

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		11/30/2020

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 within the *Polk State College Catalog/Student Handbook*, other publications, and the Polk State College website (polk.edu). Polk State College students are expected to:

- Be courteous to fellow students, faculty, personnel, and all those participating in College events and activities.
- Be punctual when attending classes and completing course assignments, as well as in following College instructions, rules, and procedures.
- Be fair and honest in all interactions with students, faculty members, and College personnel in communications, including e-mail and online class communications.

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

I. Definitions

- A. The term "College," when used as a noun or adjective, refers to Polk State College.
- B. The term "student" includes all persons taking program courses (i.e., credit or non-credit) at the College, whether full-time or part-time, within face-to-face, hybrid, 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, are representing the College, or are interacting on behalf of the College with faculty, staff, and students, are also expected to adhere to this *Student Code of Conduct*.

- C. The term "College premises" means buildings or grounds owned, leased, operated, controlled, or supervised by the College, including online environments used by the College.
- D. The term "College-sponsored activity" means any activity on or off campus that 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 who is performing assigned responsibilities.
- F. The term "plagiarism" is defined in Section II.B.1.
- G. The term "distribution" means sale or exchange for personal profit.
- H. 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 listed in Section II. A-D of this document is unacceptable and subject to disciplinary action. A student may be held accountable to both civil authorities and to the College for acts that violate the law and this Rule. *Polk State College Procedure 5028: Student Code of Conduct Violation Procedure* outlines the process for imposing sanctions on violators of the *Student Code of Conduct*. Disciplinary action at the College normally proceeds while criminal proceedings are pending and is not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced. The student has the right to appeal any charges made for violating the Student Code of Conduct. *Polk State College Procedure 5025: Student Hearing Appeals Protocol* addresses the hearing process for any student appeal to any charge of violation of the Student Code of Conduct.

This *Student Code of Conduct* applies to students as individuals, student groups, and 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. *Polk State College Procedure 5029: Student Code of Conduct Violation Procedure--Student Groups and Organizations* addresses violations by groups and organizations.

Disruptive conduct is reported to a Dean of Student Services via the *Student Disruption/Discipline Report* available from the Office of the Dean of Student Services.

A. General Violation of the Student Code of Conduct

In addition to the *Student Code of Conduct*, students enrolled in online or face-to-face classes are advised to review each specific course syllabus for policies related to administration of violations of the *Student Code of Conduct* in the classroom or online course environment.

Any student who is suspected of violating Section II of this document is subject to sanctions and provided due process as outlined in *Polk State College Procedure 5028: Student Code of Conduct Violation Procedure*.

The following general classifications of misconduct are specifically prohibited while on campus, within online course environments, and during all College-related functions.

1. Disruption

The disruption or obstruction of teaching, research, administration, disciplinary proceedings, and other Polk State College activities (including its functions on or off campus) is prohibited.

2. Abuse

Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, and any other conduct that 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, the property of other students, the College, College officials, or guests of the College is prohibited. This also encompasses possession of stolen property on College premises or at College activities.

4. Non-Compliance with Directions

Failure to comply with directions or directives provided by any Polk State College official, instructor, security officer, or law enforcement officer who is acting in the performance of his or her duties is prohibited. This includes failure to identify oneself to these persons when requested to do so.

5. Misuse of Keys

Unauthorized possession, duplication, or use of keys to any College premises is prohibited. This includes any unauthorized entry to, or use of, College premises, facilities, equipment, or supplies.

6. Possession or Use of Weapons and Dangerous Materials

Illegal or unauthorized use, possession, or storage of any weapon (e.g., firearms, explosives, dangerous chemicals) on College premises or at College-sponsored activities is prohibited.

7. Possession or Use of Controlled Substances

Unauthorized distribution, or possession (or possession for the purposes of distribution) of any controlled substance or illegal drug on College premises or at College-sponsored activities (i.e., 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. Infringement on 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. Possession or Use of Alcohol

Use, possession of, or distribution of alcohol beverages on or off campus or at any College event (i.e., regardless of the age of the student) is prohibited.

11. Intoxication

Inebriation or drunkenness, while on a Polk State College campus or at an on- or off-campus event is prohibited. This includes becoming intoxicated while on campus or at an off-campus activity or class.

12. Hazing

As defined by *Florida Statutes Section 1006.63*, hazing is described 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, 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, or exposure 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 Statutes Section 1006.63*. Any student or person associated with any Polk State College organization is prohibited from engaging in any hazing activity.

Note: *Hazing does not include customary athletic events (or similar contests), competitions, activities, or conduct that furthers a legal and legitimate objective.*

13. Gambling

The College prohibits the stake or risk of money (or anything of value) on the outcome of something involving chance that is related to College operations or activities, regardless of whether the event or activity occurs on or off campus.

14. Disorderly Conduct

Disorderly, lewd, or indecent conduct is prohibited on Polk State College's premises, at sponsored activities, or at College-related functions. This includes actions and conduct that breach the peace or involve aiding, abetting, or procuring another person to breach the peace.

15. Theft or Abuse of Computer Time

The College prohibits any theft or abuse of computer time 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 transferring 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, e-mail harassment, and other misuses as defined in *Polk State College Procedure 1030: College Student E-mail System*.

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 (i.e., rather than on the individual's merit) is prohibited.

17. Violation of Published Policies and Procedures

The College has established and published *District Board of Trustees Rules* and *Polk State College Procedures* detailing College governance, processes, and policies. Violation of these Rules and Procedures is prohibited. Individuals are expected to become informed of regarding policies and procedures; ignorance does not mitigate responsibility for violating conduct expectations.

