

Code of Student Conduct

Any student or recognized student organization found to have committed or to have attempted to commit the following misconduct is subject to disciplinary sanctions through the student conduct process. Expulsion, suspension, or any lesser penalty may be imposed upon any student or recognized student organization who participates in any of the following:

1. **Abuse or Endangerment:** Physically harming or abusing, assaulting, battering, intimidating, harassing, coercing, bullying, verbally abusing or threatening harm to any person, intentionally or recklessly, or causing reasonable apprehension of such harm, or creating a condition that endangers the health and safety of one's self or others. Abuse also includes but is not limited to fighting, the use of a knife, gun, or other weapon, or restraining or transporting someone against his or her will.
2. **Abuse of Computer Resources:** Theft, improper use or other abuse of computer facilities and resources, including but not limited to:
 - a. Use of College computers and/or technology resources to send, receive, or view obscene or sexually explicit messages or pictures;
 - b. Any violation of the College Acceptable Use Policy which governs all use of College information technology services.
 - c. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
 - d. Unauthorized transfer of a file.
 - e. Use of another individual's identification and/or password.
 - f. Use of computing facilities and resources to interfere with the work of another student, faculty member, or College Official.
 - g. Use of computing facilities and resources to send obscene or abusive messages.
 - h. Use of computing facilities and resources to interfere with normal operations of the College computing system.
 - i. Use of computing facilities and resources in violation of copyright laws.
3. **Abuse of the Student Conduct System:** Abuse of the Student Conduct System, including but not limited to:
 - a. Failure to obey the notice from the disciplinary board, the Director of Student Conduct, or any College Official to appear for a meeting or hearing as part of the Student Conduct System.
 - b. Falsification, distortion, or misrepresentation of information before a Student Conduct staff member or a disciplinary board.
 - c. Disruption or interference with the orderly conduct of any disciplinary hearing.
 - d. Knowing completion and filing of a false incident report.
 - e. Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
 - f. Attempting to influence the impartiality of a member of the disciplinary board or the Hearing Administrator prior to, or during the course of, a student conduct informal or formal hearing.
 - g. Harassment (verbal or physical) or intimidation of a witness, complainant, member of the disciplinary board or the Hearing Administrator prior to, during, or after a student conduct hearing.
 - h. Failure to comply with the sanction(s) imposed at the resolution of an informal or formal hearing.
 - i. Influencing or attempting to influence another person to commit an abuse of the student conduct system.
4. **Academic Misconduct:** The receipt or transmission of unauthorized aid on assignments or examinations, including, but not limited to, copying, plagiarism, fabrication of information or citations, facilitation of acts of academic dishonesty by others, unauthorized possession of examinations, submitting work of another person or work previously used without informing the instructor, and tampering with the academic work of other students. Disciplinary actions for academic misconduct shall be administered by the Division of Academic Affairs.
5. **Alcohol:** Possession, use, manufacturing or distribution of alcoholic beverages on any College property, during college-sponsored student travel, or any college-sponsored event off campus. Exceptions to this policy will occur at special events expressly approved by an act of the College's Board of Trustees where persons twenty-one (21) years of age or over are permitted to consume alcohol.
6. **Destruction of Property:** Malicious destruction, damage, vandalism, defacing or misuse of College property, including library materials, or any property belonging to others on campus.
7. **Dishonesty:** Acts of dishonesty include but are not limited to the following forms of deceit:
 - a. Cheating, plagiarism, or other forms of academic dishonesty
 - b. Furnishing false information (written or oral) to any Pensacola State College official, faculty member, or office representative
 - c. Forgery, alteration, or misuse of any Pensacola State College document, record, or instrument of identification
8. **Disorderly or Indecent Conduct:** Conduct that is disorderly, lewd, indecent, a breach of peace, or an unlawful assembly such as unauthorized occupation of any College facility, or aiding, abetting, or procuring another person to

breach the peace on College premises or at functions sponsored by the College. Disorderly and indecent conduct includes, but is not limited to the following:

