

STUDENT

CONDUCT CODE



TALLAHASSEE COMMUNITY COLLEGE 2019/20

»»» STUDENT CONDUCT CODE

The Student Code of Conduct is intended to preserve academic integrity and the safety, health, welfare and well-being of the TCC community and its visitors, while creating learning opportunities and interventions that foster, promote and support the ethical and moral development of TCC students.

As part of the Tallahassee Community College family – students, faculty, and staff – I hereby commit to uphold the highest standards of academic honesty, personal integrity, and respect for myself and others as essential components of academic and personal growth.

» DEFINITIONS

APPELLATE BODY – The term “appellate body” means any person or committee authorized by the president or designee to consider an appeal from a judicial body’s determination that a student has violated the Student Code of Conduct or from the sanctions imposed by the judicial body.

COLLEGE – The term “College” or “TCC” means Tallahassee Community College.

INSTRUCTOR – The term “instructor” or faculty means any person hired by TCC to conduct classroom or laboratory instruction, both on and off-campus or via distance learning.

JUDICIAL BODY – The term “judicial body” means any person or persons (e.g., Conduct Officer, Hearing Board) authorized by the President or designee to determine whether a student has violated the Student Code of Conduct and to determine the imposition of sanctions.

CONDUCT OFFICER – The term “conduct officer” means a TCC official authorized by the president or designee to administer the Student Code of Conduct, coordinate disciplinary processes of the College, take judicial action on behalf of the College, determine whether a student has violated the student code of conduct, and impose interventions/sanctions. The judicial officer is a judicial body and also acts as the chair of the Hearing Board.

TCC COMMUNITY – The term “TCC community” includes any person who is a faculty, staff, student, alumni or affiliate of TCC.

TCC OFFICIAL – The term “TCC official” or “college official” includes any person employed by TCC and/or who performs assigned administrative, educational, instructional or professional responsibilities.

TCC CAMPUS – The term “TCC campus” includes all land, buildings, facilities and other property in the possession of or owned, used, leased or controlled by TCC.

STUDENT – The term “student” includes any person that:

- has accepted an offer of admission to the College, regardless if enrolled in classes;
- has not yet graduated or officially transferred to another college;
- is taking courses at the College (full-time or part-time) or pursuing undergraduate, certificate, professional, adult education, GED or distance learning courses; or
- is not enrolled in a particular class, semester or term but who has a continuing relationship with TCC is considered a “student.” If a student’s enrollment lapses for more than one year, the student is still subject to disciplinary action under the Student Code of Conduct if the student intends to resume enrollment at TCC at any time.

Where the word “student” is used it is implied that the same applies or is afforded to a student organization, unless specified otherwise.

► JUDICIAL AUTHORITY

The President of Tallahassee Community College is ultimately responsible for the administration of the Student Code of Conduct and all judicial processes for all students at the College.

- Administrative authority and responsibility for disciplinary policies and procedures is delegated to the Vice President for Student Affairs. Within the Division of Student Affairs, direct supervisory jurisdiction of disciplinary matters involving violations of the Student Code of Conduct is assumed by the Conduct Officer.
- In some cases, where it is deemed formal disciplinary charges are not in the best educational interest of the student or student organization for student learning, and the student or student organization does not pose a threat or harm to oneself, another person or the TCC community, the Dean of Student Services or designee reserves the right to refer the behavioral matter through a behavioral intervention program or for mediation, rather than formal disciplinary action under the Student Code of Conduct.
- In addition, there are specific circumstances where a student's behavior may be a result of psychological/medical reasons. Under these conditions, it is in the best interest and safety of the student and the College community to assist the student by enacting the withdrawal for psychological/medical reasons process, which considers the welfare and mental well-being of the student first. The Vice President for Student Affairs or designee shall reserve the right to enact the process established for handling behaviors resulting from psychological/medical reasons, rather than the disciplinary process.

► JURISDICTION

TCC reserves the right to take disciplinary action against any student or student organizations for behaviors that occur at TCC, during TCC sanctioned activities or for off-campus conduct that may adversely affect the TCC community. For violations that do not occur on TCC property, action will be considered to ensure the safety or integrity of the entire campus community.

