

# MANUAL OF PROCEDURE

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**PROCEDURE NUMBER:** 4025

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**PROCEDURE TITLE:** Student Code of Conduct

**STATUTORY REFERENCE:** FLORIDA STATUTES 1006.60

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

**EFFECTIVE DATE:** August 1, 1977

**LAST REVISION DATE:** March 22, 2018

**LAST REVIEW DATE:** March 22, 2018

## **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 ensure 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. Use of College Facilities for Activities and Events
3. Alcoholic Beverages
4. Arson
5. Assault and/or Battery
6. Payments with Insufficient Funds

7. College Computing Resources
8. Complicity
9. Contracting or Representation
10. Damage of Property
11. Defamation, Threats, Extortion, and Bullying
12. Disruption
13. Dress Standards
14. Drugs, Illegal
15. Emergency Equipment
16. Facilities, Unauthorized Use of
17. Freedom, Academic and Speech
18. Firearms, Weapons, Fireworks, Explosives
19. Fraud
20. Gambling
21. Hazardous, Biological, Other Substances
22. Hazing
23. Identification of Students
24. Information, Falsifying
25. Laws, Public
26. Literature and Goods
27. Mail Services
28. Orders, Obeying
29. Parking

30. Peace, Breach of
31. Pets
32. Publication of Explicit Communication
33. Probation, Violation of
34. Records, Falsification of
35. Search and Seizure
36. Smoking
37. Speakers, Outside
38. Student Groups, Recognition of
39. Theft and Unauthorized Possession
40. Vehicles, Use of

1. Academic Dishonesty

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

- A. Cheating on examination including unauthorized sharing of information.
- B. Collaborating with others in work to be submitted, if contrary to the stated rules of the course.
- C. Plagiarizing, taking and claiming, as one's own the ideas, writings, or work of another, without citing the sources.
- D. Submitting work from another course unless permitted by the instructor.

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 Addressing Academic Dishonesty](#).

2. Use of College Facilities for Activities and Events

Use of College facilities for activities and events must be approved by the designated College authority and subject to any limitations and provisions established by the appropriate College official.

3. Alcoholic Beverages

Alcoholic beverages are prohibited on campus or at any affiliated sites of the College or 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; cause bodily harm or discomfort to another that would constitute as assault. No student shall commit, or aid in the intentional commission of an act, which causes bodily harm or discomfort to another person that would constitute a battery.

6. Payments with Insufficient Funds

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

7. College Computing Resources

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 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 Guidelines for Use of Computing Resources](#). 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. If misuse occurs, student privileges may be revoked immediately and the student may be subject to disciplinary action.

8. Complicity

Students present during the commission of an illegal act or wrongdoing by another student that constitutes a violation of College policy may also be charged if subsequent behavior constitutes permission or condones the violation.

9. Contracting or Representation

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 of Property

Accidental damage, vandalism, and malicious damage to proper belonging to Miami Dade

College may be subject to disciplinary action and/or may require restitution from persons responsible for such damage.

11. Defamation, Threats, Extortion, and Bullying

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, the College or reputation of another, or maliciously threatens to expose another to disgrace, with the intent to extort money or other advantage whatsoever, is prohibited.

Bullying is defined as a behavior that constitutes the systematic and chronic infliction of physical hurt or psychological distress by teasing, social exclusion, threat, intimidation, stalking, physical violence, theft, harassment and destruction of property. This includes cyberbullying which constitutes the use of electronic communication to bully a person, typically by sending messages of intimidating or threatening nature.

12. Disruption

Florida Statute 877.13 prohibits the disruption of the normal activities of the institution. Disruption shall include acts that impair, interfere with, or obstruct the orderly conduct, processes, and functions of the College or the rights of members of the College community.

This includes acts that occur both inside and outside the classroom during a College sanctioned event or activity or an event where the student serves as a representative of the College but not be limited to, the following: Physical violence or abuse of any person or College-owned or controlled property, or conduct which threatens or endangers the health or safety of any person.

Congregating in such a fashion as to create a situation that 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. Dress Standards

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

14. 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 wellbeing 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.

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. 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.

19. 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).

20. Gambling

Gambling of any kind is prohibited.

21. 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.

22. Hazing

Refer to Procedure 4028. Florida Statute 1006.63 which prohibits students from engaging in any form of hazing, either on campus or off campus. Hazing means any action or situation that 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, 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)

23. Identification of Students

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

24. 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.

25. 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.

26. Distribution or Sale of Literature or Goods

Distribution of literature or goods on the campuses must be processed by the Director of Student Life and is subject to [College Procedure 4095](#).

27. 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 mailboxes must receive approval of the appropriate College official.

28. Obeying Reasonable Orders by College Officials

Students are required to comply with reasonable requests or orders by authorized College officials or representatives acting on 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.

29. 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 or other action from a civil authority as well as disciplinary action on the part of the College. (Parking fines are levied by the City of Miami Police, Miami-Dade Police, and City of Homestead Police and thus, are not part of the College's collection system.)

30. 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.

31. 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.

32. Publication of Explicit Communication

Publication of explicit language and/or images referring to a person that conveys personal identifying information of the person on a website, via social media, or other means without the depicted person's consent, even if the depicted person originally consented to the creating of the image or voluntarily provided it to the person responsible for the publication.



33. 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.

34. Falsification of Records

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

35. 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.

36. 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, atrium, entryways and enclosed hallways within buildings as prohibited under applicable laws.

37. Outside Speakers

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

38. 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.

39. 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 MDC identification card) without authorization or payment for such property, will be subject to College disciplinary action.

40. 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.

	
3/22/2018	
<b>PRESIDENT</b>	<b>DATE</b>