

# MANUAL OF PROCEDURES

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**PROCEDURE NUMBER:** 4025

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**PROCEDURE TITLE:** Student Code of Conduct

**STATUTORY REFERENCE:** §1006.60, Florida Statutes

**BASED ON POLICY:** IV-5: Student Rights & Responsibilities

**EFFECTIVE DATE:** August 1, 1977

**LAST REVISION/REVIEW DATE:** January 13, 2004

I. **PURPOSE:**

It is recognized that Miami Dade College has the right to protect its educational purpose and its students from the irresponsible conduct of others. In order to insure this right, the College finds it necessary to set forth the following regulations that require student compliance for the welfare of the College community.

II. **PROCEDURE:**

Students who are alleged to have violated one or more of the regulations stated in this Code of Conduct may be charged with the violation(s) in accordance with Miami Dade College Disciplinary Procedures. This Code of Conduct shall apply to all College students representing the College at events, whether on or off the College campuses. The College may exercise its discretion to not officially charge students with violations of this Code of Conduct in the event that viable alternatives to disciplinary action are appropriate. The Student Code of Conduct addresses the following areas:

1. Academic Dishonesty
2. Activities on Campus
3. Alcohol
4. Arson
5. Assault and/or Battery
6. Checks
7. College Computing Resources
8. Complicity
9. Contracting
10. Damage of Property
11. Defamation, Threats, Extortion
12. Disruption
13. Dress Standards
14. Drugs, Illegal
15. Equipment, Emergency

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| 16. Facilities, Unauthorized Use of | 28. Pets                                    |
| 17. Freedom, Academic and Speech    | 29. Probation, Violation of                 |
| 18. Gambling                        | 30. Records, Falsification of               |
| 19. Hazing                          | 31. Search and Seizure                      |
| 20. Identification of Students      | 32. Smoking                                 |
| 21. Information, Falsifying         | 33. Speakers, Outside                       |
| 22. Laws, Public                    | 34. Student Groups, Recognition of          |
| 23. Literature and Goods            | 35. Theft and Unauthorized Possession       |
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1. Academic Dishonesty

Academic Dishonesty includes, but is not limited to the following:

- cheating on an examination;
- receiving help from others in work to be submitted, if contrary to the stated rules of the course;
- plagiarizing, that is, the taking and claiming as one's own the ideas, writings, or work of another, without citing the sources;
- submitting work from another course unless permitted by the instructor;
- stealing examinations or course materials;
- falsifying records;
- assisting anyone to do any of the above.

In the event that students are suspected of classroom cheating, plagiarism, or otherwise misrepresenting their work, they will be subject to procedural due process. The specific steps involved are outlined in College Procedure 4035 for dealing with Academic Dishonesty.

2. On Campus Activities And Events

Use of College facilities is prohibited on any of the Miami Dade campuses except in an area designated by the proper College authority and subject to any limitations and provisions established by an appropriate College official (i.e., outdoor concerts, student rallies, outside speakers).

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3. Alcoholic Beverages

Alcoholic beverages are prohibited at student sponsored functions.

4. Arson

No student shall commit, or aid in the intentional commission of an act that results in a fire being ignited which causes damage, or is intended to cause damage, to the property of the College or to the property of any other person.

5. Assault And/Or Battery

No student shall threaten bodily harm or discomfort to another such as would constitute an assault. Nor shall any student commit, or aid in the intentional commission of an act, which causes bodily harm or discomfort to the person of another such as would constitute a battery.

6. Checks With Insufficient Funds

Student shall not make and/or deliver any check to the College that is not supported by sufficient funds on deposit or is in any way worthless.

7. College Information Systems And Facilities

Students have the privilege of access and use of the College's technological resources such as computers, printers, networks, Internet, software and instructional laboratories. Students must utilize these services in an ethical and legal manner consistent with federal and state law as well as Miami Dade College policy and procedures. Students must comply with all College Policies and Procedures pertaining to the usage of college information systems, computing resources and facilities as defined in College Policy VII-1 and College Procedure 7900. Students must conduct themselves in a manner that reflects respect for the rights of other users, that protects the integrity of data, physical facilities, equipment, and software license copyright (College Policy

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VII-I and Procedure 7900). Students shall not use any College technological resources for any improper, illegal, or unauthorized uses. If misuse occurs, student privileges may be revoked immediately and the student may be subject to disciplinary action.

8. Complicity

A student present during the commission of an act by another student that constitutes a violation of College policy may also be charged if his/her subsequent behavior constitutes a permission or condonement of the violation.