► PROHIBITED CONDUCT

Disciplinary action may be initiated by TCC through the Student Conduct office and sanctions imposed against any student or student organization found responsible for committing the following prohibited forms of conduct:

► Academic Dishonesty

Plagiarism

Plagiarism refers to representing the words or ideas of another as one's own in any academic exercise without providing proper documentation of source. Examples include, but are not limited to:

- Copying information word for word from a source without using quotation marks and giving proper acknowledgement by way of footnote, endnote or inner-textual note.
- Paraphrasing or putting into one's own words information from a source without providing proper acknowledgement/citation.
- Reproducing without proper citation, any other form of work of another person, such as a musical phrase, a proof, experimental data, laboratory report, graphics design or computer code. Taking credit for work not done.

Cheating

Cheating refers to using or attempting to use unauthorized materials, information or study aids in any academic exercise. Examples include, but are not limited to:

- Copying from another student's examination, research paper, case write-up, lab report, homework assignment, computer program or other academic assignment or exam.
- Possessing or using unauthorized notes, text or other aids during an examination, quiz or other assignment.
- Looking at someone else's exam before or during an examination.
- Handing in the same paper for more than one course without the explicit permission of the instructors.
- Possessing or using an electronic device that contains unauthorized information for a test or assignment such as programming one's computer or calculator to gain an unfair advantage.
- Soliciting, obtaining, possessing or providing to another person an examination or portions of an exam prior or subsequent to the administration of the exam.
- Talking, whispering or using a cell phone during an examination for the purpose of obtaining answers to questions.

Unauthorized Collaboration

Unauthorized collaboration refers to working with other students without the instructor's permission in the preparation and presentation of any work or assignments or otherwise failing to abide by the instructor's rules governing the academic exercise where the expectation is that the work to be completed is an individual and independent effort.

Academic Fabrication

Fabrication refers to the intentional and unauthorized falsification, misrepresentation or invention of any information, data or citation in any academic exercise. Examples include, but are not limited to:

- Falsifying or altering the data collected in the conduct of research.
- Making up a source as a citation in an assignment or citing a source one did not use.
- Attempting to deceive the instructor or testing agency by creating, altering or resubmitting scores for assignments, tests, quizzes or placement exams.
- Stating an opinion as a scientifically proven fact.

Academic Dishonesty Facilitation

Facilitation refers to intentionally or knowingly assisting any person in the commission of an academic integrity violation.

Misrepresentation/Falsification

Misrepresentation refers to intentionally engaging in deceptive practices and misusing one's relationship with the College to gain an unfair advantage in the admissions process, access to programs and facilities, employment opportunities and any academic exercise. Examples include, but are not limited to:

- Arranging for another student to substitute for oneself during an examination session or in the completion of course work.
- Falsifying, misusing, omitting or tampering with official academic college information or documents in any form including written, oral or electronic including test scores, transcripts, letters of recommendation or statements of purpose to gain initial or continued access to the College's programs, facilities or of another agency or educational institution.
- Altering, changing, forging or misusing academic records or any official College form.
- Causing any false information to be presented at an academic proceeding or intentionally destroying evidence important to an academic proceeding.
- Reporting an academic integrity violation known to be false.
- Misrepresenting or falsifying class attendance for that of another student. This includes signing an attendance sheet for a student who was not present in class.

➤ Alcohol, Drugs & Tobacco

Alcohol

Possession, purchase, consumption, distribution, sale or supply or use of alcohol in open or closed containers, regardless if empty or decorative in nature, on any TCC property, grounds, facilities, athletics fields, or as part of any College's activities or College-sponsored event.

- Operating a motor vehicle on TCC grounds or property while consuming or under the influence of alcohol.

Public intoxication

Public intoxication on any campus property is expressly prohibited. Those conditions considered to indicate intoxication include but are not limited to affected manner or disposition, speech, muscular movements, general appearance or behavior as apparent to the observer.

Drugs

Possession, purchase, consumption, distribution, sale, supply or use of illegal drugs, substance controlled under federal or state law or prescription drugs.

- Possession or display of drug paraphernalia.
- Operating a motor vehicle on TCC grounds or property while using or under the influence of an illegal drug or substance controlled under federal or state law.

Smoking and Tobacco Products

The use of all smoking , tobacco, and electronic smoking products, which includes any product containing or delivering tobacco and/or nicotine or any other substance intended for consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol. This includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah or vape pen, or under any other product name in facilities owned or operated by the College. All facilities (buildings and grounds) owned or operated by the College are designated as nonsmoking areas unless indicated otherwise by a posted sign designating the area as smoking area.

