

Alcohol, Drugs & Tobacco Use

Exceptions

This policy shall not apply to:

1. Complaints alleging discrimination or harassment based on race, color, gender, national origin, disability, or religion [See Policy FEFA in the CBC Policy Manual];
2. Complaints concerning retaliation relating to discrimination and harassment [See FEFA]
3. Complaints concerning disciplinary decisions [See Policy FMA in the CBC Policy Manual] and
4. Complaints concerning a commissioned peace officer who is an employee of the College District. [See Policy CHA in the CBC Policy Manual available online].

Alcohol Use

A student shall be prohibited from using or being under the influence of intoxicating beverages in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas. With the prior consent of the Board or the Board's designee, the provisions herein may be waived with respect to any specific event that is sponsored by the College District. State law shall be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages.

Controlled Substances

No student shall possess, use, transmit, or attempt to possess, use, or transmit, or be under the influence of, any of the following substances on College District premises or off premises at a College District-sponsored activity, function, or event:

1. 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
2. Any abusable glue, aerosol paint, or any other volatile chemical substance for inhalation
3. Any performance-enhancing substance, including steroids.
4. Any designer drug
5. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances shall also be prohibited under this policy.

Exception

A student who uses a drug authorized by a licensed physician through a prescription specifically for that student's use shall not be considered to have violated this rule.

Violation

Students who violate this policy shall be subject to appropriate disciplinary action. [See FM and FMA] Such disciplinary action may include referral to drug and alcohol counseling or rehabilitation programs or student assistance programs, suspension, expulsion, and referral to appropriate law enforcement officials for prosecution.

Drug and Alcohol Testing Requirements

College District students are required to be alcohol and drug-free while on campus/site, acting on behalf of Coastal Bend College, at clinical sites, student activities, and traveling to and from laboratory sites. Students entering a field that requires drug screening by respective employers and/or at clinical sites shall follow the standards established by Coastal Bend College. Drug or alcohol testing may be administered if one or more of the following conditions exist:

1. There is reasonable suspicion of impairment based upon evidence of erratic behavior including but not limited to violent behavior, emotional unsteadiness, sensory or motor skill malfunctions, or possession of a controlled or dangerous substance

2. A student is criminally charged with selling drugs or charged with illegal or alcohol consumption or illegal possession of drugs
3. A student has violated this policy that prohibits the use, possession, sale, or transfer of drugs
4. A student is enrolling or is enrolled in a program involving public health and/or safety. Any student who is asked to submit to drug or alcohol testing under this policy is entitled to refuse to undergo such testing. However, failure to comply shall be treated as insubordination and may lead to expulsion from Coastal Bend College.

Students shall be afforded an opportunity to provide notification of any information that he or she considers relevant to the drug test, including identification of currently or recently used prescription or non-prescription drugs or other relevant medical information.

Policy on Use of Tobacco

In order to protect and promote the health, safety, and welfare of employees, students, and the public, Coastal Bend College permits smoking and the use of tobacco products and e-cigarettes only in designated areas. Smoking and the use of tobacco products and e-cigarettes is otherwise prohibited on College District property, in College District vehicles, and at College District-related activities.

Student Conduct Rights & Responsibilities

Each student is considered to be responsible and abide by all rules, regulations, and policies set forth by the Coastal Bend Policy Manual, catalog, and handbook. A full description of Coastal Bend College's Student Conduct, Student Rights and Responsibilities is available at the office of the Executive Dean of Student Services, Lupe Ganceres, R. W. Dirks Student Services Building, Room 146 or at the college's website at <http://pol.tasb.org/Home/Index/155>.

The following types of misconduct will result in disciplinary action:

1. Violations of federal, state, or local law or College District policies, procedures, or rules, including the student handbook
2. Possession, distribution, sale, or use of firearms or other prohibited weapons without prior approval [See FLBF]
3. The use, possession, control, manufacture, transmission, or sale, or being under the influence, of a drug or narcotic, as those terms are defined by the Texas Controlled Substances Act, or other prohibited substances described in FLBD, unless under the direction of a physician
4. The use, possession, control, manufacture, transmission, or sale of paraphernalia related to any prohibited substance
5. The use, possession, control, manufacture, transmission, or sale, or being under the influence, of alcohol or other intoxicating beverage without the permission of the College District
6. Owing a monetary debt to the College District that is considered delinquent or writing an "insufficient funds" check to the College District
7. "Disorderly conduct" or disruptive behavior [See FLB]
8. Threatening another person, including a student or employee
9. Intentionally, knowingly, or negligently causing physical harm to any person
10. Engaging in conduct that constitutes harassment, bullying, or dating violence directed toward another person, including a student or employee. [See DOA, FFD, and FFE as appropriate]
11. Hazing with or without the consent of a student. [See FLBC]
12. 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.
13. Endangering the health or safety of members of the College District community or visitors to the premises.
14. Intentionally, knowingly, or negligently defacing, damaging, misusing, or destroying College District property or property owned by others
15. Stealing from the College District or others

