

Polk State College District Board of Trustees Rule

| Rule Number | Subject | Rule Making Authority | Statutory Reference | SBE Rule Reference | Effective Date |
|---------------|--|-----------------------|--|--------------------|----------------|
| 6Hx21 4.01 | Code of Conduct for Students and Student Organizations | FS1001.60-65 | FS 1006.60 (1)(2)(3)(4) FS 1006.63 | | 9/26/2016 |

Students at Polk State College agree to act in a responsible manner in all areas of personal and social conduct and to take full responsibility for their personal and collective actions. Learning can only take place in a setting that is free of intimidation and coercion. Students must observe local, state, and federal laws as well as the academic and behavioral rules found in the Polk State College catalog/handbook, other publications, and the Polk State College website at polk.edu. Polk State College students are expected to:

- Be courteous to fellow students, faculty, and all college personnel
- Be punctual in attending classes, completing course assignments, and following college instructions, rules, and procedures
- Be fair and honest in all interactions with students, faculty members, and college personnel in all communications, including e-mail and the online class environment

The objectives of this rule are to define "unacceptable conduct," and to identify related procedures including disciplinary procedures that will apply to each type of infraction.

I. Definitions

- A. The noun "College" or adjective "college" refers to Polk State College.
- B. The term "student" includes all persons taking courses in any program for credit or non-credit at the College, both full-time and part-time, in face-to-face classes or online classes. This also includes students taking classes or participating in college activities on and off campus. Persons who are not officially enrolled for a particular term, but who have a continuing relationship with the College or are representing the College or interacting on behalf of the College with faculty, staff, and students are also expected to adhere to the Student Code of Conduct.
- C. The term "college premises" means buildings or grounds owned, leased, operated, controlled, or supervised by the College, or online environments used by the College.

- D. The term "college-sponsored activity" means any activity on or off campus which is initiated, aided, authorized, or supervised by the College or any college organization.
- E. The term "college official" includes any person employed by the College performing assigned responsibilities.
- F. The terms "will" or "shall" are used in the imperative sense.
- G. The term "plagiarism" is defined in section II.B.1.
- H. The term "distribution" means sale or exchange for personal profit.
- I. The term "weapon" means any object or substance designed to inflict a wound, cause injury, or incapacitate, including but not limited to all firearms, pellet guns, paintball guns, and knives.

II. Student Code of Conduct

The conduct described in paragraphs A-D is unacceptable and subject to disciplinary action. Students may be held accountable to both civil authorities and to the College for acts which violate the law and this Rule. College Procedure 5028 outlines the procedure for imposing sanctions on violators of the Student Code of Conduct. Disciplinary action at the College will normally proceed while criminal proceedings are pending and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced. Students have the right to appeal any charges made against them for violating the Student Code of Conduct. College Procedure 5025 addresses the hearing process for student appeals to any charges of violation of the Student Code of Conduct.

This Code of Conduct applies to students as individuals or student groups or organizations. Individuals who have committed an infraction as part of a student group or organization may be held personally responsible for the group's behavior along with the group's leaders, officers, or spokespersons. Procedure 5029 addresses violations by groups and organizations.

Disruptive conduct is reported to a student services dean on a Student Disruption/Discipline Report available from the Office of Student Services Dean.

A. General Violation of the Student Code of Conduct

Students in online or face-to-face classrooms are advised to review the syllabus and classroom policies for administration of these violations of the Student Code of Conduct in the classroom or online classroom environment.

1. Disruption

Disruption or obstruction of teaching, research, administration, disciplinary proceedings, and other Polk State College activities, including its functions on or off campus, or other authorized Polk State College activities when the act occurs on Polk State College premises is prohibited.

2. Abuse

Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the rights, health, or safety of any person is prohibited.

3. Theft or Damage to Property

Attempted or actual theft of or damage to property of other students, the College, college officials, or guests of the College; and knowing possession of stolen property on college premises or at college activities is prohibited.

4. Non-Compliance with Directions

Failure to comply with directions of Polk State College officials, security officers, or law enforcement officers acting in the performance of their duties, and/or failure to identify oneself to these persons when requested to do so is prohibited.