- Faculty, staff, students, and visitors who choose to use tobacco products may do so only in areas designated for smoking. It is the responsibility of the individual to properly dispose of tobacco waste products (e.g., cigarette remnants). This includes all tobacco products, such as smokeless tobacco.
- Smoking at the entrance/exit of any facility is prohibited. Smoking or the use of tobacco products must not occur within 20 feet of the entrance/exit to a building.

➤ **Computer Misuse**

All uses of College IT resources are subject to applicable rules, policies and procedures of the College and/or governing boards as well as the Florida Statutes governing computer fraud, misuse of state equipment resources, public information and related criminal offenses.

- Unauthorized access, entry or use of a computer, computer system, network, software, password, account or data. Users may not use any computer program or device to intercept or decode passwords or similar access control information. If security gaps are observed, they should be reported to the appropriate system administrators.
- Intentional damage or disabling of computer systems, networks or software without authorization for any purpose.
- Unauthorized copying, downloading, sharing or distribution of computer software, data, music files or any other forms of protected and/ or copyrighted material data, files or material.
- Unauthorized use of College computing resources to generate or access obscene material, to include, pornography, as defined by Florida or federal law and acceptable community standards, or creating a hostile work and/or educational environment.
- Unauthorized use of College electronic communication facilities to send fraudulent, harassing, obscene, threatening or other unlawful messages is prohibited.

➤ **Disruptive or Disorderly Conduct**

- Behavior that disrupts, impairs, interferes with or obstructs the orderly conduct, processes and functions of TCC or the rights of other members of the TCC community, including administration, disciplinary proceedings, athletic contests or other TCC-sponsored events and activities conducted on or off campus.
- Behavior that disrupts, impairs, interferes with or obstructs the orderly conduct, processes and functions within an academic classroom, testing center, academic computing lab or other laboratory. This includes interfering with the academic mission of TCC or individual classroom, or interfering with an instructor's or lab/internship supervisor's role to carry out the normal academic or educational functions of his/her classroom, laboratory and/ or field internship location, including teaching, research and service. This also includes the ability of other students to obtain or benefit from the instruction or educational service.
- Students engaged in activities creating a disturbance that interferes with the normal activities of the class or College on campus may be required to relocate.
- Participation in a campus demonstration that disrupts the normal operations of TCC and infringes on the rights of other members of the TCC community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.

Children on Campus

In accordance with TCC District Board of Trustees Policy 03-19, students may not bring children to classes or other instructional environments or leave children unattended on campus. A TCC student may bring children to designated areas of campus as long as the children are not disruptive and are at all times attended by an adult.

Theft

Unauthorized use or possession of, taking or attempting to take, or the personal or public property of or of another person or entity.

➤ **Endangerment**

Physical violence, assault or force toward another person or group.

- Endangering or threatening the mental or physical health, safety or well-being of another person or group.
- Tampering with any elevator, wiring, plumbing or other College equipment which could endanger one's self or others.
- Behavior of a reckless nature which creates a danger to the safety of persons or property.
- Interference with the freedom of another person or group to move about in a lawful manner.
- Obstruction of the free flow of pedestrian or vehicular traffic on TCC premises or at TCC-sponsored or supervised functions. This includes the affixing or the placement of bikes or motor vehicles to chairs, trees and/ or walkways, or placing/parking these items at the entrances and exits to buildings or in disabled accessible areas.
- Trespass or Unauthorized Entry/Access Unauthorized entry or presence in any TCC building, office, room, class, laboratory, athletic field or other location.

Harassment/Threats

- Harassment involves a course of conduct (including, but not limited to, physical contact, verbal, graphic, written or electronic communication) directed at a person that serves no legitimate purpose but to cause emotional distress or that creates an intimidating, hostile, threatening, harmful or fearful environment for another person, specific student and/or group. This includes threatening actions via e-mail, Facebook, Instagram, Twitter or any other social media sites, blogs or other Web-based forms of communication.
- Conduct, not of a sexual nature, regardless if via physical, verbal, graphic, written or electronic communication, that threatens, harms, intimidates or creates fear for a judicial body or persons involved in disciplinary processes (e.g., witness, victim, reporting individual). This includes actions via e-mail, Facebook, Instagram, Twitter or other social media sites, blogs or other Web-based forms of communication.

Rollerblades, Bicycles, Hover boards and Motor Vehicles

The use or operation of rollerblades, skates, skateboards, bicycles, etc. on TCC grounds (grass areas, walkways, pathways, sidewalks and athletic fields) or inside TCC facilities (e.g., library, classroom, hallway or student union).

