




October 22, 2018

## MEMORANDUM

**TO:** District Board of Trustees  
**FROM:** Jim Murdaugh, President   
**SUBJECT:** Policy Manual Changes

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### Item Description

This item requests Board approval of Policy Manual changes in Chapters 3.0 – General Administration, 6.0 – Classified Staff, Managerial Professional, and Contract-Grant Employees, 10.0 – Students and 12.0 – Safety and Security.

### Overview and Background

The College brings forth a request to modify the College's Policy Manual. Highlights of these changes are outlined below.

03-16	Political Speech on Campus - repealed and replaced by Policy 03-38 Freedom of Expression.
03-30	Information Security - revised to clarify appropriate use of College owned records.
03-38	Freedom of Expression - developed to meet requirements set forth in the Campus Free Expression Act.
06-14	Code of Conduct and Standards of Discipline - revised to meet requirements set forth in the Campus Free Expression Act.
10-09	Controlled Substances and Alcoholic Beverages - repealed and moved to Policy 12-03 Controlled Substances and Alcoholic Beverages.
12-03	Controlled Substances and Alcoholic Beverages - revised for clarity and inclusion of Policy 10-09 Controlled Substances and Alcoholic Beverages.

### Past Actions by the Board

The Board has approved previous revisions to Chapters 3, 6, 10 and 12 of the College's Policy Manual.

### Funding/Financial Implications

None

**Staff Resource**

Barbara Wills

**Recommended Action**

Approve addition and revision of College policies as presented.

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Political Speech on Campus	<b>NUMBER:</b> 03-16
<b>AUTHORITY:</b> Florida Statute: 1001.44 Florida Administrative Code: 6A-14.0247	<b>SEE ALSO:</b> <ul style="list-style-type: none"><li>• <a href="#">Administrative Procedure 03-16AP: Political Speech on Campus</a></li></ul>
<b>DATE ADOPTED:</b> 12/1/97, 03/17/03, 09/21/09, 10/22/18	

Policy 03-16 repealed – Moved to Board Policy 03-38 - Freedom of Expression

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Political Speech on Campus	<b>NUMBER:</b> 03-16
<b>AUTHORITY:</b> Florida Statute: 1001.44 Florida Administrative Code: 6A-14.0247	<b>SEE ALSO:</b> <ul style="list-style-type: none"> <li>• <a href="#">Administrative Procedure 03-16AP: Political Speech on Campus</a></li> </ul>
<b>DATE ADOPTED:</b> 12/1/97; <del>revised</del> 03/17/03; 09/21/09, <u>10/22/18</u>	

~~Tallahassee Community College is dedicated to creating a learning environment that promotes excellence, respect for others, the free exchange of ideas, and responsibility to our community. By registering at TCC, each student assumes responsibility to become familiar with and abide by College regulations and acceptable standards of conduct.~~

~~Students are entitled to the following freedoms and/or rights provided that their exercise is accomplished responsibly, in accordance with College procedures, and does not result in disruption or disturbance:~~

- ~~• Right to freedom of expression. The right of all students to seek knowledge, debate ideas, form opinions, and freely express their views is recognized. This right must be exercised in a manner which will not interfere with the same rights and freedoms of others in their enjoyment of the benefits of the programs offered by the College, or their lawful use of College facilities. Freedom of expression carries with it the responsibility for seeing that the essential order of the College is preserved.~~
- ~~• Right to hold public forums. The College desires to create a spirit of free inquiry and to promote the discussion of a wide variety of issues, provided the views expressed are stated openly and subject to critical evaluation. Restraints on free inquiry will be held to a minimum and will be consistent with preserving an organized society in which peaceful democratic means for change are available. This right carries with it the responsibility for seeing that the essential order of the College is preserved. By definition, the area around the flagpole is presumed non-disruptive to essential order of the campus. The President or designee may designate alternate location(s) as may be appropriate.~~
- ~~• Right to peacefully assemble. Students are responsible for observing the existing laws,~~

~~statutes and policies. Student gatherings must not disrupt or interfere with the orderly operation of the College.~~

- ~~• Right to participate in the College's educational process and learn in a safe and non-threatening environment. Participation carries with it the responsibility for helping to maintain a safe environment on the College campus.~~

Policy 03-16 repealed – Moved to Board Policy 03-38 - Freedom of Expression

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Information Security	<b>NUMBER:</b> 03-30
<b>AUTHORITY:</b> Florida Statute: 1001.64, 282.318	<b>SEE ALSO:</b>
<b>DATE ADOPTED:</b> 1/16/07, 10/22/18	

The District Board of Trustees shall, in accordance with Florida Statutes, SBE Rules, Florida Department of Education and Federal Regulations be responsible for the transmitting, safekeeping, reproducing, and destroying of records which include but are not limited to correspondence, student financial and academic information, human resources information, and financial records of the institution. All information including but not limited to correspondence, student financial, academic, human resources, and financial records of the institution, whether in print or electronic form is owned by the College (or Board) and are to be utilized for College business purposes only. College owned records shall not be downloaded and/or removed from the College or College software systems without the express written consent of the appropriate Vice President. Depending on the nature of the offense and the records downloaded and/or removed, criminal charges could be pursued against those persons violating this policy.

The President will appoint an information security manager to ensure all practices are in accordance with the above aforementioned policy and Florida law.

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Information Security	<b>NUMBER:</b> 03-30
<b>AUTHORITY:</b> Florida Statute: <del>1001.63</del> , 1001.64, <del>120.81 (1)</del> , <u>282.318</u> <del>Florida Administrative Code:</del>	<b>SEE ALSO:</b>
<b>DATE ADOPTED:</b> 1/16/07, <u>10/22/18</u>	

The District Board of Trustees shall, in accordance with Florida Statutes, SBE Rules, Florida Department of Education and Federal Regulations be responsible for the transmitting, safekeeping, reproducing, and destroying of records which include but are not limited to correspondence, student financial and academic information, human resources information, and financial records of the institution. All information including but not limited to correspondence, student financial, academic, human resources, and financial records of the institution, whether in print or electronic form is owned by the College (or Board) and are to be utilized for College business purposes only. College owned records shall not be downloaded and/or removed from the College or College software systems without the express written consent of the appropriate Vice President. Depending on the nature of the offense and the records downloaded and/or removed, criminal charges could be pursued against those persons violating this policy.