5. Keys

Unauthorized possession, duplication, or use of keys to any college premises or unauthorized entry to or use of college premises, facilities, equipment, or supplies are prohibited.

6. Weapons and Dangerous Materials

Illegal or unauthorized use, possession, or storage of any weapon including firearms, explosives, other weapons, or dangerous chemicals on college premises or at college-sponsored activities is prohibited.

7. Controlled Substances

Unauthorized distribution, possession, or possession for purposes of distribution of any controlled substance or illegal drug on college premises or at college-sponsored activities on or off campus is prohibited.

8. False Reporting

Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency on college premises or at college-sponsored activities is prohibited.

9. Freedom of Expression

Intentionally and substantially interfering with the freedom of expression of others on college premises or at college-sponsored activities is prohibited.

10. Alcohol

Use, possession, or distribution of alcohol beverages on or off campus or at any college event regardless of the age of the student is prohibited.

11. Intoxication

Inebriation or drunkenness, including coming to a Polk State College campus or on-off-campus event inebriated or under the influence of alcohol; and including becoming intoxicated while on campus or at an off-campus activity or class, is prohibited.

12. Hazing as defined by Florida Statutes 1006.63.

Hazing is described by statute as any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating under the sanction of Polk State College. Examples of hazing include but are not limited to pressuring or coercing the student into violating state or federal law; any brutality of a physical nature such as whipping, beating, branding, exposures to the elements; forced consumption of any food, liquor, drug or other substance; or other activity causing extreme mental stress such as sleep deprivation. Further examples are found in Florida Statute 1006.63. Students or other persons associated with any Polk State College organizations are prohibited from engaging in any hazing activity. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal or legitimate objective.

13. Gambling

To stake or risk money, or anything of value, on the outcome of something involving chance is prohibited.

14. Disorderly Conduct

Conduct which is disorderly, lewd, or indecent; breach of peace, aiding, abetting, or procuring another person to breach the peace on Polk State College premises or at functions sponsored by, or participated in, by Polk State College is prohibited.

15. Theft or other abuse of computer time is prohibited, including but not limited to:

- a) Unauthorized entry into a file to use, read, or change the contents, or for any other purpose
- b) Unauthorized transfer of a file
- c) Unauthorized use of another individual's identification and password
- 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 system
- g) Misuse of institutional e-mail, such as engaging in chain letters, forgery, harassment through e-mail, and other misuses as defined in Procedure 1030

16. Discrimination

Treatment or consideration of, or making a distinction in favor of or against, a person or thing based on the group, class, or category to which that person belongs rather than on individual merit is prohibited.

17. Violation of Published Polk State College Policies/Procedures, Rules and Regulations is prohibited.

18. Violation of Law

Violation of federal, state, or local law on Polk State College premises or at Polk State College sponsored or supervised activities is prohibited.

19. Unauthorized Demonstration

Participation in a campus demonstration which disrupts the normal operations of Polk State College and infringes on the rights of other members of the Polk State College community, or leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area, or intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus is prohibited.

20. Obstruction of Movement

Obstruction of the free flow of pedestrian or vehicular traffic on any Polk State College premise or at Polk State College-sponsored or supervised functions is prohibited.

21. False Representation

Contracting or representation in the name of Polk State College is prohibited.

22. Bribery

Offering or giving money or any item of service to a Polk State College employee for the purpose of attempting to obtain assistance that would not have otherwise been provided is prohibited.

23. Furnishing false information to any college official, faculty member, or college office is prohibited.

24. Forgery, alteration, or misuse of any college document, record, or instrument of identification is prohibited.

Includes, but is not limited to, the submission of false or fictitious claims or any entries or omissions of information for the purpose of misleading or misrepresenting the student's record or any other official document.

25. Fraud

Fraud, defined as deceit; trickery; or breach of confidence; perpetrated for profit or to gain some unfair or dishonest advantage such as, but not limited to, willful negligence intended to cause damage to the material interest of the College; or dishonorable irresponsible or deliberate acts against the College, its faculty and staff, its students or representatives is prohibited.