- This includes hallways, balconies, courtyards, lounges and lobbies of facilities owned, operated or leased by TCC.

Stalking

Stalking is defined as activities occurring on more than one occasion that collectively cause emotional distress in the victim and/or threaten his or her safety, mental health, or physical well-being, general privacy or ability to perform daily life or work activities. Behaviors and activities may include, but are not limited to:

- Nonconsensual communication, including face-to-face, telephone calls, voice messages, e-mail, written letters/notes, unwanted gifts, or Web-based communications (e.g., social media etc.)
- Repeated threatening or obscene gestures.
- Pursuing or following.
- Electronic or any form of surveillance and/or other types of nonconsensual observation or staring.

Weapons, Firearms, Fireworks, Explosives and Dangerous Chemicals

The possession, storage, display or discharge of firearms, fireworks, explosives, ammunition, dangerous chemicals, and/or any object dangerous substance in any way, including, but not limited to, knives, firearms, blackjacks, "chukka" sticks or containers of noxious material.

- Possession of realistic replicas of weapons or explosives is not allowed on TCC campus.
- Possession of any firearm is not allowed on TCC campus, even with a concealed weapons permit.

Vandalism

Damage, destruction or the defacing of property of another person, group or TCC.

➤ **Failure to Comply**

Failure to comply with a request or directive of a TCC official (e.g., instructor, staff, administrator) or any law enforcement official in the performance of his/her duty.

- Failure to comply with the summons, decision, request to contact Conduct office within specified period of time, sanctions or conditions rendered by a Conduct Officer or authorized judicial body.
- Failure to identify oneself and/or produce identification upon request by a TCC official (e.g., instructor, staff, administrator) or any law enforcement official in the performance of his/her duty. Students are required to carry and present their TCC identification card when requested by authorized College officials.
- Failure to comply with traffic rules and parking regulations in effect for the TCC campus.
- Failure to comply with College policies, rules and regulations concerning the registration of campus activities, student organizations, the use of College facilities and public assembly.
- Failure to comply with posted policies, rules and regulations governing activities in a facility, room, lounge or other area.

➤ **Falsification/Fraud/False Testimony (non-academic)**

Providing false or misleading (written, verbal or otherwise) information to and/or withholding or omitting information from a TCC official or judicial body.

- Providing false or misleading information and/or withholding or omitting information on non-academic College documents/ records, including, but not limited to, admissions applications, financial aid documents, student identification, computer records and other official documents.
- Knowingly providing false or misleading information to or filing a report with a TCC official, office or judicial body which results in or may result in the initiation of law enforcement, disciplinary, administrative, criminal or legal action by the College.
- Providing false or misleading testimony during a disciplinary proceeding.
- Permitting another person to use one's TCC related identification.
- Use of another person's TCC related identification.
- Impersonation or misrepresentation, including acting on behalf of another person, group or TCC without proper authorization and consent.

Tampering with the election of the Student Government Association or any TCC-recognized student organization.

Any other acts of falsification/ fraud/false testimony not academic in nature.

Prior Violations Policy

Tallahassee Community College is committed to treating those with a criminal or disciplinary history with dignity and respect. We believe in the value of second chances and the impact education can have on economic and social mobility. All admission decisions are based on balancing those values with ensuring a safe learning environment.

- All students must answer honestly on the TCC admission application disclosure questions relating to prior legal and/or educational discipline violations. This information will be referred to the Student Conduct Office for review.
- All disclosures of prior violations are reviewed case-by-case and weighted in favor of the safety and welfare of the campus community. When appropriate, the Student Conduct office reserves the right to place conditions on a student's enrollment or recommend to the Admissions and Records office that the student be denied enrollment. When denied admission, the student may have the right to appeal based on specific criteria or circumstances which will be provided in the denial letter.

Sexual Offenders Policy

The Campus Sex Crimes Act (pursuant to sections 775.21, 943.0435 and 944.607, F.S.) requires the Florida Department of Law Enforcement to notify TCC when a convicted sexual offender intends to seek or maintain admission. Sexual offenders who are approved for admission (see Prior Violations Procedures) will be asked to meet with a representative of the Department of Student Services to assure that they do the following:

- Carefully follow the TCC Student Conduct Code and any other conditions required as part of the admission process
- Not seek College-sanctioned volunteer experiences on- or off-campus where children are involved

➤ Gambling

Participation in or offers games of chance for money or other gain in violation of the laws of the State of Florida.

