

CODE OF STUDENT CONDUCT AND DISCIPLINE

The College District's primary concern is the student. It attempts to provide for all students an environment that is conducive to academic endeavor, social growth, and individual self-discipline. The College District presumes that the student has an earnest purpose and studious and courteous habits, and this presumption in the student's favor continues until, by the neglect of duty or misconduct, the student reverses it. Every student is expected to obey all federal, state, and local laws and College District regulations and is expected to familiarize himself or herself with the requirements of such laws. Any student who violates any provision of those laws shall be subject to disciplinary action, including expulsion, notwithstanding any action taken by civil authorities on account of the violation. The College District reaffirms to each student the privilege of exercising his or her rights of citizenship under the Constitution of the United States. Special care shall be taken to ensure due process and to spell out defined routes of appeal when a student feels his or her rights have been violated.

Acquaintance with Policies, Rules, and Regulations

Each student is expected to be fully acquainted with all published policies, rules, and regulations of the College District, copies of which shall be available to each student for review in the College District catalog, student handbook, and policy manual, each of which can be viewed online or at the office of the associate dean of students/Title IX coordinator. The College District will hold each student responsible for compliance with these policies, rules, and regulations.

Student Misconduct

Federal, State, and Local Law

Violations of federal, state, or local law or College District policies, procedures, or rules, including the student handbook shall be prohibited.

Prohibited Weapons and Devices

Possession, distribution, sale, or use of firearms, location-restricted knives, clubs, knuckles, firearm silencers, or other prohibited weapons or devices in violation of law or College District policies and procedures shall be prohibited. [See CHF]

Drugs and Alcohol

Behaviors regarding drugs and alcohol and associated paraphernalia shall be prohibited as described in policy FLBE.

Debts

Owing a monetary debt to the College District that is considered delinquent or writing an "insufficient funds" check to the College District shall be prohibited.

Disruptions

The following behavior regarding disorderly conduct or disruptive behavior occurring on premises owned or controlled by the College District shall be prohibited:

1. Behavior of a boisterous and tumultuous character such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists.
2. 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.

3. 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.
4. Behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or fights.
5. 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.
6. 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.
7. 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.
8. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other College District activities, including public service functions, or other authorized activities on College District premises.

Behavior Targeting Others

The following behavior targeting others shall be prohibited:

1. Threatening another person, including a student or employee;
2. Intentionally, knowingly, or negligently causing physical harm to any person;
3. Engaging in conduct that constitutes harassment, sexual assault, dating violence, stalking, or bullying directed toward another person, including a student or employee; [See DIA series, FFD series, and FFE as appropriate]
4. Hazing with or without the consent of a student; [See FLBC]
5. 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;
6. Endangering the health or safety of members of the College District community or visitors to the premises;
7. Engaging in imminent lawless conduct or disruptive action and is likely to incite violence, encourage people to violate the law, harass other students, or disrupt the core educational purpose of the College District; and
8. Engaging in conduct that would constitute expression that is unlawful or materially or substantially disrupts the functioning of the College District, including, but not limited to, expression that is considered prohibited harassment and antisemitic harassment and discrimination. [See FLA(LOCAL)]

Property

The following behavior regarding property shall be prohibited:

1. Intentionally, knowingly, or negligently defacing, damaging, misusing, or destroying College District property or property owned by others;
2. Stealing from the College District or others; and
3. Theft, sabotage, destruction, distribution, or other use of the intellectual property of the College District or third parties without permission.

Directives

Failure to comply with directives given by College District personnel and failure to provide identification when requested to do so by College District personnel shall be prohibited.

Tobacco and E-cigarettes

Possession or use of tobacco products or e-cigarettes on College District property shall be prohibited. [See FLBD]

Misuse of Technology

The following behavior regarding misuse of technology shall be prohibited:

1. Violating policies, rules, or agreements signed by the student regarding the use of technology resources;
2. Attempting to access or circumvent passwords or other security-related information of the College District, students, or employees or uploading or creating computer viruses;
3. 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 District's system without permission;
4. Using the internet or other electronic communications to threaten College District students, employees, or volunteers;
5. Sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal;
6. Using electronic means to engage in or encourage illegal behavior or threaten the safety of the College District, students, employees, or visitors; and
7. 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.

Dishonesty

The following behavior regarding dishonesty shall be prohibited:

1. Making false accusations or perpetrating hoaxes regarding the safety of the College District, students, employees, or visitors;
2. Intentionally or knowingly providing false information to the College District; and
3. Intentionally or knowingly falsifying records, passes, or other College District-related documents.

Gambling and Other Conduct

Gambling or engaging in any other conduct that College District officials might reasonably believe will substantially disrupt the College District program or incite violence shall be prohibited.

Use of Electronic Devices

The use of an electronic device shall not interfere with instructional, administrative, student, public service, and other authorized activities on College District premises. Unless prior authorization is obtained from the instructor or respective College District official, the use of an electronic device is expressly prohibited in classrooms, laboratories, clinical settings, and designated quiet areas on College District premises. Certain violations of this policy may be excused in the case of emergencies or other extenuating circumstances provided that prior approval is obtained from the instructor or respective College District official.

The use of electronic equipment capable of capturing still or moving images in any location where individuals may reasonably expect a right to privacy is not authorized on College District premises. Noncompliance with these provisions shall be considered a violation of Board-adopted policy and shall warrant appropriate disciplinary action.