~~This includes information stored physically and electronically — The procedures defined to this rule will identify and authorize individual’s access to information resources according to the regulations pertaining to information security and privacy.~~

The President will appoint an information ~~privacy and security~~ manager/officer to ensure all practices are in accordance with the above aforementioned policy and Florida law regulations. ~~An information security and privacy plan will be maintained and updated yearly by the appropriate operational and planning committees. This plan will be tested on a scheduled basis or as deemed necessary by regulation.~~

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Freedom of Expression	<b>NUMBER:</b> 03-38
<b>AUTHORITY:</b> Florida Statute: 1004.097	<b>SEE ALSO:</b>
<b>DATE ADOPTED:</b> 10/22/18	

Tallahassee Community College (TCC or College) recognizes the primary function of an institution of higher education is the discovery, improvement, transmission and dissemination of knowledge by means of research, teaching, discussion, and debate. To fulfill this function, the College strives to ensure the fullest degree of intellectual freedom and free expression.

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.

**A. POLICY STATEMENT**

This policy shall apply to all non-commercial speech on TCC campuses and facilities.

TCC acknowledges and upholds protected expressive activities. Expressive activities protected under the First Amendment to the United States Constitution and Article I of the State Constitution include, but are not limited to, any lawful oral or written communication of ideas, including all forms of peaceful assembly, protests, and speeches; distributing literature; carrying signs; circulating petitions; and the recording and publication, including the Internet publication, of video or audio recorded in non-public outdoor areas of campus. Demonstrations, assemblies, and dissemination of information are valid expressions for dissenting opinions provided they do not materially and substantially disrupt the academic and administrative functions of the College, or infringe upon the rights of other individuals or organizations to engage in expressive activities. It is not the role of TCC to shield individuals from protected expressive activities, including, without limitation, ideas and opinions they may find unwelcome, disagreeable, or even deeply offensive. This policy in no way prohibits individuals from engaging in conversations on campus but rather ensures:

1. Students, administrators, staff and faculty have the freedom to discuss any problem that presents itself, as protected expressive activities permit and within the limits of reasonable



content neutral restrictions on time, place, and manner of expression that are consistent with the Campus Free Expression Act and necessary to achieve a compelling College interest;

2. Students, administrators, staff and faculty, and anyone lawfully present on campus shall be permitted to assemble and engage in spontaneous protected expressive activity, as long as such activity is not unlawful and does not materially and substantially disrupt significant College interests;
3. Any person lawfully present on campus may protest, demonstrate, or otherwise engage in protected expressive activities in unrestricted outdoor areas of campus;
4. The College campus and facilities are open to any speaker whom student, student groups, employees or members of the faculty have invited; and
5. Protests, demonstrations, or other expressive activities that materially and substantially infringe upon the rights of others to engage in or listen to expressive activities shall not be permitted and employees shall be subject to sanction/discipline. This does not prohibit professors or other instructors from maintaining academic decorum in the classroom.

## **B. DEFINITIONS**

1. First Amendment – is the First Amendment of the U.S. Constitution and it guarantees freedom of expression and the right of citizens to assemble.
2. Constitutionally Protected Speech – is the right of protected speech derived from the First Amendment of the U.S. Constitution, and Article I of the State Constitution.
3. Freedom of Expression – is the right to express one’s ideas and opinions freely through speech, writing, and other forms of communication.
4. Freedom of Speech – is the right to communicate one’s opinions and ideas through speech without fear of retaliation or censorship.
5. Material – is defined as important; essential; relevant; and significant.

## **C. DESIGNATION OF PUBLIC SPACES ON TCC’S CAMPUS**

### **Public Spaces**

Outdoor spaces of the campuses of TCC are traditional public forums and are open on the same terms to any speaker. College employees, students and groups, or individuals not affiliated with the College may reserve and use available outdoor spaces for any legal purpose, including to

engage in free speech and free expression subject to the Campus Free Expression Act and this policy.

1. The unscheduled use of outdoor spaces for the purpose of engaging in constitutionally protected speech shall be permitted Monday through Friday between the hours of 9:00 a.m. and 6:00 p.m. provided the space has not previously been reserved by another user and that the unscheduled use does not result in disruption as defined below.
2. The rights of individuals authorized to attend an event in an outdoor space to engage in constitutionally protected speech shall not be limited, provided they do so in a manner that does not materially and substantially disrupt the event or prevent others from expressing their views.
3. The College may provide an alternative space for protesters attending an event if, in the reasonable judgment of the College, it is necessary to preserve order and ensure the physical safety of all participants at the event.

The College reserves the right to limit use of some outdoor spaces that would materially and substantially disrupt educational activities and other College operations. These spaces include, but are not limited to, TCC's ball fields, vehicular, bicycle, or pedestrian traffic pathways, building entrances or driveways, construction sites, and areas immediately adjacent to classrooms or other College operations. In addition to these, some areas at TCC's Florida Public Safety Institute (FPSI) and Wakulla Environmental Institute (WEI) deemed as hazardous operational areas will be limited; e.g., the gun range, tactical driving course, bomb range, swamp areas, and areas immediately adjacent to bodies of water.

### **Non-public Spaces**

Buildings on the campuses of TCC are traditionally not public forums and are not open to the public without invitation or reservation pursuant to College policies and procedures.

1. College employees and students and groups or individuals not affiliated with the College may reserve and use available facilities, such as classrooms and other identified meeting spaces for any legal purpose, including to engage in expressive actions protected under the First Amendment and Article I. of the State Constitution, subject to applicable building rules and scheduling requirements. The College reserves the right to limit use of some facilities to College employees and registered students. Users must not materially and substantially disrupt educational or other significant College activities or interests, or interfere with the activities of other users of the facility.
2. The rights of individuals or groups authorized to attend an event in a College building to engage in protected expressive activities shall not be limited, provided attendees do so in a manner that does not materially and substantially disrupt the event or prevent others from expressing their views. Attendance at an event is authorized if the event is open to the public or, in the case of limited admission events, the individual has a ticket or invitation or satisfies other appropriate admission criteria.

3. The rights of individuals authorized to be present in College buildings to engage in protected expressive activities shall not be limited so long as these activities do not materially and substantially disrupt College operations as defined in part four, below.
4. Demonstrations, rallies, public speech-making, picketing, sit-ins, marches, protests, and similar assemblies are not permitted in the interior spaces of College buildings. This provision shall not limit the right of groups or individuals to reserve available facilities in accordance with part C, Non-public Spaces, section (1), above.
5. This policy shall not limit the College's use of interior spaces in its own buildings for official events and other functions.

#### **D. SECURITY**

The College shall make all reasonable efforts and make available all reasonable resources to ensure the safety of invited speakers and the campus community. The College will not charge security fees based on the content of the inviter's speech or the content of the speech of speakers.

#### **E. DISCIPLINE**

Anyone under the jurisdiction of the College who materially and substantially interferes with the free expression of others will be disciplined up to and including termination if an employee and/or dismissal and expulsion if a student, as deemed appropriate.