9. Contracting Or Representation In The Name Of The College

Students are prohibited from contracting in the name of Miami Dade College, or claiming to be official representatives of the College or using the College's name, logo or likeness for any purpose including but not limited to commercial purposes.

10. Damage Or Destruction Of Property

Accidental damage, vandalism, malicious damage to property belonging to Miami Dade College or others may require restitution from persons responsible for such damage and/or disciplinary action.

11. Defamation, Threats, And Extortion

Verbal or written communication that unlawfully exposes any individual or group to hatred, contempt, or ridicule, and thereby injures the person, property, or reputation of another, is prohibited.

Verbal or written communication that threatens another of a crime or offense, or threatens injury to the person, property, or reputation of another, or maliciously threatens to expose another to disgrace, with the intent to extort money or other advantage whatsoever, is prohibited.

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## 12. Disruption

Florida Statute 877.13 provides that disruption of the normal activities of the institution is prohibited. Disruption shall include, but not be limited to, the following: Physical violence or abuse of any person or College-owned or controlled property, or at College sponsored or supervised functions, or conduct which threatens or endangers the health or safety of any person.

Deliberate interference with academic freedom and freedom of speech, including not only disruption of a class, but also interference with the freedom of any speaker invited by any section of the College community to express his/her views. (Faculty are authorized to have students removed from class if warranted.)

Forcible interference with the freedom of movement of any guest of the College. Blocking of entryways to buildings, rooms, or sections of buildings, or of hallways, or stairways, in such fashion that people find it difficult or impossible to pass.

Blocking of vehicular traffic; Noisemaking, or other physical behavior, which is so distracting that it is difficult or impossible to conduct a class, a meeting, or any other authorized event.

Congregating in such a fashion as to create a situation which could endanger life or property.

Incitement to any of the above-mentioned actions, or to other violations of College Policy that could result in such actions, whether orally or through written materials or pictures.

## 13. Standards Of Dress

Students must comply with standards of dress established for safety or health reasons in specific classes.

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14. Narcotics And Illegal Drugs

The possession and use of controlled substances by members of the Miami Dade College community must at all times be in accordance with APPLICABLE FEDERAL, STATE AND LOCAL LAWS, the rules of the Florida Board of Education, and the Policies and Procedures of Miami Dade College. Under Florida law, no person may possess, sell, or deliver substances regulated under the provisions of Chapter 893, Fla. Statute (controlled substances) unless dispensed and used pursuant to prescription or otherwise authorized by law. Students at the College who possess, use, or deliver controlled substances not dispensed and used pursuant to prescription are subject to disciplinary action, up to and not including expulsion from the College.

Disciplinary action against a student under College Policy does not preclude the possibility of criminal action against that individual. The filing of criminal charges similarly does not preclude action by the College. The use of illegal drugs and the misuse of prescription and other drugs pose a serious threat to the physical and mental well being of the students, faculty, and staff at the College. The College is committed to providing accurate information and educational programs to prevent such use of drugs. For further information about these programs and services, contact the campus Student Dean.

15. Misuse Of Emergency Equipment

Fire escapes, ground level fire doors, fire hoses, extinguishers, and alarm equipment are to be used only in emergencies. Tampering with, or misuse of these emergency devices, or blocking of fire exits or other means of impeding traffic, is prohibited.

16. Unauthorized Use Of College Facilities

The unauthorized use of, or entry into, any College facilities (i.e. classrooms, laboratories, athletic fields), whether by force or not, is prohibited.

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17. Interference With Academic Freedom And Freedom Of Speech

Any act which restricts the professor's or another student's right to speak is prohibited. Any act that disrupts the orderly functioning of a class is prohibited.

18. Gambling

Gambling of any kind is prohibited.

19. Hazing

Florida Statute 1006.63 prohibits students from engaging in any form of hazing, either on campus or off campus. Hazing means 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 under the sanction of the College. Such term shall include, but is not limited to, any brutality of a physical nature, such as whipping, beating, branding, forced consumption of any food, liquor, drug, or other substances, or any other forced physical activity that could adversely affect the physical health or safety of the individual, and shall include any activity that would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity that could adversely affect the mental health or dignity of the individual. Any activity as described above, upon which the initiation or admission into or affiliation with any student organization is directly or indirectly conditioned, shall be presumed to be a "forced" activity, the willingness of an individual to participate in such activity notwithstanding. (College Procedure 4094-Suspension of a Student Organization)

20. Identification Of Students

Students are required to present their MDC identification card when requested by authorized College officials. Any misrepresentation, alteration or misuse of identification is prohibited.

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21. Providing False Information

No student shall knowingly give false or perjured testimony in any College investigation or proceeding. No student shall knowingly give false information to a College official or show reckless disregard for truth.

