

6Hx19-6.13 CODE OF STUDENT CONDUCT AND DISCIPLINARY POLICY

The purpose of this Board Rule is to establish the Pasco-Hernando Community College Code of Student Conduct and Student Disciplinary Policy.

I. CODE OF STUDENT CONDUCT

The following acts of misconduct are prohibited at or on any campus of the College, at any clinical or internship site, and at any College-sponsored or College-affiliated activity or event. All formal complaints alleging a violation of this rule shall be subject to the Student Disciplinary Procedures established pursuant to this rule and set forth in Internal Management Memorandum (IMM) #6-15, *Student Disciplinary Procedures*. Any student who is found to have committed an act of misconduct may be disciplined in accordance with this rule. If the student is suspected of violating a State or Federal law, the incident may be reported to the appropriate law enforcement agency.

For any level offense, the President, a Vice President or Provost may impose a sanction of temporary suspension, including specific conditions for readmission, against a student in circumstances in which there is reasonable concern for safety, or when the student poses a threat to himself/herself or to another student, or employee. Such temporary suspension shall not exceed ten class days and may only be extended upon a specific finding by a disciplinary committee that the student continues to pose a threat.

The offenses listed below are illustrative in nature and should be read broadly. They are meant to give students general notice of prohibited conduct and are not designed to define prohibited misconduct in exhaustive terms. To the extent permitted by applicable law, any misconduct that adversely affects the interests of the College, its students, employees, or constituents may be grounds for an appropriate level of disciplinary action.

A. LEVEL I OFFENSES

The following described acts of misconduct shall be referred to as "Level I Offenses." The potential sanctions for Level I Offenses may include any one, a combination of two or more, or all of these sanctions: written warning, temporary loss of privileges, written reprimand, monetary restitution, and/or work/service restitution.

- A.1 Use, possession, sale, attempted sale, barter, exchange, gift or distribution of alcoholic beverages, except as expressly permitted by law and College regulations; or public intoxication;
- A.2 Attempted or actual theft or and/or damage to property of the College or property of a member of the College community or other personal or public property, the total value of which does not exceed \$100;
- A.3 Conduct that is disorderly, lewd, or indecent; breach of peace; aiding, abetting or procuring another person to breach the peace; and the use of indecent or abusive language;

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- A.4 Gambling, including unlawful games of chance for money or anything of value, and the sale, barter, or other disposition of a ticket, order, or any interest in a scheme of chance by any name;
- A.5 Unauthorized or fraudulent use of the College's name, seal, emblem, nickname, or motto;
- A.6 Unauthorized use of College property;
- A.7 Disruption or interference with teaching, administration, disciplinary proceedings, or other College functions, activities, or operations;
- A.8 Violation of a College rule, a county ordinance, or a State or Federal misdemeanor offense involving no bodily injury to any person;
- A.9 Unauthorized entry and/or occupancy of College facilities, including unauthorized possession, duplication, or use of keys to any College facility;
- A.10 Trespass on College grounds;
- A.11 Conspiracy or solicitation to commit an unlawful act or to violate any College rule;
- A.12 At least three or more incidences of violation of traffic rules while on College property;
- A.13 Failure to comply with the directions of College officials or law enforcement officers acting in the performance of their duties;
- A.14 Participation in a campus demonstration or unauthorized assembly that materially and substantially disrupts the normal operations of the College or infringes on the rights of other members of the College community; leading or inciting others to materially and substantially disrupt scheduled activities in any campus building or area; or intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus. For purposes of this provision, "materially and substantially disrupts" shall mean any conduct not otherwise protected by the First Amendment, that intentionally and significantly hinders College operations or another person's or group's expressive rights;
- A.15 Permitting another to use his or her College identification card, impersonating another, or misrepresenting being authorized to act on behalf of another;

A.16 Knowingly instituting a false charge against another.

B. LEVEL II OFFENSES

The following described acts of misconduct shall be referred to as “Level II Offenses.” The potential sanctions for Level II Offenses may include any one, a combination of two or more, or all of these sanctions: written warning, temporary loss of privileges, written reprimand, monetary restitution, work/service restitution, probation and/or permanent loss of privileges.