Students are entitled to a disciplinary hearing as set forth in the College's Student Code of Conduct in all disciplinary cases involving expressive conduct.

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Code of Conduct and Standards of Discipline	<b>NUMBER:</b> 06-14
<b>AUTHORITY:</b> Florida Statute: 1001.64, 1001.65	<b>SEE ALSO:</b>  • <a href="#">Board Policy 06-15:</a> Discipline
<b>DATE ADOPTED:</b> 12/1/97, 01/22/01, 11/22/10, 10/22/18	

The College maintains the right to ensure the reasonable conduct and efficient performance of its employees. Employees are expected to perform their work and conduct themselves in such a manner as to bring credit to the College.

It is the responsibility of each supervisor to enforce and maintain proper discipline. The supervisor should hold counseling sessions with an employee as needed as a corrective measure to prevent the necessity for possible disciplinary actions. Counseling should be constructive at all times; the purpose should be an attempt to assist the employee to correct the problem.

Disciplinary action should be taken only to the extent necessary to obtain desired improvement and should not be taken without having all pertinent information available. Supervisors initiating disciplinary actions should consult with the Director of Human Resources for assistance and policy guidance.

Disciplinary action encompasses a system of progressive and cumulative measures; however, the nature or severity of the offense determines what initial level of discipline is required. Disciplinary actions shall include oral reprimands, written reprimands, suspension, and dismissal.

Employees who have not attained permanent status for their original appointment may be dismissed for the first occurrence of any offense or deficiency.

Employees are assured of prompt and impartial consideration to grievances which employees may have within the course of their work.

Employees may use the Grievance Procedure, the Equity Complaint Procedure, or the Probationary Employee Complaint procedure without fear of reprisal or penalty.

The following standards of conduct are applicable to all managerial/professional, classified staff, and grant employees. They are not all-inclusive, in that any activity considered counter-productive to efficient and effective operations and the delivery of services could subject an employee to disciplinary action.

1. Employees are expected to be at their work station ready to work during the regularly scheduled work hours and to observe time limits for breaks and lunch periods unless otherwise authorized by their supervisor. In addition, an employee shall make a timely request for approved leave of absence to the immediate supervisor for any anticipated absence. A violation of this standard shall result in an offense of tardiness, absenteeism, or an absence without leave. Excessive tardiness and absenteeism decreases productivity, inconveniences co-workers, and often adversely impacts delivery of services.
2. Sufficient latitude is allowed for employees to keep current with styles and trends; however, employees should maintain dress and grooming standards appropriate to the type of work performed and association with students and the public.
3. In order to achieve objectives, employees must perform work assignments within the scope of the job. Refusal to perform assignments may result in the employee being charged with insubordination. An employee is expected to carry out work assignments unless such assignments create a safety hazard. In such cases, the employee should attempt to eliminate the dangerous aspects of the job. However, since some jobs by their nature involve hazardous work, employees are expected to perform such assignments.
4. Employees are expected to conduct themselves in a manner which shall favorably reflect upon the College and themselves. If an employee's off campus or after work hours conduct subjects the College to criticism or causes the employee to be unable to perform work in the proper and usual manner, or interrupts work, then the College is justified in taking disciplinary action.
5. When employees are on College property, they are subject to College standards of conduct regardless of whether they are working. Furthermore, employees representing the College at a location other than their usual workplace are accountable for compliance with these standards of conduct.

## **A. Standards for Disciplinary Action**

The following standards for disciplinary action have been established for use by supervisors to help ensure that all employees shall receive similar treatment in like circumstances. The offenses cited are examples and are not intended to include all offenses or circumstances.

1. Unauthorized Parking or Access Card Parking Offenses: parking in restricted areas, blocking entrances, or allowing unauthorized use of access card to park in restricted areas  
  
1st occurrence - oral reprimand  
2nd occurrence - written reprimand

3rd occurrence - suspension up to ten (10) days

4th occurrence - dismissal

2. Unauthorized Disclosure of Information or Materials: the disclosure of information without proper authorization (i.e., student records, employee appraisals)

1st occurrence - oral reprimand

2nd occurrence - written reprimand

3rd occurrence - suspension up to ten (10) days

4th occurrence – dismissal

3. Excessive Absence: an attendance record of recurring absences, even though some of the absences were necessary and/or excused

This also includes a pattern of absences such as consistent absences on the day preceding or following the employee's regular days off or absence on the same day of each week or month.

1st occurrence - oral reprimand

2nd occurrence - written reprimand

3rd occurrence - suspension up to ten (10) days

4th occurrence – dismissal

4. Tardiness: the failure to follow established work schedules, including reporting late at the beginning of the work schedule and returning late from lunch or breaks

1st occurrence - oral reprimand

2nd occurrence - written reprimand

3rd occurrence - suspension up to ten (10) days

4th occurrence – dismissal

5. Loafing: continued and deliberate idleness during work periods that results in the employee's failure to perform assigned tasks

This includes, but is not limited to, deliberately wasting time, engaging in idle talk or gossip, sleeping, or conducting personal business during work periods.

1st occurrence - oral reprimand

2nd occurrence - written reprimand

3rd occurrence - suspension up to ten (10) days

4th occurrence - dismissal

6. Horseplay/Disruptive Behavior: actions that, even though intended to be mischievous or prankish, disrupt or have the effect of disrupting the work of the participants or other employees or actions that may contribute to the injury of employees, students, or the public

Disruptive behavior could include speaking loudly or rudely, slamming doors or drawers, throwing objects, or other activities that would have a detrimental effect on the work environment.

- 1st occurrence - oral reprimand
- 2nd occurrence - written reprimand
- 3rd occurrence - suspension up to ten (10) days
- 4th occurrence - dismissal

7. Failure to Report a Workers Compensation Incident as Soon as Possible After Injury:

- 1st occurrence - oral reprimand
- 2nd occurrence - written reprimand
- 3rd occurrence - suspension up to ten (10) days
- 4th occurrence - dismissal

8. Solicitation: the solicitation of an employee by another employee, including the distribution of material, for any purpose not authorized by the President or designee, while either employee is on duty

Also prohibited is soliciting or accepting anything of value that would cause an employee to be influenced in the discharge of responsibilities.

