
**LAKE-SUMTER STATE COLLEGE
ADMINISTRATIVE PROCEDURE**

TITLE: STUDENT DISCIPLINARY ACTION

NUMBER: PRO 4-15

REFERENCE:

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III. RESPONSIBILITY

The College will follow the mandates of Public Law 90-575, which provides in part, that students at an institution of higher learning who, after notice and hearing, are found guilty of substantial disruption will not be eligible for financial assistance provided by the federal government. The College shall enforce the provisions of Section 1006.62, Florida Statutes, as hereafter summarized:

- a. Each student in a Florida College System institution is subject to federal and 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 college authorities (LSSC Board Rule 4.16).
- c. The President may, after notice to the student of the charges and after a hearing thereon, expel, suspend, or otherwise discipline any student who is found to have violated any law, ordinance, or rule or regulation of the State Board of Education or the LSSC Board of Trustees. A student may be entitled to a waiver of expulsion if:
 1. The student provides substantial assistance in the identification, arrest, or conviction of any of their accomplices, accessories, co-conspirators

discourse without fear or intimidation. The student conduct program through the Dean of Students Office is committed to an educational and developmental process that balances the interest of individual students and student organizations with the interests of the entire LSSC community.

The student conduct process at LSSC is not intended to punish students or student organizations; rather it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with College policies. Sanctions are intended to challenge moral and ethical decision-making and to help bring behavior into accord with our community expectations. When a student or student organization is unable to conform their behavior to community expectations, the student conduct process may determine that the student or student organization should no longer share in the privilege of participating in this community.

Students and student organizations should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same level of due process protection afforded by the courts in criminal or civil cases. Due process, as defined within these procedures, assures notice and a conduct meeting before an objective decision-maker(s). No student will be found in violation of College policy without information showing that it was a policy violation that occurred, and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student or student organization.

LSSC disciplinary committee

sponsored events, and may also apply to conduct or to behavior off-campus when the Vice President of Enrollment & Student Affairs determines that the off-campus conduct affects a substantial College interest as defined below:

- a. Any situation where it appears that the student's or student organization's conduct may present a danger or threat to the health or safety of themselves or others.
- b. Any situation that significantly impinges upon the rights, property or achievements of self or others.
- c. Any situation that significantly breaches the peace and/or causes social disorder.
- d. Any situation that is detrimental to the educational mission and/or interests of LSSC. The Student Code of Conduct may be applied to behavior conducted online, via email or another electronic medium. Blogs, web postings, chats and social networking sites are in the public sphere and are not private. Most online speech by students not involving LSSC networks or technology will be protected as free expression and not subject to this Code, with two notable exceptions:

- a. A threat, defined as "a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm"

PROCEDURE

- u. **Discrimination:** Any act that is in conflict with LSSC's Non-discrimination Statement that limits or denies the ability to participate in or benefit from the College's educational programs or activities based upon an individual or group's actual or perceived status (race, color, sex, ethnicity, gender, national origin, age, disability, marital status, veteran's status, employment, religion, sexual orientation and political affiliation).
- v. **Sexual misconduct:** Sexual harassment, stalking, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, or intimate partner and domestic violence.
- w. **Knowingly instituting a false charge against another.**
- x. **Use of indecent, or abusive language or fighting words - which by their very utterance, are likely to inflict harm on or provoke a breach of peace by the average person to whom they are directed.**
- y. **Hazing as defined in Section 1006.63, Florida Statutes.**
- z. **Vandalism or destruction of property.**
- aa. **Theft or attempted theft of College property or the property of a member of the College community.**
- bb. **Violation of local ordinances or state or federal law.**
- cc. **Conspiracy to commit a violation or intentionally aiding or abetting another to violate the LSSC Code of Student Conduct.**
- dd. **Harassment:** Conduct (including written or electronic communication) based on a protected category (such as race, color, religion, national origin, gender, et al), which, due to the severity and pervasiveness of the conduct and its targeted nature on the basis of a protected category, has the purpose or effect of creating an objectively intimidating, hostile or offensive educational

- investigation of an alleged policy violation.
- 4. Attempt to discourage an individual's proper participation in the conduct process.
- 5. Retaliation, harassment, or intimidation of members involved in a conduct
- 6. Failure to comply with the sanction(s) imposed through the College's conduct process.
- kk. Non-enrolled minors are not permitted to visit a class or lab in session as stated in the College's Children on Campus Policy.
- ll. Misuse of any College fire, health and safety equipment or fire alarms. False reporting of an explosive or incendiary device which threatens the health and safety of the College community.