26. Misuse of student media venues such as publications, budgets for student publications, or any other unauthorized use of student media as outlined in Procedure 5021 is prohibited.

27. Recording is Prohibited

Students may not make an audio or video recording of an instructor or speaker at a Polk State College on- or off-campus event unless prior consent of the instructor or speaker is obtained. However, if such recording is an Americans with Disabilities Act accommodation, prior notification is required, rather than consent.

28. Abuse of the Student Discipline System is Prohibited

Including, but not limited to:

- a) Failure to appear before the Vice President for Student Services, Dean of Student Services, Hearing Officer, or other Polk State College Official when requested to do so
- b) Falsification, distortion, or misrepresentation of information before a Student Conduct/Discipline Committee
- c) Disruption or interference with the orderly conduct of a Discipline Committee hearing
- d) False accusations of student misconduct without cause
- e) Attempting to discourage an individual's proper participation in, or use of, the student discipline system
- f) Harassment (verbal or physical) and/or intimidation of a member of a Discipline Committee prior to, during, and/or after a Discipline Committee hearing
- g) Failure to comply with the sanction(s) imposed under the Student Code of Conduct

- h) Influencing or attempting to influence another person to commit an abuse of the student discipline system

29. Violation of Law and Polk State College Discipline

- a) If a student is charged only with an off-campus violation of federal, state, or local laws, but not with any other violation of the Student Code of Conduct, disciplinary action may be taken and sanctions imposed for grave misconduct which demonstrates flagrant disregard for the Polk State College community and/or disrupts the educational mission of the College.
- b) Polk State College disciplinary proceedings may be instituted against a student charged with violation of a law that is also in violation of the Student Code of Conduct. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.
- c) When a student is charged by federal, state, or local authorities with a violation of law, Polk State College will not request or agree to special consideration for that individual because of his or her status as a student. However, if the alleged offense is also the subject of a proceeding before the Discipline Committee under the Student Code, Polk State College may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled within the Polk State College community.
- d) Polk State College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student visitors. Individual students and faculty members acting in their personal capacities remain free to interact with governmental representatives, as they deem appropriate.

Any student that is suspected of violating the "General Violation" section of the Student Code of Conduct rule will be subject to sanctions and provided due process as outlined in Polk State College Procedure "Violation of Code of Conduct."

B. Academic Dishonesty

Polk State College considers academic dishonesty an assault upon the basic integrity and meaning of a college. Cheating, plagiarism, and collusion in dishonest activities are serious acts which erode the college's educational role and cheapen the learning experience, not only for the perpetrators, but also for the entire community. It is expected that all Polk State College students will understand and subscribe to the ideal of academic integrity and that they will be willing to bear individual responsibility for their work. Materials

(written or otherwise) submitted to fulfill academic requirements must represent a student's own efforts. The fundamental purpose of this rule is to emphasize that any act of academic dishonesty attempted by any Polk State College student is unacceptable and will not be tolerated. Examples of academic dishonesty include:

1. Cheating or plagiarizing on tests, projects, or assignments

Cheating is defined as the giving or taking of any information or material with the intent of wrongfully aiding oneself or another in academic work considered in the determination of a course grade. *Plagiarism* is defined as "the act of appropriating the literary composition of another, or parts or passages of his writings, or the ideas or language of the same, and passing them off as the product of one's own mind" (*Black's Law Dictionary*, Revised Fourth Edition). Plagiarism shall include failure to use quotation marks or other conventional markings around material quoted from any printed source, and paraphrasing a specific passage from a specific source without indicating accurately what that source is. Plagiarism shall further include letting another person compose or rewrite a student's assignment.

Procedure 5026 addresses the process by which academic dishonesty cases are processed and/or appealed.

The following items have been identified by the faculty and students at Polk State College as a partial list of examples of cheating and/or plagiarism.