- 1st occurrence - oral reprimand
- 2nd occurrence - written reprimand
- 3rd occurrence - suspension up to ten (10) days
- 4th occurrence - dismissal

9. Failure to Follow Instructions: failure to comply with written or oral instructions from supervisory personnel

- 1st occurrence - oral reprimand to written reprimand
- 2nd occurrence - written reprimand to three (3) day suspension
- 3rd occurrence - suspension up to ten (10) days
- 4th occurrence - dismissal

10. Violation of College Rules, Regulations or Policies: an unintentional act which results in the violation of a rule, regulation, or policy that has been made known to the employee

- 1st occurrence - oral reprimand to written reprimand
- 2nd occurrence - suspension up to ten (10) days
- 3rd occurrence – dismissal

11. Violation of Safety Practices: failure to follow established safety practices, including the performance of unsafe acts or failure to wear and/or use safety equipment

1st occurrence - oral reprimand to five (5) day suspension  
2nd occurrence - ten (10) day suspension to dismissal  
3rd occurrence – dismissal

12. Gambling: gambling of any kind on College premises or at any other job-related work site during work hours

1st occurrence - written reprimand to five (5) day suspension  
2nd occurrence - suspension up to ten (10) days  
3rd occurrence - dismissal

13. Improper and/or Careless Use of College Property or Equipment: misappropriation or unauthorized use of College buildings, equipment, vehicles, tools, supplies, materials, machines, funds, keys, credit cards, telephone system, etc.

1st occurrence - written reprimand to five (5) day suspension  
2nd occurrence - suspension up to (10) ten days  
3rd occurrence – dismissal

14. Insubordination: a deliberate refusal to obey a reasonable order given by a supervisor which relates to an employee's job function

This includes both an expressed refusal to obey a proper order as well as a deliberate failure to carry out an order.

1st occurrence - written reprimand to five (5) day suspension  
2nd occurrence - ten (10) day suspension to dismissal  
3rd occurrence – dismissal

15. Leaving Work Area or Duty Assignment without Authorization: absence from the work area or duty assignment during a work period without permission of the appropriate supervisor.

This includes leaving a work area for a lunch or break or, at the end of a work schedule, leaving without proper relief where such relief or permission is a specific requirement.

1st occurrence - written reprimand to five (5) day suspension  
2nd occurrence - ten day (10) suspension to dismissal  
3rd occurrence - dismissal

16. Absence without Authorized Leave: unauthorized absence from duty without satisfactory explanation and prior approval from the appropriate supervisor

1st occurrence - written reprimand to five (5) day suspension  
2nd occurrence - ten (10) day suspension to dismissal  
3rd occurrence - dismissal



17. Reporting to Work Under the Influence of Alcoholic Beverages or Controlled Substances

- 1st occurrence - written reprimand to five (5) day suspension
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

18. Unauthorized Possession of Weapons: the unauthorized possession of weapons or firearms on College property or at any other location while on duty

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten day (10) suspension to dismissal
- 3rd occurrence - dismissal

19. Giving False Information: knowingly giving false information to employees, students, or the public; also, making false, frivolous, or malicious allegations of sexual harassment

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

20. Falsification of Records: knowingly omitting information or submitting inaccurate or false information for or on any College record, report, or document

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence – dismissal

21. Computer Crimes: unauthorized use of computer facilities, introduction of fraudulent records into a computer system, alteration or destruction of computerized information, and stealing of data from computer files

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

22. Threatening or Derogatory Language: the use of physically threatening, or derogatory language towards employees, students, or the public, regardless of intent

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

23. Negligence: failure to use ordinary or reasonable care in, or the omission of or inattention to, the performance of assigned duties and responsibilities

Negligence is synonymous with carelessness and signifies lack of care, caution, attention, diligence, or discretion.

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

24. Violence, Fighting, or Sexual Battery/Assault: violence, fighting, or threatening or intimidating behavior towards or involving employees, students, or the public

This also includes sexual assault by a person of either gender against a person of the same or opposite gender.

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

25. Conviction of a Crime: conviction of a felony or repeated convictions of misdemeanor charges such as speeding, reckless driving, or accidents involving injuries to persons or damage to property or equipment

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

26. Willful Violation of College Rules, Regulations or Policies: an intentional violation of a College rule, regulation, or policy that has been made known to the employee

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence – dismissal

27. Conduct Unbecoming an Employee: conduct, whether on or off the job, that adversely affects the employee's ability to either appear at work or to perform assigned responsibilities in a proper and usual manner; also, conduct that subjects the College to criticism or that adversely affects the ability of the College to carry out its assigned mission; this is not intended to limit an employee's right of freedom of expression under the First Amendment of the United States Constitution or Article 1 of the State Constitution

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

28. Sexual Harassment: any act defined in College policy as sexual harassment towards an employee or a student

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten day suspension to dismissal
- 3rd occurrence - dismissal

29. Use or Threatening Use of Weapons

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - dismissal

30. Unauthorized Taking: the unauthorized taking of any property or financial instruments of the College, employees, or students

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - dismissal

31. Violation of the Controlled Substances and Alcohol Policy

- 1st occurrence - ten day suspension to dismissal
- 2nd occurrence - dismissal

32. Unauthorized Alteration of Timesheets

- 1st occurrence - ten day suspension to dismissal
- 2nd occurrence - dismissal

33. Concerted Activity: instigating or supporting in any manner the concerted failure of employees to report for duty

This includes activity such as the slow-down of work; abstinence, in whole or in part, by an employee or group of employees from performance of their duties; mass call-in alleging sickness; and work stoppage.

- 1st occurrence: dismissal without right to grieve the action

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Code of Conduct and Standards of Discipline	<b>NUMBER:</b> 06-14
<b>AUTHORITY:</b> Florida Statute: <a href="#">240.319, 240.335, 1001.64, 1001.65</a> <del>Florida Administrative Code: 6A-14.0261, 6A-14.0262</del>	<b>SEE ALSO:</b>  <ul style="list-style-type: none"> <li>• <del><a href="#">Administrative Procedure 06-14AP: Code of Conduct and Standards of Discipline</a></del></li> <li>• <a href="#">Board Policy 06-15 and Administrative Procedure 06-15AP: Discipline</a></li> </ul>
<b>DATE ADOPTED:</b> 12/1/97; <del>Revised 01/22/01, 11/22/10,</del> <a href="#">10/22/18</a>	

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Disciplinary action should be taken only to the extent necessary to obtain desired improvement and should not be taken without having all pertinent information available. Supervisors initiating disciplinary actions should consult with the Director of Human Resources for assistance and policy guidance.

Disciplinary action encompasses a system of progressive and cumulative measures; however, the nature or severity of the offense determines what initial level of discipline is required. Disciplinary actions shall include oral reprimands, written reprimands, suspension, and dismissal.

Employees who have not attained permanent status for their original appointment may be dismissed for the first occurrence of any offense or deficiency.

Employees are assured of prompt and impartial consideration to grievances which employees may have within the course of their work.