Scholastic Dishonesty

"Scholastic dishonesty" shall include, but not be limited to, cheating, plagiarism, and collusion.

"Cheating" shall include, but not be limited to:

1. Copying from another student's test or class work;
2. Using test materials not authorized by the person administering the test;
3. Collaborating with or seeking aid from another student during a test without permission from the test administrator;
4. Knowingly using, buying, selling, stealing, or soliciting, in whole or in part, the contents of an unadministered test, paper, or another assignment;
5. The unauthorized transporting or removal, in whole or in part, of the contents of the unadministered test;
6. Substituting for another student, or permitting another student to substitute for oneself, to take a test;
7. Bribing another person to obtain an unadministered test or information about an unadministered test; or
8. Manipulating a test, assignment, or final course grades.

"Plagiarism" shall be defined as 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" shall be defined as the unauthorized collaboration with another person in preparing written work for fulfillment of course requirements.

Procedures for discipline due to scholastic dishonesty shall be the same as for student disciplinary actions, except that all scholastic dishonesty actions shall be first considered and reviewed by the faculty member.

Suspended Student Restriction

No student who has been suspended from the College District for disciplinary reasons shall be permitted on the College District campus during the period of such suspension without the prior written approval of the designated administrator of the College District.

Procedure for Administration of Discipline

College District faculty and staff shall submit an alleged violation or violations of College District policies and procedures, including the rules for student conduct described in this policy, committed by a student to the designated administrator of the College District within a reasonable time following an alleged incident, not to exceed 10 College District business days. The allegations must be submitted in writing, through traditional or electronic means, and must describe the violation and any surrounding facts.

The designated administrator of the College District is the agent within the College District who has the responsibility for student conduct. The designated administrator of the College District shall be responsible to the vice president of student success and enrollment for recommending the formulation and revision of policies and enforcement procedures

relating to student conduct and disposal and referral of such individual cases as may properly come before him or her.

Student Disciplinary Hearings

The designated administrator of the College District shall be responsible for conducting student disciplinary hearings. Upon receipt of a report alleging misconduct, the designated administrator of the College District shall investigate the matter, as necessary. The student shall be summoned by the designated administrator of the College District for a conference to be held within a reasonable time, not to exceed 10 College District business days, following receipt of the allegation of misconduct. A second summons may be sent if necessary. Failure of the student to report after two notices may result in suspension from the College District. Based on a review of pertinent information, it shall be the responsibility of the designated administrator of the College District to determine if a violation of the code of student conduct and discipline has occurred. After discussion with the student and after a determination that the charges are founded, the designated administrator of the College District shall assess the penalty appropriate to the charges and inform the student of such action in writing. The student shall be informed that the decision of the designated administrator of the College District may be reviewed through established appeal procedures.

Appeal to the Designated Vice President

Within five College District business days after the decision has been made by the designated administrator of the College District, the student may give notice of appeal in writing and deliver it to the office of the designated vice president. Both parties may, at the discretion of the designated vice president, submit oral or written arguments to support their positions. In order for the appeal to be considered, all the necessary documentation must be filed by the appealing party, including written arguments when appropriate, with the designated vice president within 10 College District business days after notice of appeal is given.

Review by the Designated Vice President

The designated vice president may approve, reject, or modify the decision in question. After discussion with the student, and if a determination is made that the charges are founded, the designated vice president shall assess the penalty appropriate to the charges and inform the student of such action in writing. The student shall be informed that the decision may be reviewed through established appeal procedures.

Appeal to the College President

Within five College District business days after the decision has been made by the designated vice president, the student may give notice of appeal to the College President. Notice of appeal must be made in writing and delivered to the College President. Both parties may, at the discretion of the College President, submit oral or written arguments to support their positions. In order for the appeal to be considered, all the necessary documentation must be filed by the appealing party, including written arguments when appropriate, with the College President within 10 College District business days after notice of appeal is given.

Review by the College President

The College President may approve, reject, or modify the decision in question. After discussion with the student, and if a determination is made that the charges are founded, the College President shall assess the penalty appropriate to the charges and inform the student of such action in writing.

Appeal to the Board

The student shall have the right to appeal his or her case to the Board by submitting a written request through the College President within 10

College District business days following the decision rendered by the College President. The appellant may be represented by legal counsel in this appeal to the Board. The meeting of the Board to hear the student's appeal shall allow sufficient time for the student appellant and the institutional representatives to present the salient facts pertaining to the issue in question. The appellant may present his or her appeal or may have counsel to present his or her appeal to the Board following due process in the hearings and a determination thereof.

Board's Right to Review

The Board shall have the right to review any student disciplinary action and approve, reject, or modify the decision.

Interim Disciplinary Action

The designated administrator or the designated vice president of the College District may take immediate interim disciplinary action, including suspension, pending a hearing against a student for violation of a rule or regulation of the College District when the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the academic process. In such cases, the designated administrator or the designated vice president shall, if possible, meet with the student prior to suspension, discuss the reasons for interim suspension, and allow the student to explain his or her objections pending a full hearing.

Immediate interim disciplinary action, including suspension, may be taken against any student who owes a monetary debt that is considered delinquent to the College District. Established procedures developed by the office of the bursar shall address student conditions to resolve this monetary debt. Failure to follow these established conditions shall result in the student's removal from the College District.

Recording of Disciplinary Action

The College District shall maintain confidential records of all disciplinary actions. The College District may expunge those records within five years after the student ceases to be enrolled.