- a) Asking for information from another student before, during, or after a test, quiz, or exam situation.
- b) Copying answers from another's paper during a test, quiz, or exam situation.
- c) Knowingly letting someone copy from one's paper during a test, quiz, or exam situation.
- d) Using sources other than what is permitted by the instructor in a test, quiz, or exam situation.
- e) Copying material exactly or essentially from outside sources while omitting appropriate documentation.
- f) Copying or falsifying a report of a laboratory, clinical project, or assignment without doing the required work.
- g) Changing answers on a returned graded test, quiz, or exam in order to get the grade revised.

2. Plagiarism in written assignments

Plagiarism includes handing in a paper to an instructor that was purchased from a term paper service or downloaded from the Internet and presenting another person's academic work as one's own. Individual academic departments may provide additional examples in writing of what does and does not constitute plagiarism, provided that such examples do not conflict with the intent of this policy.

3. Furnishing false information to any faculty member.

4. Forgery, alteration, or misuse of any college document, record, or instrument of identification.

Violations of the college's policies pertaining to academic dishonesty may result in academic penalties and/or disciplinary action at the discretion of the instructor. Academic penalties may include, but are not limited to, a failing grade for a particular assignment or a failing grade for a particular course. Students that are charged with violating the Academic Dishonesty portion of this Rule will not be permitted to withdraw from the course. Additionally, the student may be referred to the Associate Dean of Student Services of the campus or center where the offense took place for violations of the Student Code of Conduct. Any student who is suspected of violating the "Academic Dishonesty" section of the Student Code of Conduct will be subject to sanctions and provided due process as outlined in Polk State College Procedure "Academic Dishonesty"

C. Student Organizations

Student organizations are governed by the Student Organization Handbook, which outlines the procedures to be used for organizing, chartering, and maintaining student organizations at the College. The handbook is located in the Student Activities and Leadership (SALO) office on each campus. Students are expected to follow the handbook as it relates to their organizations and to the Student Code of Conduct. Student organizations (as well as members and officers individually and collectively) may be held accountable when an alleged offense is committed by one or more members or guests of the organization and any of the following conditions apply:

- a) The offense occurs at an event that was sanctioned by an officer of the organization.
- b) Organizational funds are used to finance the activity.
- c) The event where the offense occurs is substantially supported by the organization' membership.

- d) Members with knowledge of the forthcoming violation do not attempt to prevent the infraction.
- e) The organization fails to report or chooses to protect the individual(s) alleged to have committed the offense.

Any student organization (as well as members and officers individually and collectively) that is suspected of violating the "Student Organization" Code of Conduct" portion of this rule will be subject to sanctions and provided due process as outlined in Polk State College Procedure "Student Organization Violation of Code of Conduct. "

D. Acts of sexual misconduct, including but not limited to the following:

Procedure 5027 outlines the definition of sexual misconduct and the sanctions the College imposes on offenders. Typical types of sexual misconduct include, but are not limited to, the following:

- 1) Sexual Harassment
Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature from any person when such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, study habits, and/or educational experiences, or creating an intimidating, hostile, or offensive work/study environment
- 2) Sexual Battery
Any act, or attempted act, as defined in Florida Law (Section 794.011, Florida Statutes)
- 3) Public Indecency
Exposing one's body in such a manner that another party reasonably could be offended, or sexual conduct where another party reasonably could be offended

Any student that is suspected of violating the "Acts of Sexual Misconduct" portion of the Student Code of Conduct will be subject to sanctions and provided due process as outlined in Polk State College Procedure "Violation of Code of Conduct."

III. Institute of Public Safety Students

In addition to the Student Code of Conduct, Institute of Public Safety Students who are enrolled in programs or courses regulated by the Florida Criminal Justice Standards and Training Commission are subject to the provisions of the Institute's "Trainee Rules, Regulations, and Procedures. "

This Rule supersedes Board Rule 4.01 - Subject: Due Process for Student Body Grievances and Student Individual Grievances.

History

Adopted: December 23, 1974.

Revised: July 28, 1976; May 28, 1984; September 23, 1991; May 23, 1994; January 22, 2007; March 26, 2012; November 25, 2013; September 26, 2016