

STUDENT CONDUCT & DISCIPLINE

The Florida Panhandle Technical College assumes that students eligible to enter the postsecondary facility are familiar with the ordinary rules governing proper conduct and behavior. Section 1006.07 (1) (b), Florida Statutes (District school board duties relating to student discipline and school safety), requires each district school board to adopt rules that require each student at initial registration for school enrollment in the district to report any previous school expulsions, arrests resulting in a charge, and juvenile justice actions the student has had. This section also provides authority for the receiving school board to waive or honor the final order of expulsion or dismissal of a student by any in-state or out-of-state public district school board or private school for an act that would have been grounds for expulsion according to the receiving district school board's code of student conduct.

FPTC regulations forbid public displays of affection, gambling, profanity, the use of tobacco products or smoking, the use of alcoholic beverages and narcotics, and the presence of a student on campus under the influence of either. Students are encouraged to promote the Technical College and to recommend the various programs to friends. However, students and visitors may not loiter on campus or in the parking lots. This is disruptive to other students and classes.

Unless approved by program instructor, electronic devices are prohibited and will be removed from the individual's possession. Cell phones are to be used at the discretion of the instructor. Failure to comply may result in confiscation of phone and its return at the discretion of the Director. Students are expected to be in class working.

FLORIDA PANHANDLE CAMPUS CODE OF CONDUCT

1. No person on the FPTC campus shall intentionally obstruct and/ or forcibly prevent others from the exercise of their rights. Nor shall any person interfere with the institutions educational processes or facilities, or the rights of those who wish to avail themselves of any of the institutions instructional, personal, administrative, recreational, and community services.
2. Individuals are liable for failure to comply with lawful directions issued by representatives of FPTC when they are acting in their official capacities. Any person on campus are required to show identification when requested to do so by an official of FPTC.
3. Unauthorized occupancy of technical college facilities or blocking access to or from such areas is prohibited. Permission from appropriate technical college authorities must be obtained for removal, relocation, and use of FPTC equipment and/or supplies.
4. Theft from, or damage to FPTC premises of property, or theft of or damage to property of any person on the technical college premises is prohibited.
5. Action may be taken against any and all persons who have no legitimate reason for their presence on any campus within the technical college or whose presence on any such campus obstructs and/or forcibly prevents others from the exercise of their rights or interferes with the institution's educational processes or facilities, or the rights of those who wish to avail themselves of any of the institutions instructional, personal, administrative, recreational, and community services.
6. Disorderly or indecent conduct on the Technical College campus or Washington County School Board owned or controlled property is prohibited.
7. No individual shall have in their possession a rifle, shotgun, or firearm or knowingly have in their possession any other dangerous instruments or material that can be used to inflict bodily harm on an individual or damage upon a building or the grounds of the University/College without the written authorization of such educational institution. Nor shall any individual have in their possession any other instrument or material which can be used and is intended to inflict bodily harm on any individual or damage upon a building or the grounds of FPTC.
8. Any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization is prohibited.
9. The unlawful possession, use, or distribution of alcohol by students or employees on the technical college premises is prohibited.

CORRECTIVE ACTION PROCEDURES AND HEARING

SPECIFIC GROUNDS FOR CORRECTIVE ACTION

Since inappropriate workplace behavior of any degree of frequency is undesirable and not conducive to a positive learning or workplace environment for all, students shall understand that certain actions are applicable to correct their behaviors. Because some behaviors are more inappropriate than others, the frequency, nature, and degree of the misconduct will determine the specific corrective action which will be taken.