Employees may use the Grievance Procedure, the Equity Complaint Procedure, or the Probationary Employee Complaint procedure without fear of reprisal or penalty.

The following standards of conduct are applicable to all managerial/professional, classified staff, and grant employees. They are not all-inclusive, in that any activity considered counter-productive to efficient and effective operations and the delivery of services could subject an employee to disciplinary action.

1. Employees are expected to be at their work station ready to work during the regularly scheduled work hours and to observe time limits for breaks and lunch periods unless otherwise authorized by their supervisor. In addition, an employee shall make a timely request for approved leave of absence to the immediate supervisor for any anticipated absence. A violation of this standard shall result in an offense of tardiness, absenteeism, or an absence without leave. Excessive tardiness and absenteeism decreases productivity, inconveniences co-workers, and often adversely impacts delivery of services.
2. Sufficient latitude is allowed for employees to keep current with styles and trends; however, employees should maintain dress and grooming standards appropriate to the type of work performed and association with students and the public.
3. In order to achieve objectives, employees must perform work assignments within the scope of the job. Refusal to perform assignments may result in the employee being charged with insubordination. An employee is expected to carry out work assignments unless such assignments create a safety hazard. In such cases, the employee should attempt to eliminate the dangerous aspects of the job. However, since some jobs by their nature involve hazardous work, employees are expected to perform such assignments.
4. Employees are expected to conduct themselves in a manner which shall favorably reflect upon the College and themselves. If an employee's off campus or after work hours conduct subjects the College to criticism or causes the employee to be unable to perform work in the proper and usual manner, or interrupts work, then the College is justified in taking disciplinary action.
5. When employees are on College property, they are subject to College standards of conduct regardless of whether they are working. Furthermore, employees representing the College at a location other than their usual workplace are accountable for compliance with these standards of conduct.

## **A. Standards for Disciplinary Action**

The following standards for disciplinary action have been established for use by supervisors to help ensure that all employees shall receive similar treatment in like circumstances. The offenses cited are examples and are not intended to include all offenses or circumstances.

1. Unauthorized Parking or Access Card Parking Offenses: parking in restricted areas, blocking entrances, or allowing unauthorized use of access card to park in restricted areas

1st occurrence - oral reprimand  
2nd occurrence - written reprimand  
3rd occurrence - suspension up to ten (10) days  
4th occurrence - dismissal

2. Unauthorized Disclosure of Information or Materials: the disclosure of information without proper authorization (i.e., student records, employee appraisals)

1st occurrence - oral reprimand  
2nd occurrence - written reprimand  
3rd occurrence - suspension up to ten (10) days  
4th occurrence – dismissal

3. Excessive Absence: an attendance record of recurring absences, even though some of the absences were necessary and/or excused

This also includes a pattern of absences such as consistent absences on the day preceding or following the employee's regular days off or absence on the same day of each week or month.

1st occurrence - oral reprimand  
2nd occurrence - written reprimand  
3rd occurrence - suspension up to ten (10) days  
4th occurrence – dismissal

4. Tardiness: the failure to follow established work schedules, including reporting late at the beginning of the work schedule and returning late from lunch or breaks

1st occurrence - oral reprimand  
2nd occurrence - written reprimand  
3rd occurrence - suspension up to ten (10) days  
4th occurrence – dismissal

5. Loafing: continued and deliberate idleness during work periods that results in the employee's failure to perform assigned tasks

This includes, but is not limited to, deliberately wasting time, engaging in idle talk or gossip, sleeping, or conducting personal business during work periods.

1st occurrence - oral reprimand  
2nd occurrence - written reprimand  
3rd occurrence - suspension up to ten (10) days  
4th occurrence - dismissal

6. Horseplay/Disruptive Behavior: actions that, even though intended to be mischievous or prankish, disrupt or have the effect of disrupting the work of the participants or other employees or actions that may contribute to the injury of employees, students, or the public

Disruptive behavior could include speaking loudly or rudely, slamming doors or drawers, throwing objects, or other activities that would have a detrimental effect on the work environment.

- 1st occurrence - oral reprimand
- 2nd occurrence - written reprimand
- 3rd occurrence - suspension up to ten (10) days
- 4th occurrence - dismissal

7. Failure to Report a Workers Compensation Incident as Soon as Possible After Injury:

- 1st occurrence - oral reprimand
- 2nd occurrence - written reprimand
- 3rd occurrence - suspension up to ten (10) days
- 4th occurrence - dismissal

8. Solicitation: the solicitation of an employee by another employee, including the distribution of material, for any purpose not authorized by the President or designee, while either employee is on duty

Also prohibited is soliciting or accepting anything of value that would cause an employee to be influenced in the discharge of responsibilities.

- 1st occurrence - oral reprimand
- 2nd occurrence - written reprimand
- 3rd occurrence - suspension up to ten (10) days
- 4th occurrence - dismissal

9. Failure to Follow Instructions: failure to comply with written or oral instructions from supervisory personnel

- 1st occurrence - oral reprimand to written reprimand
- 2nd occurrence - written reprimand to three (3) day suspension
- 3rd occurrence - suspension up to ten (10) days
- 4th occurrence - dismissal

10. Violation of College Rules, Regulations or Policies: an unintentional act which results in the violation of a rule, regulation, or policy that has been made known to the employee

- 1st occurrence - oral reprimand to written reprimand

2nd occurrence - suspension up to ten (10) days  
3rd occurrence – dismissal

11. Violation of Safety Practices: failure to follow established safety practices, including the performance of unsafe acts or failure to wear and/or use safety equipment

1st occurrence - oral reprimand to five (5) day suspension  
2nd occurrence - ten (10) day suspension to dismissal  
3rd occurrence – dismissal

12. Gambling: gambling of any kind on College premises or at any other job-related work site during work hours

1st occurrence - written reprimand to five (5) day suspension  
2nd occurrence - suspension up to ten (10) days  
3rd occurrence - dismissal

13. Improper and/or Careless Use of College Property or Equipment: misappropriation or unauthorized use of College buildings, equipment, vehicles, tools, supplies, materials, machines, funds, keys, credit cards, telephone system, etc.

1st occurrence - written reprimand to five (5) day suspension  
2nd occurrence - suspension up to (10) ten days  
3rd occurrence – dismissal

14. Insubordination: a deliberate refusal to obey a reasonable order given by a supervisor which relates to an employee's job function

This includes both an expressed refusal to obey a proper order as well as a deliberate failure to carry out an order.

1st occurrence - written reprimand to five (5) day suspension  
2nd occurrence - ten (10) day suspension to dismissal  
3rd occurrence – dismissal

15. Leaving Work Area or Duty Assignment without Authorization: absence from the work area or duty assignment during a work period without permission of the appropriate supervisor.