B.1 Attempted or actual theft of and/or damage to property of the College or property of a member of the College community or other personal or public property, the total value of which equals or exceeds \$100;

B.2 Acts of dishonesty, including, but not be limited to the following:

- a) cheating, plagiarism, or other forms of academic dishonesty,
- b) furnishing false information to a College official or faculty member,
- c) forgery, alteration, or misuse of any College document, record, or instrument of identification,
- d) tampering with the election of any College-recognized student organization;

B.3 Violation of a county ordinance or State or Federal misdemeanor offense law;

B.4 Violation of a State or Federal felony offense law;

B.5 Theft or abuse of computer time, including, but not limited to:

- a) unauthorized entrance into a file to intentionally damage, disable, or impair computing or telecommunication equipment or software,
- b) acquisition or use of software that does not adhere to applicable software licenses and copyright laws or is not consistent with College computer use policies,
- c) introduction of viruses or other destructive software in College computer facilities,
- d) use of computing facilities to interfere with the work of another student, faculty member, or College official,
- e) use of computing facilities to send obscene or abusive messages,
- f) use of computing facilities to interfere with the normal operation of the College computing systems;

B.6 A second violation of any Level I Offense or, at the discretion of the College,

multiple Level I offenses occurring at or about the same time by the same student.

C. LEVEL III OFFENSES

The following described acts of misconduct shall be referred to as “Level III Offenses.” The potential sanctions for Level III Offenses may include any one, a combination of two or more, or all of these sanctions; temporary loss of privileges, written reprimand, monetary restitution, work/service restitution, probation and permanent loss of privileges, suspension (including specific conditions for readmission), and expulsion (no readmission permitted).

- C.1 The denial of services or access to activities to an individual or the discrimination or harassment of an individual because of his or her race, color, religion, age, national origin, ethnicity, pregnancy, gender, gender identity, sexual orientation, marital status, veteran status, disability, or any other legally-protected characteristic;
- C.2 Physical abuse, verbal abuse, threats, intimidation, harassment, stalking, coercion and/or conduct that threatens or endangers the health and safety of any person;
- C.3 Hazing, defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition of continued membership in a group or organization;
- C.4 Use, possession, sale, attempted sales, barter, exchange, gift or distribution of narcotic or other controlled substances except as expressly permitted by law.
- C.5 Illegal or unauthorized use or possession of firearms, fireworks, explosives, chemical agents, or other weapons or dangerous materials.
- C.6 Bomb threats, false reporting of fires, any action that causes, is intended to or attempts to cause a fire, explosion, or any tampering with the safety equipment of other safety devices.
- C.7 Battery or physical abuse of any person resulting in bodily injury;
- C.8 Sexual assault in any form, including attempted or acquaintance rape, exploitative behavior, obtaining sexual favors through psychological coercion, attempts to embarrass or intimidate, or to obtain sexual favors through the inducement of alcohol or chemical drugs;

- C.9 Any Level I Offense or Level II Offense that results in bodily injury or death to any person;
- C.10 A second violation of any Level II Offense or, at the discretion of the College, multiple Level II offenses occurring at or about the same time by the same student;
- C.11 A third violation of any Level I Offense by the same student.

II. DISCIPLINARY POLICY

All allegations of violations of the *Code of Student Conduct* as established in this rule shall be investigated and determined in accordance with procedures established by the College in IMM #6-15, *Student Disciplinary Procedures*, and published in the *College Catalog/Student Handbook*. The procedures established shall, as a minimum, ensure that the student is given an opportunity to be heard before a final determination regarding any allegations hereunder and shall provide the opportunity for appeal. Further, these procedures shall detail the reporting and investigative process to be followed by College officials and the student. The administration shall be authorized to provide for the immediate, temporary imposition of sanctions in appropriate circumstances.

Rule Adopted: 8/10/72; 8/25/75; 4/17/78; 11/19/79; 6/15/81; 9/13/82; 10/21/85; 2/22/88; 7/16/91; 4/28/92; 1/20/98; 3/23/99; ~1/14/02; 02/17/09; 07/16/13; 09/25/18

Effective Date: 8/10/72; 10/7/75; 4/17/78; 11/19/79; 6/15/81; 9/13/82; 10/21/85; 2/22/88; 7/16/91; 4/28/92; 1/20/98; 3/23/99; ~05/01/02; 02/17/09; 07/16/13; 09/25/18

Legal Authority:

General Authority: Florida Statutes: 1001.64; 1001.65; 1006

Other References:

Law Implemented: Florida Statutes: 1001.64(1)(2)(4)(8)(43)(44); 1001.65(1)(16)(22)(24); 1006.60; 1006.61; 1006.62

Proposer: Timothy L. Beard, President