Following is a non-exhaustive list of inappropriate behaviors for which corrective action will be taken: Abusive or obscene language

- Assault and battery
- Bullying, Threats, and Intimidations
- Careless or reckless driving and/or abuse of driving privilege
- Cheating
- Damage to personal property of students and staff members
- Damage to school property
- Defiance
- Disrespect for any school personnel
- Distribution of unauthorized materials/substances/material items
- Disturbance of class or school activities
- Excessive absences or tardiness
- Failure to follow instructions
- Inappropriate workplace attire
- Inappropriate display of affection
- Libelous statements
- Loss or damage of materials belonging to the school/others
- Physical or verbal abuse of students or staff members
- Physical violence
- Possession/use of unauthorized substances/material items
- Possession and/or use of weapons
- Theft
- Threats of physical violence
- Unauthorized assembly
- Unauthorized campus leave
- Vandalism or property damage of any kind
- Violation of bus rules
- Violations of Procedures or Policies
- Violation of Tobacco/Smoke Free Campus

CORRECTIVE ACTIONS FOR INAPPROPRIATE BEHAVIOR

Depending on the seriousness and frequency of the misconduct certain disciplinary procedures will be followed. For those behaviors which are less serious, any of the following actions may be taken.

Corrective Actions Misconduct:

- Campus Leave
- Conference with student
- Dismissal
- Loss of privileges
- Probationary status
- Restitution for property damaged/stolen
- Warning/reprimand
- FPTC service assignment

Specific corrective actions are in place and are a part of the student handbook. The handbook is approved by the Washington County School Board and all persons involved will be aware of their responsibilities and rights, but also of the actions that will be taken for inappropriate behavior in the workplace.

Some of the violations of campus policies are also violations of the laws in the Criminal Code of the State of Florida. If students violate these laws, not only will they be subject to dismissal from campus, but the local law enforcement officials will be contacted and the student's actions will also be handled by these authorities.

Students who demonstrate by their actions they are unwilling to comply with district or FPTC policies will be withdrawn for a minimum of one academic year.

CORRECTIVE ACTION BOARD (CAB)

Program Corrective Action Conference:

The Corrective Action conference shall be conducted by the program instructor/supervisor. The following procedures shall be in effect at this conference:

1. An effort will be made to resolve the matter between the program instructor/supervisor and the student.
2. If a resolution to correct the student's actions is reached, the program instructor/supervisor conducting the conference shall document the plan and any consequences for non-compliance, on the Corrective Action Plan Form. After signing the form, the student will be given a copy of the corrective action plan.
3. If no resolution of corrective behavior is reached, the program instructor/supervisor conducting the conference shall refer the matter to the assistant director as a disciplinary complaint against the student and the complaint procedure will begin.

COMPLAINT PROCEDURES:

- a. Any charge, accusation, or allegation which is to be presented against a student, and, which if proved, may subject a student to corrective action or a disciplinary hearing, must be submitted in writing in complete detail to the office of the assistant director promptly by the individual, organization or department making the charge.
- b. The assistant director or designee will conduct a preliminary investigation in order to determine whether disciplinary charges should be preferred. The assistant director or designee will advise the student of the allegation against him or her, consult with other parties who may be involved or who have information regarding the incident, and review other relevant evidence. Following this preliminary investigation, which shall be concluded within ten (10) calendar days of the filing of the complaint, the assistant director or designee shall take one of the following actions:
 1. Dismiss the matter if there is no basis for the allegation(s) or the allegation(s) does not warrant disciplinary actions. The individuals involved shall be notified that the complaint has been dismissed;
 2. Conduct corrective action conference with the individual involved and implement a corrective action plan; or
 3. Prefer formal disciplinary charges and set a hearing date before the Corrective Action Board (CAB). The student will be provided a Notice of Hearing and will not return to campus until the student hearing has been conducted and a decision from the board has been rendered.
- c. In the event that a student withdraws from the technical college after a charge, accusation or allegation against the student has been made, and the technical college prefers formal disciplinary charges, the withdrawn student is required to participate in the disciplinary hearing or otherwise to resolve the pending charges and will be barred from attending the technical college until a decision on the charges is made or the charges are otherwise resolved. If the withdrawn student fails to so participate in the disciplinary process without good cause, the technical college may proceed with the disciplinary hearing in the student's absence and any decision and sanction will be binding. The Corrective Action Board has the final decision in all disciplinary matters.