➤ Hazing

Hazing is prohibited at Tallahassee Community College pursuant to Florida Statutes 1006.63. All organizations and individuals are prohibited from engaging in any form of hazing either on or off campus.

Definition of Hazing

As defined in FS 1006.63, the term “hazing” means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to:

1. Initiation into any organization operating under the sanction of a postsecondary institution;
2. Admission into any organization operating under the sanction of a postsecondary institution;
3. Affiliation with any organization operating under the sanction of a postsecondary institution; or
4. The perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a postsecondary institution.

Furthermore, the term includes, but is not limited to:

1. Pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student.
2. Any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student.

The term does not include customary athletic events or other similar contexts or competitions or any activity or conduct that furthers a legal and legitimate objective.

➤ Penalties

Penalties for violation of this policy shall be administered in accordance with Tallahassee Community College Policy 10-12 Student Code of Conduct; subject, however, to any limitations or additional penalties contained in FS 1006.63 (2)(3)(4)(5)(6).

- Such penalties at Tallahassee Community College may include the imposition of fines; the withholding of diplomas or transcripts pending compliance with the rules or pending payment of fines; and the imposition of probation, suspension, or expulsion from the college.
- In the case of an organization/club at Tallahassee Community College which authorizes hazing in blatant disregard of such rules, penalties may also include rescission of permission for that organization to operate on campus property or to otherwise operate under the sanction of the institution.
- All penalties imposed under the authority of this subsection shall be in addition to any penalty imposed for violation of any of the criminal laws of this state or for violation of any other rule of the institution to which the violator may be subject.

➤ Sexual Misconduct

Any sexual act or attempt to engage in any sexual behavior, regardless of personal relationship, without the explicit consent of the other person or that occurs when the other person is unable to give consent.

- Any intentional touching of another person without the explicit consent of the other person or that occurs when the other person is unable to give consent.

- Conduct of a sexual nature that creates an intimidating, hostile or offensive campus, educational or working environment for another person. This includes unwanted, unwelcome, inappropriate or irrelevant sexual or gender-based activities, comments or gestures.

Indecent or Obscene Behavior

Obscene, lewd or indecent behaviors, conduct, gestures or expressions reasonably interpreted as offensive to others or that creates an intimidating, hostile or offensive campus, educational or working environment for another person or group. This includes, but is not limited to, exposure of sexual organs, urination in public, voyeurism, and/ or unwanted, unwelcome, inappropriate or irrelevant behavior.

➤ **Shared Responsibility**

Failure to remove oneself from an area, room, place or activity in which it is known that a violation of this Code is occurring.

Attempting to commit, soliciting another to commit, aiding or abetting the commission of, or attempting to commit any conduct that is a violation of the Student Code of Conduct.

- Students/student organizations will be held responsible for the conduct of their guests/ visitors.
- Students/ student organizations are expected to inform their guests/visitors of all College rules and regulations.

➤ **Unauthorized Electronic or Digital Recordings**

Unauthorized recording (video or audio) of personal conversations, meetings or activities. This includes, but is not limited to the following:

- Recording of a faculty member or invited speaker without prior consent.
- Taking pictures of another student or person in the gym, lounge space, locker room, classroom, office, common area, or restroom.

The College shall enforce the provisions of Section 1006.62, Florida Statutes, hereinafter set forth in full, as follows:

- a. Each student in a community college or state College is subject to federal and state law, respective county and municipal ordinances, and all rules and regulations of the State Board of Education or board of trustees of the institution.
- b. Violation of these published laws, ordinances, or rules and regulations may subject the violator to appropriate action by the institution's authorities.

Freedom of Expression:

In accordance with TCC Board Policy (03.38), TCC recognizes the opinions expressed by organizations, groups or individuals using TCC facilities do not necessarily reflect the position of TCC or its students, faculty, and staff. The College affirms its commitment to freedom of speech, assembly and expression even though the language or ideas of those seeking a venue for free expression may contradict the College's ideals and policies or the personal views of TCC employees and students. By placing reasonable limitations on time, place, and manner of speech, TCC does not take a position on the content or viewpoint of the expression, but rather allows for a diversity of viewpoints to be expressed in an academic setting.

➤ **Other Violations**

Violations of any policy, rule or regulation of Tallahassee Community College. Violations of any municipal or county ordinance, law of the State of Florida, or law of the United States.

<https://www.tcc.fl.edu/about/college/district-board-of-trustees/college-policies/>

<http://www.leg.state.fl.us/statutes/>

<https://www.usa.gov/laws-and-regulations>



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