22. Public Laws

Any act by a student that constitutes a charge of a violation of a public law, occurring either on or off campus, may establish cause for legal and/or disciplinary action by the College.

23. Distribution Or Sale Of Literature

Distribution of literature on the campuses must be processed by the Director of Student Life and is subject to College Procedure 4095.

24. Use Of College Mail Services

Students must receive approval from the Student Life Office in order to use College mail services. Use of department and/or area mail boxes must receive approval of the appropriate College official.

25. Obeying Reasonable Orders By College Officials

Students are required to comply with reasonable requests or orders by authorized College officials or representatives acting in behalf of the College. This requirement includes reasonable requests for students to arrive for appointments in administrative offices and at disciplinary investigations and hearings in a timely manner.

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26. Parking

Students must comply with all parking regulations of Miami Dade College. The College's parking regulations are available at the campus security office and are subject to change. Failure to do so may result in a citation from a civil authority as well as disciplinary action on the part of the College.

27. Breach Of Peace

Conduct or expression on College-owned or controlled property that disrupts the orderly functioning of the College, or which is lewd, indecent or obscene, is prohibited.

28. Pets

Guide dogs or other service animals are permitted on any of the campuses of Miami Dade College, but no other pets or animals of any kind are permitted on any of the campuses without specific approval from the appropriate College official.

29. Violation Of Probationary Status

A student who is alleged to have violated the Code of Conduct while being subject to Disciplinary or Final Disciplinary Probation may be charged with the separate offense of violating disciplinary probation.

30. Falsification Of Records

Falsification of College records, including, but not limited to, admission, registration, student disciplinary and health, and affidavit, by forgery or other means of deception, is prohibited.

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31. Search And Seizure

College officials reserve the right to search lockers or other College property when deemed necessary to uphold the basic responsibility of the College regarding discipline, safety, and the maintenance of an educational atmosphere. Contraband items will be confiscated and may be used as evidence in disciplinary cases. Briefcases, handbags, and other such containers may be searched in the library, in laboratories, in the bookstore, and at other places where materials or equipment are not secure.

32. Smoking

Smoking is prohibited in all college facilities; including but not limited to, all buildings and portions of buildings owned or leased by the college including, without limitation, atria, entry ways and enclosed hallways within buildings as prohibited under applicable laws.

33. Outside Speakers

Speakers may be invited to address a campus audience by Miami Dade College students, recognized student organizations and the Student Government. These invitations must be approved by the Student Life Director, or designee, not less than five days prior to the event.

34. Recognition Of Student Groups

In order to be classified as a student organization, established College Policies and Procedures included but not limited to recognition procedures must be met and approved by the Student Life Office.

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35. Theft, Unauthorized Possession And/Or Sale Of Property

Students involved in theft, unauthorized possession, and/or sale of property not belonging to them are subject to College disciplinary action as well as to arrest and prosecution by legal authorities. Students are required to make full restitution.

Students in possession of property owned or controlled by the College (i.e., the bookstore, library, audio-visual department, athletic department), or of another person (e.g. another individual's MDCard), without authorization or payment for such property, will be subject to College disciplinary action.

36. Use Of Vehicles

Riding of bicycles and mopeds in hallways, in buildings, or on walkways is prohibited. Motorized vehicles are prohibited in areas other than designated roadways and parking lots. Use of wheeled devices; including, but not limited to, roller blades, roller skates, skate boards and scooters, is prohibited on the campuses of Miami Dade College in any location or at times, which in discretion of campus officials, constitute a pedestrian or motor traffic hazard, or which imperil the health or safety of persons and property on the campus.

37. Firearms, Weapons, Fireworks, Explosives

No students, except law enforcement officers, may have weapons in their possession at any time on College property or college-sponsored activities. Weapons are defined as firearms, knives, explosives, fireworks, materials or any other items that may cause bodily injury or damage to property. Students in possession of a firearm on a campus or at a college-sponsored activity will be automatically suspended for a period of up to at least one year.

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38. Fraud

Students shall not engage in any fraudulent activities such as those that intentionally violate College Policies and Procedures. (i.e. providing false information or documentation to the College)

39. Hazardous, Biological, Other Substances

College students shall not bring onto or dispose of hazardous, biological, or other substances on or within any of the College's property that will threaten or affect the health, safety and welfare of the College. Further, no student shall disrupt or threaten the College by placing, disposing, or bringing onto the College's property any substances or objects for purposes of instilling fear or threatening others. Any violation of this provision will result in automatic suspension for a period of at least one year.

_____ PRESIDENT	_____ DATE