18. Violation of Law

Violation of federal, state, or local law on Polk State College's premises, or while attending a Polk State College-sponsored or -supervised activity, is prohibited.

19. Unauthorized Demonstration

Individuals are prohibited from participating in a campus demonstration that disrupts the normal operations of Polk State College or infringes on the rights of other members of the Polk State College community. This includes leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area, or any intentional obstruction which unreasonably interferes with freedom of movement on campus (e.g., pedestrian or vehicular).

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

Falsely contracting on behalf of (or representing oneself 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. Providing False Information

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

24. Forgery, Alteration, or Misuse of any College Document, Record, or Instrument of Identification

It is prohibited to forge, alter, or misuse any College document, record, or instrument of identification. This 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 is defined as deceit, trickery, or a breach of confidence that is perpetrated for profit or to gain some unfair or dishonest advantage (e.g., 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). Acts of fraud are prohibited.

26. Misuse of Student Media

The misuse of student media venues such as publications or budgets for student publications is prohibited. Misuse of media applies to all other unauthorized use of student media as outlined in *Polk State College Procedure 5021: Student Media*.

27. **Unauthorized Recording**

Students may not make an audio or video recording of an instructor, official, or speaker at a Polk State College (i.e., at an on- or off-campus event) unless prior consent of the instructor or speaker is obtained.

(Note: For recordings as a necessary accommodation related to the Americans with Disabilities Act, prior notification of the instructor or speaker is required.)

28. **Abuse of the Student Discipline System**

Any abuse of the student discipline system is prohibited, including, but not limited to:

- a. Failure to appear before a Vice President, Dean, Hearing Officer, or any other Polk State College official when requested to do so.
- b. Falsification, distortion, or misrepresentation of information placed before a Student Conduct or Student Disciplinary Committee Hearing.
- c. Disruption or interference with the orderly conduct of a Disciplinary Committee Hearing.
- d. False accusation of student misconduct without cause.
- e. An attempt to discourage an individual's proper participation in, or use of, the student discipline system.
- f. Harassment (i.e., verbal or physical) or intimidation of a member of a Student Disciplinary Committee prior to, during, or after a Disciplinary Committee Hearing.
- g. Failure to comply with the sanction(s) imposed under the *Student Code of Conduct*.
- h. Coercion or attempting to influence another person to commit an abuse of the student discipline system.

29. **Violation of the Law**

- 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 *Polk State College Student Code of Conduct*, disciplinary action may be taken and sanctions imposed for grave misconduct that 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 does 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 of Conduct, Polk State College may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters are handled within the Polk State College community.
- d. Polk State College cooperates fully with law enforcement and other agencies in criminal law enforcement on campus, as well as regarding 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.

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. Each Polk State College student is expected to understand and subscribe to the ideals of academic integrity, as well as bear individual responsibility for his or her own 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 a Polk State College student is unacceptable and is not 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 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 includes failure to use quotation marks or other conventional markings around material quoted from any printed source, paraphrasing a specific passage from a specific source, or

any use of material obtained from a source without indicating accurately what that source is. Plagiarism further includes letting another person compose or rewrite a student's assignment.

Polk State College Procedure 5026: Student Code of Conduct Violation-- Academic Dishonesty addresses the process by which academic dishonesty cases are processed and appealed.

The following items have been identified by Polk State faculty and students as a list of examples of cheating and plagiarism. This list is not meant to be all inclusive:

- 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, tools, or resources other than what is permitted by the instructor in a test, quiz, or exam situation.
- e. Copying material exactly, partially, 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**

In addition to the above definition, plagiarism includes purchasing a document from a term paper service or procuring any portion of a paper from the Internet, and then handing in and presenting another person's academic work as one's own.

***Note:** 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**

This broadly applies to any information requested, including, but not limited to, attendance, participation, course work, personal conduct, or the conduct of others.

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 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 in the particular course. A student who is charged with violating the Academic Dishonesty portion of this Rule is not permitted to withdraw from the course. Additionally, the student may be referred to an Academic or Student Services Dean for disciplinary action. Any student who is suspected of violating the Academic Dishonesty section of the *Student Code of Conduct* is subject to sanctions and provided due process as outlined in *Polk State College Procedure 5026: Student Code of Conduct Violation--Academic Dishonesty*.

C. Student Organizations

Student organizations are governed by the *Polk State College 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 Office (SALO) 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 when any of the following conditions apply:

1. The offense occurs at an event that was sanctioned by an officer of the organization.
2. Organizational funds are used to finance the activity.
3. The event where the offense occurs is substantially supported by the organization's membership.
4. Members with knowledge of the forthcoming violation do not attempt to prevent the infraction.
5. 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 are subject to sanctions and provided due process as outlined in *Polk State College Procedure 5029: Student Code of Conduct Violation Procedure--Student Groups and Organizations*.

D. Sexual Misconduct

Polk State College Procedure 5027: Student Code of Conduct Violation--Sexual Misconduct Procedure 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

Sexual harassment includes any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access, or creates an intimidating, hostile, or offensive work or study environment. Sexual harassment includes reports of stalking, domestic violence, and dating violence.

(Note: *A report of sexual assault, dating violence, domestic violence, or stalking does not need to meet the description of “severe and pervasive.”*)

2. Sexual Battery

Sexual battery includes any act, or attempted act, as defined in *Florida Statutes Section 794.011*.

3. Public Indecency

This includes exposing one's body in such a manner that another party reasonably could be offended, or any sexual conduct where another party reasonably could be offended.

III. Institute of Public Safety Students

In addition to the Student Code of Conduct, the College's 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* booklet.

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; and November 30, 2020.