NOTICE OF HEARING AND CHARGES

Notice of the charge(s) and of the time and place of the hearing shall be personally delivered or sent by the assistant director to the student at the address appearing on the records of the technical college, by certified or overnight mail and by regular mail and e-mail to students who have a technical college e-mail address. The assistant director is also encouraged to send the notice of charges to any other e-mail address that is on record for the student. The hearing shall be scheduled within a reasonable time following the filing of the charges. Notice of at least five business days shall be given to the student in advance of the hearing unless the student consents to an earlier hearing. For educational purposes, it is to the benefit of the students to get a resolution quickly.

The notice shall contain the following:

1. A complete and itemized statement of the charge(s) being brought against the student including the rule, bylaw or regulation he/she is charged with violating, and the possible penalties for such violation.
2. A statement that the student has the following rights:
 - i. to present his/her side of the story;
 - ii. to present witnesses and evidence on his/her behalf;
 - iii. to cross-examine witnesses presenting evidence against the student; and
 - iv. to remain silent without assumption of guilt.
3. A warning that anything the student says may be used against him/her at a non-technical college hearing.
4. Students subjected to the CAB procedure will be required to sign a FERPA Release Form giving permission for board members to have access to student information. Refusal to sign release form will result in dismissal.

COMMITTEE STRUCTURE

- a. Each Corrective Action Board (CAB) shall consist of two faculty members and three student members and a chairperson, who shall be an administrative member. A quorum shall consist of the chair and any three members, one of whom must be a student. Hearings shall be scheduled promptly at a convenient time and efforts shall be made to insure full student and faculty representation.
- b. The president shall select in consultation with the head of the appropriate campus governance body or The chairperson shall preside at all hearings of the Corrective Action Board and decide and make all rulings for the committee. He/she shall not be a voting member of the committee but shall vote in the event of a tie.
- c. All members shall be selected from a list of volunteers.
- d. Persons who are to be participants in the hearings as witnesses or have been involved in preferring the charges or who may participate in the appeals procedures or any other person having a direct interest in the outcome of the hearing shall be disqualified from serving on the committee.
- e. Parliamentary procedures will be followed and meeting minutes will be taken. During each hearing, all Federal Education Rights and Privacy Act (FERPA) and HIPPA laws will be observed.

Corrective Action Board (CAB) Hearing Members:

Volunteer faculty, staff and students of FPTC will serve as members of the CAB. A new volunteer list will be composed in August of each year. However, volunteers may be added to the list at any time throughout the school year. The Office of the Director will be responsible for managing the list. Each hearing board will consist of the following six (6) members:

1. Non-Voting Member – Chairperson – FPTC Assistant Director or Designee
2. Voting Member – One (1) Elected Student Representative
3. Voting Member – One (1) Faculty or Staff Volunteer from the Program Cluster
4. Voting Member – One (1) Faculty or Staff Volunteer from an alternate Program Cluster.
5. Voting Member – One (1) Student Volunteer from the same Program Cluster
6. Voting Member – One (1) Student Volunteer from an alternate Program Cluster

STUDENT DISCIPLINARY PROCEDURES

The following procedures shall apply at the hearing before the faculty-student disciplinary committee:

1. The chairperson shall preside at the hearing. The chairperson shall inform the student of the charges, the hearing procedures and his or her rights.
2. After informing the student of the charges, the hearing procedures, and his or her rights, the chairperson shall ask the student charged to respond. If the student admits the conduct charged, the student shall be given an opportunity to explain his/her actions before the committee and the technical college shall be given an opportunity to respond. If the student denies the conduct charged, the technical college shall present its case. At the conclusion of the technical college's case, the student may move to dismiss the charges. If the motion is denied by the committee the student shall be given an opportunity to present, his or her defense.
3. Prior to accepting testimony at the hearing, the chairperson shall rule on any motions questioning the impartiality of any committee member or the adequacy of the notice of the charge(s). Subsequent thereto, the chairperson may only rule on the sufficiency of the evidence and may exclude irrelevant, immaterial or unduly repetitive evidence. However, if either party wishes to question the impartiality of a committee member on the basis of evidence which was not previously available at the inception of the hearing, the chairperson may rule on such a motion. The chairperson shall exclude all persons who are to appear as witnesses, except the accused student.
4. The technical college shall make a record of each fact-finding hearing by some means such minutes, a tape recording or the equivalent. A student who has been disciplined is entitled upon request to a copy of such a record without cost.
5. The technical college bears the burden of proving the charge(s) by a preponderance of the evidence.
6. The role of the Corrective Action Board is to listen to the testimony, ask questions of the witnesses, review the testimony and evidence presented at the hearing and the papers filed by the parties and render a determination as to guilt or innocence. In the event the student is found to have committed the conduct charged, the committee shall then determine the penalty to be imposed.
7. At the end of the presentations by both sides, the student may introduce additional records, such as character references. The technical college may introduce a copy of the student's previous disciplinary record, where applicable, provided the student was shown a copy of the record prior to the commencement of the hearing. The disciplinary record shall be submitted to the committee in a sealed envelope and shall not be opened until after the committee has made its findings of fact. In the event the student has been determined to have committed the conduct alleged in the charge or charges the records and documents introduced by the student and the college shall be opened and used by the committee for dispositional purposes, i.e., to determine an appropriate penalty if the charges are sustained.
8. The committee shall deliberate in closed session. The committee shall issue a written decision, which shall be based solely on the testimony and evidence presented at the hearing and the papers filed by the parties.
9. The student shall be sent a copy of the Corrective Action Board (CAB) committee's decision within five days of the conclusion of the hearing, by regular mail. The decision shall be final subject to the student's right of appeal.
10. When a disciplinary hearing results in a penalty of dismissal or suspension for one term or more, the decision is a college-wide penalty and the student will be barred from admission to any other program of the college while the penalty is being served.
11. Disciplinary penalties shall be placed in the student's file. The penalties will be placed on a student's transcript and shall remain there unless the committee's decides otherwise.

APPEALS

An appeal of the decision of the Corrective Action Board (CAB) may be made to the Washington County Superintendent who may confirm or decrease the penalty but not increase it. The Superintendent's decision shall be final except in the case of dismissals or suspension for one term or more. An appeal from a decision of dismissal or suspension for one term or more may be made to the board committee on student affairs and special programs. Any appeal under this section shall be made in writing within fifteen days after the delivery of the decision appealed from. This requirement may be waived in a particular case for good cause by the president or board committees as the case may be. If the president is a party to the dispute, his/her functions with respect to an appeal shall be discharged by an official of the university to be appointed by the chancellor or his or her designee.

SUSPENSION OR DISMISSAL

The CAB reserves full power to dismiss or suspend a student, or suspend a student organization for conduct which impedes, obstructs, or interferes with the orderly and continuous administration and operation of FPTC in the achievement of its purposes as an educational training institution. The Administration of the Technical College may in emergency or extraordinary circumstances, temporarily suspend a student, or temporarily suspend the privileges of a student organization or group for cause, pending an early hearing to take place within not more than ten (10) business days. Prior to the commencement of a temporary suspension of a student, the technical college shall give such student oral or written notice of the charges against him/her and, if he/she denies them, the college shall forthwith give such student an informal oral explanation of the evidence supporting the charges and the student may present informally his/her explanation or theory of the matter. When a student's presence poses a continuing danger to person or property or an ongoing threat of disrupting the academic process, notice and opportunity for denial and explanation may follow suspension, but shall be given as soon as feasible thereafter.