This includes leaving a work area for a lunch or break or, at the end of a work schedule, leaving without proper relief where such relief or permission is a specific requirement.

1st occurrence - written reprimand to five (5) day suspension  
2nd occurrence - ten day (10) suspension to dismissal  
3rd occurrence - dismissal



16. Absence without Authorized Leave: unauthorized absence from duty without satisfactory explanation and prior approval from the appropriate supervisor

- 1st occurrence - written reprimand to five (5) day suspension
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

17. Reporting to Work Under the Influence of Alcoholic Beverages or Controlled Substances

- 1st occurrence - written reprimand to five (5) day suspension
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

18. Unauthorized Possession of Weapons: the unauthorized possession of weapons or firearms on College property or at any other location while on duty

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten day (10) suspension to dismissal
- 3rd occurrence - dismissal

19. Giving False Information: knowingly giving false information to employees, students, or the public; also, making false, frivolous, or malicious allegations of sexual harassment

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

20. Falsification of Records: knowingly omitting information or submitting inaccurate or false information for or on any College record, report, or document

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence – dismissal

21. Computer Crimes: unauthorized use of computer facilities, introduction of fraudulent records into a computer system, alteration or destruction of computerized information, and stealing of data from computer files

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

22. Threatening or Derogatory Abusive Language: the use of physically threatening, ~~malicious~~, or ~~derogatory abusive~~ language towards employees, students, or the public, regardless of intent

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

23. Negligence: failure to use ordinary or reasonable care in, or the omission of or inattention to, the performance of assigned duties and responsibilities

Negligence is synonymous with carelessness and signifies lack of care, caution, attention, diligence, or discretion.

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

24. Violence, Fighting, or Sexual Battery/Assault: violence, fighting, or threatening or intimidating behavior towards or involving employees, students, or the public

This also includes sexual assault by a person of either gender against a person of the same or opposite gender.

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

25. Conviction of a Crime: conviction of a felony or repeated convictions of misdemeanor charges such as speeding, reckless driving, or accidents involving injuries to persons or damage to property or equipment

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

26. Willful Violation of College Rules, Regulations or Policies: an intentional violation of a College rule, regulation, or policy that has been made known to the employee

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence – dismissal

27. Conduct Unbecoming an Employee: conduct, whether on or off the job, that adversely affects the employee's ability to either appear at work or to perform assigned responsibilities in a proper and usual manner; also, conduct that subjects the College to criticism or that adversely affects the ability of the College to carry out its assigned mission; this is not intended to limit an employee's right of freedom of expression under the First Amendment of the United States Constitution or Article 1 of the State Constitution

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten (10) day suspension to dismissal
- 3rd occurrence - dismissal

28. Sexual Harassment: any act defined in College policy as sexual harassment towards an employee or a student

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - ten day suspension to dismissal
- 3rd occurrence - dismissal

29. Use or Threatening Use of Weapons

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - dismissal

30. Unauthorized Taking: the unauthorized taking of any property or financial instruments of the College, employees, or students

- 1st occurrence - written reprimand to dismissal
- 2nd occurrence - dismissal

31. Violation of the Controlled Substances and Alcohol Policy

- 1st occurrence - ten day suspension to dismissal
- 2nd occurrence - dismissal

32. Unauthorized Alteration of Timesheets

- 1st occurrence - ten day suspension to dismissal
- 2nd occurrence - dismissal

33. Concerted Activity: instigating or supporting in any manner the concerted failure of employees to report for duty

This includes activity such as the slow-down of work; abstinence, in whole or in part, by an employee or group of employees from performance of their duties; mass call-in alleging sickness; and work stoppage.

- 1st occurrence: dismissal without right to grieve the action

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Controlled Substances and Alcoholic Beverages	<b>NUMBER:</b> 10-09
<p><b>AUTHORITY:</b>            Florida Statute: 1001.64, 1001.65, 1006.50            Florida Administrative Code:            Higher Education Act of 1965, section 1213 as amended by the            Drug Free School and Communities Act of 1989(P.L. LOL-226)            (20 U.S.C.s1145g), Americans with disabilities Act</p>	<p><b>SEE ALSO:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Administrative Procedure 10-09AP: Controlled Substances and Alcoholic Beverages</a></li> <li>• <a href="#">Board Policy 10-12</a> and <a href="#">Administrative Procedure 10-12AP: Student Code of Conduct</a></li> </ul>
<b>DATE ADOPTED:</b> 12/01/97, 05/17/10, 06/28/10, 06/15/15, 10/22/18	

Policy 10-09 repealed – Moved to Board Policy 12-03 - Controlled Substances and Alcoholic Beverages

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Controlled Substances and Alcoholic Beverages	<b>NUMBER:</b> 10-09
<p><b>AUTHORITY:</b>            Florida Statute: 1001.64, 1001.65, 1006.50            Florida Administrative Code:            Higher Education Act of 1965, section 1213 as amended by the Drug Free School and Communities Act of 1989(P.L. LOL-226) (20 U.S.C.s1145g), Americans with disabilities Act</p>	<p><b>SEE ALSO:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Administrative Procedure 10-09AP: Controlled Substances and Alcoholic Beverages</a></li> <li>• <a href="#">Board Policy 10-12</a> and <a href="#">Administrative Procedure 10-12AP: Student Code of Conduct</a></li> </ul>
<p><b>DATE ADOPTED:</b> <del>12/01/97</del>; <del>Revised</del> <del>05/17/10</del>; <del>06/28/10</del>; <del>06/15/15</del>, <u>10/22/18</u></p>	

~~The College recognizes the serious nature and harmful effects of students using controlled substances and alcoholic beverages in an educational setting. The unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of controlled substances or alcoholic beverages on College property or sites where College activities are conducted is prohibited. This policy relates to existing personnel policies and procedures and with them is designed to implement Section 1213, Higher Education Act of 1965, as amended by the Drug Free School and Communities Act of 1989 (P.L. LOL-226) (20 U.S.C.s 1145g), Section 104 (a) Americans with Disabilities Act, and Florida Statutes 240.319 and 240.3191.~~

~~As used in this policy, the definition of controlled substances and alcoholic beverages shall be the same as set forth by Florida law.~~

~~Any student or student organization that allegedly violates this policy shall be cited for a violation of the Student Conduct Code and shall be subject to disciplinary action in accordance with the Student Code of Conduct. Sanctions for this violation shall be administered in accordance with College Policy 6Hx27:10-12, including suspension or expulsion if found guilty.~~

