respondent did violate a policy based on a preponderance of the evidence. If the conduct administrator finds that the respondent violated a policy, disciplinary sanctions will be assigned. Sanctions will be appropriate to the current violation(s) and in consideration of any prior conduct history and/or mitigating or aggravating circumstances.

The respondent and complainant (if applicable) will be notified of the outcome of the administrative conference via their College District email within five College District business days, unless extenuating circumstances exist. If an outcome is unable to be reached within five business days, the respondent and the complainant (if applicable) will be notified of the delay via email.

Failure to Appear  
for Conference

If the respondent and/or the complainant (if applicable), without adequate notice, do not attend the administrative conference, the

conduct procedures may occur in their absence. No other opportunity for an administrative conference may be provided for a respondent and/or complainant (if applicable) who fail to appear without good cause.

**Step 3: Appeal (if requested)**

Any respondent wishing to appeal the outcome must submit an appeal request within five College District business days of the date of the outcome letter. An appeal must be submitted in writing to the office of the vice president for student development services via the online appeal form. The vice president for student development services, in consultation with the campus president, is the final level of appeal.

An appeal does not provide for a second administrative conference. An appeal is an administrative review that addresses one or more issues outlined below.

Grounds for Appeal

Appeals may be submitted to the office of the vice president for student development services on one or more of the following grounds:

1. The established administrative procedures were not followed and as a result, the findings or disciplinary sanctions imposed were not correct; and/or
2. There is new information that would have been pertinent to the outcome had the information been available to the conduct administrator before delivering a finding or assigning disciplinary sanctions. The respondent must clearly describe the new information in the written request for an appeal and must include any available supporting documentation. Additionally, the respondent must show that the new information and supporting documentation was not known at the time of the administrative conference.

The office of the vice president for student development services will be responsible for evaluating the content of the appeal request. Any conduct authorities involved in the facilitation of the administrative conference are unable to participate in the review of an appeal request.

The office of the vice president for student development services will provide the respondent a written response setting forth the basis of any decision. Every effort will be made to send follow-up correspondence to the respondent within ten College District business days.

Upon review of the record, the office of the vice president for student development services may respond as follows:



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(REGULATION)

1. Determine that the appeal does not meet the ground(s) outlined above, in which case the original decision stands;
2. Determine that the appeal meets the ground(s) outlined and remand the case back to the original conduct administrator to consider new information or reevaluate previous information;
3. Determine that the appeal meets the ground(s) outlined above and remand the case to a new conduct administrator with specific corrective instructions; or
4. Determine that the sanction(s) is/are inappropriate for the violation and recommend the sanction(s) being modified by the conduct administrator.

The decision of the campus vice president of student development services is final.

Notice to  
Complainant

In some instances, the complainant will also be notified regarding the status of a relevant administrative procedure, including any decision made by the conduct administrator in accordance with local, state, and/or federal law.

Notice Regarding  
Procedures

Student conduct administrative procedures are consistent with the provisions of the Student Code of Conduct in the Student Handbook. Any deviation from these procedures will only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. Student conduct administrators may adjust procedures with notice, upon determining that changes to law or regulation require policy or procedural alterations that are not reflected in policy. A student conduct administrator may make minor modifications to procedures that do not significantly jeopardize the fairness owed to any party. Any question of interpretation of the Student Code of Conduct will be referred to the director of student conduct and prevention education or designee, whose interpretation is final. The Student Handbook will be updated annually under the direction of the executive vice provost, with a comprehensive revision process being conducted every three years.

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<sup>1</sup> Online Reporting Form: <https://cm.maxient.com/reportingform.php?TarrantCCD>