- date, time, and location of the disciplinary proceeding.
2. The written notice of disciplinary proceeding will be sent via the student's or student organization's LSSC email account at least seven business days before the disciplinary proceeding will take place.
 3. The Dean of Students, or their designee, will conduct a preliminary inquiry into the nature of the incident, the evidence available, and the parties involved to determine if there is enough evidence to

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of the Advocate, advisor, or legal representative; Whether the individual is a licensed attorney or a non-attorney Advocate or advisor; Provide an address, telephone number, and email address where the

- m. Student(s) or student organization(s) have the right to an accurate and complete record of every disciplinary proceeding relating to the charged violation of the code, including record of any appeal, to be made, preserved, and available for copying upon request by the charged student(s) or student organization(s).

XI. STUDENT SANCTIONS

A student found in violation of the College's Code of Conduct shall be subject to one or more of the following sanctions listed below.

- a. **Written Warning** - a written warning is a document to the student addressing the conduct violation. A copy of the written warning is kept on file in the Dean of Student's Office as part of the student disciplinary file.
- b. **Restrictions or Loss of Privileges** - Limitations on

XII. STUDENT ORGANIZATION SANCTIONS

A Student Organization found in violation of the College's Code of Conduct shall be subject to one or more of the following sanctions listed below.

a. **Written Warning** - A written warning is a document to the Student Organization's email addressing the conduct violation. A copy of the written warning is kept on file in the Dean of Student's Office as part of the disciplinary file system, and a copy in the Student Life Office's Organization file.

b. **Restrictions or Loss of Privileges** - Limitations placed on a Student Organization for use of facilities, participation in other campus activities, use of their student activity budget (Fund #2 & #6), or student travel. Limitations must be related to a specific violation for a specified pe 4J0 To1.3 ()d.1 (r) 0 Tw 10.w 7()Tj0.001 Tc -y <MCID 11 BDC -5.0

Process.

- b. When a student is convicted in a court of law for a criminal offense involving personal misconduct.
- c. When a student's behavior on or off-campus:
 - 1. Creates a situation where it appears that the student's conduct may present a danger or threat to the health or safety of themselves or others
 - 2. Creates a situation that significantly impinges upon the rights, property or achievements of self or others
 - 3. Creates a situation that significantly breaches the peace and/or causes social disorder
 - 4. Creates a situation that is detrimental to the educational mission and/or interests of LSSC.

When a student is placed on disciplinary suspension, they will receive a written disciplinary suspension notice that will set forth the specific suspension time period as well as any other imposed sanctions. During the period of disciplinary suspension, a student may not be enrolled in classes, be employed by the College, or participate in College related activities, whether they occur on or off college property. A student on disciplinary suspension may not otherwise be present on College property unless authorized in writing, in advance, by the Director of Campus Safety.

All assigned educational sanctions must be completed prior to the conclusion of disciplinary suspension; otherwise the disciplinary suspension will remain in effect. In the case where the Dean of Students or their designee has imposed other conditions for readmission, it is the responsibility of the student to provide documentation of compliance with such conditions. The suspension period may vary based on the severity of the behavior, offense or repeated misconduct. The minimum suspension period is one semester and the maximum period suspension period is seven years. The duration of any suspension finding, and the restrictions imposed with this finding, will be determined by the Dean of Students on a case-by-case basis.

A student on disciplinary suspension will be administratively withdrawn from their current courses. The student will be ineligible to receive a tuition and fees refund. While on disciplinary suspension, a hold will be placed on the student's account which will prevent them from being readmitted or reenrolled at the College until the suspension period has passed. If the student wishes to reenroll after the suspension period has passed, the student must meet with the Vice President responsible for Student Affairs or their designee to determine if the student is ready to return to the College.

on the student's record.

A finding of Expulsion may be issued:

- a. When a

- a. **Failure of a particular assignment** – Faculty returns work with proof of cheating and gives a grade of F for that work.
- b. **Failure of the course** – Faculty gives proof of cheating and fails the student for the course.
- c. **Educational Sanction** – A sanction designed to benefit the student by increasing their knowledge of academic integrity, rules relating to academic conduct, and the identification and consequences of academic misconduct.
- d. **Disciplinary Probation** - A disciplinary warning status, issued to a student in violation of a College policy or regulation. This warning includes a written reprimand along with the probability of more severe disciplinary sanctions should the student be found in further violation of any institutional policies or regulations during the established probation time frame. At the end of the probationary period, the Dean of Students will review the student's conduct and decide whether to reinstate the student to good standing.
- e. **Disciplinary Suspension** - Termination of student status, including participation and attendance at all campus activities as set forth in the notice of suspension for a specific period. When circumstances warrant, the sanction of exclusion from the campus may also be imposed. A suspended student may, after the designated period, request readmission to the College by meeting with the Vice President of Enrollment and Student Affairs or their designee.
- f. **Expulsion** - When circumstances warrant, permanent separation from the College. The student is banned from the College property and the student's presence at any College- sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.

XVII. DEFINITIONS