October 12, 2023

MEMORANDUM

TO:       District Board of Trustees
          Florida State College at Jacksonville

FROM:    John Avendano, Ph.D.
          College President

RE:      Administrative Procedure Act

The Board Rule shown below is governed by the Administrative Procedure Act and will appear on
the agenda for the November 14, 2023, 1 p.m. regular meeting of the District Board of Trustees.

The Board meeting will be held at the College’s Cecil Center – North, Room A-109, 13550 FSCJ
Cecil Drive, Jacksonville, FL 32221.

Any person requesting to address this item will be given an opportunity to do so by appearing before
the Board at this meeting.

BOARD RULE:
6Hx7-11.1 – Student’s Rights and Responsibilities
Florida State College at Jacksonville
District Board of Trustees

AGENDA ITEM NO.  APA 1.

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RECOMMENDATION: It is recommended that the District Board of Trustees approve the attached revisions to the following Board Rule under Section 11 – Student Support Services, effective with this action.

6Hx7-11.1 – Student’s Rights and Responsibilities

BACKGROUND: The College periodically reviews Board Rules and administrative procedures for currency, accuracy, and to ensure compliance with state and federal law, as applicable. Proposed revisions to a Board Rule or an administrative procedures (APM) are reviewed through the shared governance process after Executive Leadership Team has reviewed and approved unless the proposed changes are non-substantive.

- Edits to Board Rule 6Hx7-11.1 – Recommends modifications to the Rule to reflect statutory compliance.

RATIONALE: Approval of this item brings the Rule up to date with Florida Statutes and State Board of Education Rules as depicted within and current College business practices.

FISCAL NOTES: There is no economic impact as a result of these revisions.
(1) Florida State College at Jacksonville (College) is dedicated to maintaining an environment which fosters student success. The College endeavors to protect the rights of students and also expects all students to act responsibly.

(2) The College President is responsible for the maintenance of the orderly function of the College and shall establish necessary guidelines and regulations governing student conduct. The College President shall take appropriate action as deemed necessary to foster a positive college environment.

(3) Attendance at the College is a privilege, and in order to maintain the College ideals of scholarship, character, and personality, the right is reserved by the College to establish rules and policies and procedures to foster these ideals and protect the interest of the College. All students, including those studying abroad, are subject to federal and state laws, respective county and municipal ordinances, and all rules, policies and procedures of the College.

(4) Violations of published laws, ordinances, rules, policies and procedures may subject the violator to appropriate disciplinary action by College authorities.

(5) Crime statistics, including reports of sexual assault, domestic violence, dating violence and stalking, graduation rates of athletes, and other information required by accreditation agencies and by law to be published will be made available to all students.

(6) The College President will establish policies and procedures to implement prevention and awareness programs for students and employees that promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking as provided by law.

(7) Disciplinary action, unless otherwise provided by law, may include fines, the withholding of a degree, certificate or transcript pending compliance with rules or payments of fines and the imposition of probation, suspension, limitations on access and/or contact with other students, if applicable, or dismissal. Students shall be afforded due process prior to the administration of disciplinary action for violation of this rule.

(8) Any act or behavior by a student that impairs, interferes with, or otherwise disturbs or obstructs the orderly conduct, processes, functions, and/or interests of the College is expressly prohibited. Such acts or behavior may include, but are not limited to, the following:

A. Consumption of alcoholic beverages on campus, college affiliated housing and/or at a College function.

B. Illegal use or possession of illegal drugs or narcotics, medical marijuana and drug paraphernalia.

C. Cheating in any form.
D. The use of indecent or abusive language.

E. Gambling.

F. Hazing as defined by Section 1006.63, Florida Statutes.

G. Bullying or Harassment of any College student or employee as defined by Section 1006.147, Florida Statute.

H. Vandalism or destruction of property.

I. Falsification of records.

J. Unauthorized use of the College name.

K. Lewd or indecent conduct or attire.

L. Violence, or threat of violence against any member or guest of the College community.

M. Theft or willful destruction of College property or of the property of members of the College.

N. Interference with the freedom of movement of any member or guest of the College.

O. Obstruction of the normal processes and activities of the College community.

P. Deliberate interference with the rights of others.

Q. Violation of federal or state law, or county or city ordinance.

R. Repeated offenses of a less serious nature.

S. Sexual harassment, sexual assault, domestic violence and dating violence.

T. Accessing, altering or deleting College computer files/systems.

U. Stalking, including, but not limited to Cyber-Stalking.

V. Violation of the Computing Facilities Use Agreement.

W. Cyber bullying/social media/electronic devices.

X. Disorderly behavior.
Y. Trespassing or unauthorized access/entry.

Z. Failure to follow the direction of a College official acting in their official capacity.

AA. Willfully refusing to follow College policy, procedures or protocol.

BB. Willfully entering a restroom or changing facility designated for the opposite sex, based on biological sex at birth.

BB. CC. Any other offense reasonably deemed to be contrary to the best interest of the College.


(Adopted 07/01/72, Revised 07/01/73, 07/01/74, 06/23/80, 12/16/81, 07/21/87, 08/18/87, 05/27/93, 04/06/99, 10/01/02, 04/08/14, 11/10/20, 11/14/23, Formerly 6.1)