- a. Unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his or her prior knowledge, or without his or her effective consent when such a recording is likely to cause injury or distress.
 - b. Taking unauthorized pictures of another person in a gym, locker room, or restroom.
 - c. Exhibitionism in the form of nudity
 - d. Lewd and lascivious conduct
 - e. Indecent exposure of the person
 - f. Obscenity or public profanity
9. **Disruptive Behavior (Disruption of Operations):** Disruption of any function of the College, including but not limited to:
- a. Conduct which disrupts the learning environment of any class while in session and/or failure to comply with the directives of an instructor.
 - b. Interference with academic freedom or freedom of speech of any member or guest of the College.
 - c. Participating in, or leading or inciting others to participate in, any activity which disrupts, obstructs, or interferes with the normal operation of the college, including any classroom instruction, meetings, administrative functions, student events, athletic events, student services, disciplinary proceedings, public service activities, or any other College function or event of any kind, on or off campus, or any authorized non-college activities being conducted on campus.
 - d. Interference with the freedom of movement of any member or guest of the College to enter, use or leave any College facility, service, or scheduled activity, to carry out their normal functions or duties, or the obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College sponsored or supervised functions.
10. **Drugs:** Possession, use, manufacturing or distribution of narcotics, marijuana, sedatives, tranquilizers, stimulants, hallucinogens or any other controlled substances under Federal or State law, except as expressly permitted by law.
11. **Drunkenness (Intoxication):** Intoxication on campus, whether resulting from consumption on or off campus, when a person is intoxicated to the degree that the person may endanger himself or herself, other persons, or property, or disrupt persons in the vicinity.
12. **Electronic Devices:** Failure or refusal to turn off electronic devices such as, but not limited to, cell phones, cameras, iPods while attending a class or lyceum program, unless use of such device in class has been approved by the instructor.
13. **Failure to Comply:** Failing to comply with reasonable directives from College or other officials related to the performance of their official duties when directed to do so. Failure to provide identification or to report to the Director of Student Conduct or any administrative officer, or when reasonable cause exists, failing to leave College-controlled premises or dangerous situations when directed to do so by properly authorized persons including public safety personnel or other College staff. Failing to complete sanctions as part of the conduct process.
14. **Fire Safety Violations:** Tampering with fire or other safety equipment or setting unauthorized fires. Exhibiting behaviors that risk the health and safety of one's self or others during a fire related incident. Burning candles, incense, or other items in athletic dormitories or other College facilities, whether attended or unattended.
15. **Harassment:** Engaging in behavior that is sufficiently severe or pervasive so as to threaten an individual or substantially interfere with the individual's employment, education or access to College programs, activities or opportunities, if such behavior would detrimentally affect a reasonable person under the same circumstances. Harassing behavior includes but is not limited to threats, intimidation, coercion, bullying and/or other conduct which threatens or endangers the mental or physical health or safety of any person or causes reasonable apprehension of such harm. ***Behaviors that are considered harassment also include, but are not limited to, the following:***
- a. Directing physical conduct, or verbal, written, or electronic communication towards an individual because of the individual's age, race, color, ancestry, national origin, religion, creed, service in the uniformed services, veteran status, sex, sexual orientation, marital or family status, pregnancy, physical or mental disability, gender identity, genetic information or political ideas.
 - b. Subjecting a person or group of persons to unwanted physical contact or threat of such.
 - c. Engaging in a course of conduct, including following the person without proper authority (e.g., stalking) under circumstances which would cause a reasonable person to fear for his or her safety or the safety of others or to suffer emotional distress.
 - d. Engaging in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of devices or electronic or written communication directed at a specific person (e.g., cyber stalking), causing substantial emotional distress to that person and serving no legitimate purpose.
16. **Hazing:** Participation in hazing (see anti-hazing policy)

17. **Retaliation:** Taking adverse or hostile action against any individual or group on the basis of a good faith report made or complaint filed by such individual or group, or on the basis of an individual's participation in an investigation, hearing, or inquiry by the College or an appropriate authority, or the individual's participating in a court proceeding relating to suspected wrongful conduct. Retaliation against any person or group making a complaint is in many cases prohibited by law, and in matters such as sexual assault or sexual violence, retaliation by the accused offender or someone associated with the accused offender is a serious offence.
18. **Sexual Harassment or Sexual Misconduct:** Engaging in sexual misconduct or sexual harassment of an unwelcome sexual nature that is sufficiently severe or pervasive so as to substantially interfere with the individual's employment, education, or access to College programs, activities, and opportunities, and that would detrimentally affect a reasonable person under the same circumstances. Sexual harassment may include, but is not limited to, verbal or physical conduct of a sexual nature, sexual advances, requests for sexual favors, sexual exploitation, and stalking. Sexual misconduct is a form of sexual harassment and refers to attempted or completed unwanted or non-consensual sexual activity, including but not limited to rape, sexual assault, sexual battery, forcible sodomy, sexual penetration with an inanimate object, intercourse without consent, sexual touching and fondling, the touching of an unwilling person's intimate parts (defined as genitalia, groin, breast or buttock, or clothing covering those intimate parts), forcing an unwilling person to touch another's intimate parts, sexual exploitation, domestic violence, dating violence, and sexual coercion.
19. **Smoking:** Violating College policies against smoking indoors, including the use of e-cigarettes (vape).
20. **Theft or Possession of Stolen Property:** Actual or attempted theft, larceny, stealing, embezzlement, or taking of property owned by the College, a member of the College community, or any other person, on or off campus. Being in possession of property belonging to another individual or entity without the express permission of the owner of such property. Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
21. **Unauthorized Entry or Use:** The College has the right to control all use and entry into facilities for reasons of security, safety or protections of property and may close facilities at specified times. It should be recognized that an open or unlocked door is not an invitation to enter and use facilities. Unauthorized entry or use may include but it not limited to:
 - a. Unauthorized entry into or use of College property or facilities including buildings, offices, classrooms, athletic dormitory rooms, College property leased to private entities or individuals, computers, computer networks, and any other restricted facilities.
 - b. Remaining on College property against the directive of a College police officer or public safety officer after the cessation of all classes and closure of all College offices, facilities, and libraries at night.
 - c. Unauthorized possession, duplication or use of keys to any College premises.
 - d. Infringing upon the rights of any member of the College community to privacy in offices, laboratories, athletic dormitories, or College property leased to private entities or individuals.
 - e. Infringing upon the rights of any member of the College community to maintain the confidentiality of their personal papers, records and effects.
22. **Violation of College Policies:** Any violation of a written College Policy, rule, procedure, administrative directive, or contract between the student and the College. Complicity in any violation by another person of this Code of Conduct, a College Policy, rule, procedure or administrative directive by being present at, or having advance knowledge of, such violation and taking any action that constitutes support, assistance, or an act in furtherance of the violation.
23. **Violation of the Law:** Committing any criminal act prohibited by, or otherwise violating, any federal, state or local law, including applicable county and city ordinances.
24. **Weapons, Explosives and Dangerous Items:** Possessing on a person or in a vehicle, discharging or exhibiting any sword, sword cane, firearm, electric weapon or device, destructive device, razor blade, box cutter, pellet gun, air rifle, or other weapons as defined under section 790.115, Florida Statutes, at a College sponsored event or on any College property, or using any weapon, even if legally possessed, in a manner that harms, threatens or causes fear to others. Sworn FDLE certified law enforcement officers attending class on a College campus may carry a weapon if required to do so by the policies of the law enforcement agency by which such officers are employed.