Student Conduct & Discipline

16. Failure to comply with directives given by College District personnel.
17. Failure to provide identification when requested to do so by College District personnel
18. Possession or use of tobacco products on College District premises without authorization
19. Violating policies, rules, or agreements signed by the student regarding the use of technology resources
20. Attempting to access or circumvent passwords or other security-related information of the College District, students, or employees or uploading or creating computer viruses
21. Attempting to alter, destroy, or disable 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 District's system
22. Using the Internet or other electronic communications to threaten College District students, employees, or volunteers
23. Sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal
24. Using e-mail or Web sites to engage in or encourage illegal behavior or threaten the safety of the College District, students, employees, or visitors
25. Possessing published or electronic material that is designed to promote or encourage illegal behavior or that could threaten the safety of the College District, students, employees, or visitors
26. Scholastic dishonesty [See FLB]
27. Making false accusations or perpetrating hoaxes regarding the safety of the College District, students, employees, or visitors
28. Intentionally or knowingly providing false information to the College District.
29. Intentionally or knowingly falsifying records, passes, or other College District-related documents
30. Gambling [See FLB]
31. Engaging in any conduct that College District officials might reasonably believe will substantially disrupt the College District program or incite violence.
32. "Crimes of Violence" as defined in [FJ(EXHIBIT)].

Student Discipline Procedures

Coastal Bend College maintains a positive and pro-social learning environment. Students who cause disorder and disrupt the positive learning environment are subject to disciplinary action. Breaches of the code of conduct and the College District's policies and procedures including the rules outlining expectations for student conduct [see FLB] shall be reported in writing to the Executive Dean of Student Services or designee. The Executive Dean of Student Services or designee will investigate allegations, hold a conference (if applicable), and provide a written notice of the penalty and the student's right to appeal the disciplinary appeals committee. Penalties for infractions may include the following:

- Reprimand
- Restitution
- Scholastic Penalties
- Conditional Probation
- Suspension
- Expulsion.

A student may appeal the penalty by filling an appeal form provided by the College District, www.coastalbend.edu/uploadedFiles/CBC/Content/Administrative_Services/Human_Resources/Current_Employees/Employee_Forms/GrievanceAppealIncidentFilingForm.pdf. If the Executive Dean of Student Services or designee determines a penalty of Suspension or Expulsion the student must be notified in writing of the determination and a hearing shall be scheduled for consideration by the disciplinary appeals committee. A student may be imposed an interim disciplinary action, including suspension pending

a hearing if the continued presence of the student poses a danger to the persons or property or an ongoing threat of disruption to the educational environment. If the student does not find remedy, the student may petition in writing the College President and ultimately appeal to the Board of Trustees. For a complete explanation of the policy and procedures see FM and FMA.

Evidence

Evidence shall be handled in accordance with the following:

1. Legal rules of evidence do not apply; the committee chairperson may admit evidence or exclude considered to be irrelevant, immaterial, and unduly repetitious
2. At the hearing, the College District shall be required to prove by a preponderance of the evidence that the charges are true
3. A student may not be compelled to testify
4. The committee shall determine if a violation has occurred and assess an appropriate penalty based solely on the evidence presented at the hearing.

The Hearing Committee shall render a written decision as to the accused student's guilt or innocence of the charges and shall set forth findings of facts in support of the charges. The penalty shall also be stated in the decision. The director shall administer the penalty, if any.

Communicable Disease Procedures

I. These administrative guidelines apply to all communicable diseases including, but not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), Hansen's Disease (leprosy), and tuberculosis. For the purpose of these administrative guidelines, the term "HIV infection" shall include AIDS, AIDS-Related Complex (ARC), and a positive test for the antibody to human immunodeficiency virus.

II. It is recognized that certain communicable diseases are serious. These serious communicable diseases include, but are not limited to, Hepatitis-A, Hepatitis-B, Tuberculosis, HIV infection, and Hansen's disease (leprosy). These administrative guidelines are mandatory for serious infectious diseases.

- An educational pamphlet about HIV infection developed by the Texas Department of State Health Services is available in the Student Success Center.

III. Any time any employee or student of the college receives information that a student has or is suspected of having a communicable disease, the employee or student shall immediately report this information to the Executive Dean of Student Services. The administrator shall convene a meeting of appropriate individuals (Behavioral Intervention Team) to determine the accuracy of the information and the response by the college. The College shall not discriminate in enrollment against any student solely on the ground that the student has a communicable disease. Members of the student body of the College shall not be denied access to College facilities or campus/site activities solely on the ground that they have a communicable disease. The College reserves the right to exclude a person with a communicable disease from College facilities, programs, and functions if the College makes a medically based determination that the restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of the other members of the College community.

Campus Security and Safety Measures

Coastal Bend College is an open campus. Students, faculty, staff, and citizens at large have access to the campus grounds, and when open to college facilities. The college does not have its own security department and relies on the local police and sheriff's departments for law enforcement services. Campus security may occasionally be available.

As a community of concerned and caring people who want to provide a study or work