~~When a student is suspended for violation of this policy, readmission to the College shall depend upon the severity of the sanction imposed. If suspended, the student may be considered for readmission only after the terms of the suspension have been completed and may be required to provide proof satisfactory to the College of being drug-free after utilizing drug rehabilitation.~~

~~When a student is expelled for violation of this policy, the student is permanently separated from the College.~~

~~When a student is expelled for violation of this policy, the student is permanently separated from the College.~~

~~The sale, use, distribution, possession or consumption of alcoholic beverages on facilities owned or controlled by the District Board of Trustees of Tallahassee Community College ("TCC") shall be authorized only under the conditions set forth as follows:—~~

- ~~(1) — Only the President, or the President's designee, is authorized to give written authorization, including the terms specified within said authorization, and designate the location for the sale, use, distribution, possession or consumption of alcoholic beverages at functions or events for the benefit of the TCC Foundation.~~
- ~~(2) — The TCC Foundation, Inc. is authorized to conduct or supervise the sale, use, distribution, possession or consumption of alcoholic beverages for Foundation related events.~~
- ~~(3) — Alcoholic beverages shall not be sold, used, distributed, possessed or consumed in TCC classrooms, labs, or faculty or administrative offices.—~~
- ~~(4) — Alcoholic beverages shall not be sold, used, distributed, possessed or consumed at events sponsored by students or student organizations in or on TCC owned or controlled property. If alcoholic beverages are sold, used, distributed, possessed or consumed at events where students are present, all TCC policies shall apply, in addition to state and federal law.~~
- ~~(5) — State funds shall not be used for the purchase, use, distribution, possession or consumption of alcoholic beverages, and shall not be used to purchase liquor liability insurance coverage for functions or events in or on TCC owned or controlled facilities.~~
- ~~(6) — At all events and functions where alcoholic beverages are sold, used, distributed, possessed or consumed in or on TCC owned or controlled facilities, the TCC Foundation shall not hinder or prevent the full participation of persons who choose not to drink alcoholic beverages.~~
- ~~(7) — At all events and functions where alcoholic beverages are sold, used, distributed, possessed or consumed in or on TCC owned or controlled facilities, the TCC Foundation must obtain liquor liability insurance coverage in an amount not less than one million dollars (\$1,000,000) naming TCC as an additional insured.—~~
- ~~(8) — At all events and functions where alcoholic beverages are sold, used, distributed, possessed or consumed in or on owned or controlled TCC facilities, the TCC Foundation shall enter into a written agreement that shall indemnify and hold harmless TCC from any and all claims, liabilities, costs, and expenses that may arise from the sale, use, distribution, possession or consumption of alcoholic beverages in or on owned or controlled TCC facilities.—~~

- ~~(9) — When requesting approval for sale, use, distribution, possession or consumption of alcoholic beverages in or on owned or controlled TCC facilities, the TCC Foundation shall assume all responsibility for compliance with state and federal laws pertaining to liquor licensing requirements.~~
- ~~(10) — The requisite permit or license for the sale of alcoholic beverages must be obtained from the Division of Alcoholic Beverages and Tobacco of the State of Florida.~~
- ~~(11) — The TCC Foundation shall establish precautionary measures at the function to ensure that alcoholic beverages are not served to persons under the legal drinking age, to persons who are intoxicated or appear intoxicated, or to persons known to be addicted to intoxicants.~~
- ~~(12) — At any event where alcohol is sold, used, distributed, possessed or consumed, a person or persons over the legal drinking age must be designated as the servers of alcoholic beverages, and the servers shall not consume alcoholic beverages at the event or function.~~
- ~~(13) — The only alcoholic beverages that may be sold, used, distributed, possessed or consumed at events or functions are those alcoholic beverages served at the event or function.~~
- ~~(14) — The President shall cause a procedure to be developed for the implementation of this policy.~~

Policy 10-09 repealed – Moved to Board Policy 12-03 - Controlled Substances and Alcoholic Beverages

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Controlled Substances and Alcoholic Beverages	<b>NUMBER:</b> 12-03
<p><b>AUTHORITY:</b>            Florida Statute: 1001.64, 1001.65, 1006.30            Higher Education Act of 1965, Section 1213, as amended by the Drug Free School and Communities Act of 1989 (P.L. 101-226)            Drug and Alcohol Abuse Prevention (20U.S.C.s 1145g)</p>	<p><b>SEE ALSO:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Administrative Procedure 12-03AP: Controlled Substances and Alcoholic Beverages</a></li> <li>• <a href="#">Board Policy 10-12 and Administrative Procedure 10-12AP</a></li> </ul>
<b>DATE ADOPTED:</b> 12/1/97, 12/17/08, 10/22/18	

The College recognizes the serious nature and harmful effects of students using controlled substances and alcoholic beverages in an educational setting. The unlawful or unauthorized manufacture, distribution, dispensation, possession, sale, service or use of controlled substances or alcoholic beverages on College property or sites where College activities are conducted is prohibited. This policy implements Section 1213, Higher Education Act of 1965, as amended by the Drug Free School and Communities Act of 1989 (P.L. 101-226) Drug and Alcohol Abuse Prevention (20 U.S.C.s 1145g), Section 104 (a) Americans with Disabilities Act.

As used in this policy, the definition of controlled substances and alcoholic beverages shall be the same as set forth by Florida law.

The College shall impose disciplinary sanctions on employees, students and student organizations for violation of this policy. The sanctions may lead to referral for prosecution and/or discipline up to and including dismissal or expulsion. Any student organization that allegedly violates this policy shall be cited for a violation of the Student Conduct Code and shall be subject to disciplinary action in accordance with the Student Code of Conduct.

The sale, service, use, distribution, possession or consumption of alcoholic beverages on facilities and property owned or controlled by the District Board of Trustees of Tallahassee Community College (“TCC”) shall be authorized only under the conditions set forth as follows:



- 1) Only the President, or the President's designee, is authorized to give written authorization, including the terms specified within said authorization, and designate the location for the sale, service, use, distribution, possession or consumption of alcoholic beverages at functions or events.
- 2) The TCC Foundation, Inc. and/or TCC's Conference and Events Department is authorized to conduct or supervise the sale, service, use, distribution, possession or consumption of alcoholic beverages.
- 3) Alcoholic beverages shall not be sold, served, used, distributed, possessed or consumed in TCC classrooms, labs, libraries, employee offices, or by employees operating motor vehicles owned by TCC or in possession and control of TCC.
- 4) Alcoholic beverages shall not be sold, served, used, distributed, possessed or consumed at events sponsored by students or student organizations in or on TCC owned or controlled property. If alcoholic beverages are sold, served, used, distributed, possessed or consumed at events where students are present, all TCC policies shall apply, in addition to state and federal law.
- 5) State funds shall not be used for the purchase, use, distribution, possession or consumption of alcoholic beverages, and shall not be used to purchase liquor liability insurance coverage for functions or events in or on TCC owned or controlled facilities.
- 6) At all events and functions where alcoholic beverages are sold, served, used, distributed, possessed or consumed in or on TCC owned or controlled facilities and property, the event or function sponsor shall not hinder or prevent the full participation of persons who choose not to drink alcoholic beverages.
- 7) At all events and functions where alcoholic beverages are sold, served, used, distributed, possessed or consumed in or on TCC owned or controlled facilities and property, the event or function sponsor must obtain liquor liability insurance coverage in an amount not less than one million dollars (\$1,000,000) naming TCC as an additional insured.
- 8) At all events and functions where alcoholic beverages are sold, served, used, distributed, possessed or consumed in or on owned or controlled TCC facilities and property, the event or function sponsor shall enter into a written agreement that shall indemnify and hold harmless TCC from any and all claims, liabilities, costs, and expenses that may arise from the sale, service, use, distribution, possession or consumption of alcoholic beverages in or on owned or controlled TCC facilities.
- 9) When requesting approval for the sale, service, use, distribution, possession or consumption of alcoholic beverages in or on owned or controlled TCC facilities and property, the event or function sponsor shall assume all responsibility for compliance with state and federal laws pertaining to liquor licensing requirements.

- 10) The requisite permit or license for the sale of alcoholic beverages must be obtained from the Division of Alcoholic Beverages and Tobacco of the State of Florida, and a copy must be provided to the College's Coordinator of Conference and Events at least 14 days before the permitted or licensed event.
- 11) The event or function sponsor shall establish precautionary measures at the function to ensure that alcoholic beverages are not served to persons under the legal drinking age, to persons who are intoxicated or appear intoxicated, or to persons known to be habitually addicted to the use of any and all alcoholic beverages.
- 12) At any event where alcohol is sold, served, used, distributed, possessed or consumed, a person or persons over the legal drinking age must be designated as the servers of alcoholic beverages, and the servers shall not consume alcoholic beverages at the event or function.
- 13) The only alcoholic beverages that may be sold, served, used, distributed, possessed or consumed at events or functions are those alcoholic beverages served at the event or function, pursuant to the requisite permit or license.
- 14) Any advertisement(s) or announcement(s) of an event should not portray the drinking of alcoholic beverages as a solution to personal or academic problems or as necessary to social, sexual, personal or academic success. Promotion of certain brands of alcoholic beverages at the activity shall not be such as to encourage any form of alcohol abuse nor place emphasis on quantity and frequency of use of alcoholic beverages. Alcoholic beverages, such as kegs or cases of beer, shall not be provided as free awards, prizes, or rewards to an individual(s) or group(s).
- 15) The College may require an event sponsor to hire an off duty law enforcement officer to be present at the event and to check identification.
- 16) The President shall cause a procedure to be developed for the implementation of this policy.

**TALLAHASSEE COMMUNITY COLLEGE  
DISTRICT BOARD OF TRUSTEES  
P O L I C Y**

<b>TITLE:</b> Controlled Substances and Alcoholic Beverages	<b>NUMBER:</b> 12-03
<p><b>AUTHORITY:</b>            Florida Statute: 1001.64, 1001.65, 1006.30, <del>1012.855</del>  <del>FAC: 6A-14.0247, 6A-14.0262</del>            Higher Education Act of 1965, Section 1213, as amended by the Drug Free School and Communities Act of 1989 (P.L. <del>101</del><del>LOL</del>-226) <u>Drug and Alcohol Abuse Prevention</u> (20U.S.C.s 1145g)</p>	<p><b>SEE ALSO:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Administrative Procedure 12-03AP: Controlled Substances and Alcoholic Beverages</a></li> <li>• <a href="#">Board Policy 10-12 and Administrative Procedure 10-12AP</a></li> </ul>
<p><b>DATE ADOPTED:</b> 12/1/97, <del>Revised</del> 12/17/08, <u>10/22/18</u></p>	

~~The unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of controlled substances or alcoholic beverages on College property or sites where College activities are conducted is prohibited. This policy implements Section 1213, Higher Education Act of 1965 as amended by the Drug Free School and Communities Act of 1989 (P.L. LOL-226) (20 U.S.C.s 1145g), Section 104 (a) Americans with Disabilities Act, and 240.319 and 240.3191 FS.~~

~~The College shall impose disciplinary sanctions on employees and students for violation of this policy. The sanctions may lead to referral for prosecution and discipline up to and including dismissal. If an employee self-discloses a violation of this policy before being found in violation, confidentiality shall be protected.~~

The College recognizes the serious nature and harmful effects of students using controlled substances and alcoholic beverages in an educational setting. The unlawful or unauthorized manufacture, distribution, dispensation, possession, sale, service or use of controlled substances or alcoholic beverages on College property or sites where College activities are conducted is prohibited. This policy implements Section 1213, Higher Education Act of 1965, as amended by the Drug Free School and Communities Act of 1989 (P.L. 101-226) Drug and Alcohol Abuse Prevention (20 U.S.C.s 1145g), Section 104 (a) Americans with Disabilities Act.

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The College shall impose disciplinary sanctions on employees, students and student organizations for violation of this policy. The sanctions may lead to referral for prosecution

and/or discipline up to and including dismissal or expulsion. Any student organization that allegedly violates this policy shall be cited for a violation of the Student Conduct Code and shall be subject to disciplinary action in accordance with the Student Code of Conduct.

The sale, service, use, distribution, possession or consumption of alcoholic beverages on facilities and property owned or controlled by the District Board of Trustees of Tallahassee Community College (“TCC”) shall be authorized only under the conditions set forth as follows:

- 1) Only the President, or the President’s designee, is authorized to give written authorization, including the terms specified within said authorization, and designate the location for the sale, service, use, distribution, possession or consumption of alcoholic beverages at functions or events.
- 2) The TCC Foundation, Inc. and/or TCC’s Conference and Events Department is authorized to conduct or supervise the sale, service, use, distribution, possession or consumption of alcoholic beverages.
- 3) Alcoholic beverages shall not be sold, served, used, distributed, possessed or consumed in TCC classrooms, labs, libraries, employee offices, or by employees operating motor vehicles owned by TCC or in possession and control of TCC.
- 4) Alcoholic beverages shall not be sold, served, used, distributed, possessed or consumed at events sponsored by students or student organizations in or on TCC owned or controlled property. If alcoholic beverages are sold, served, used, distributed, possessed or consumed at events where students are present, all TCC policies shall apply, in addition to state and federal law.
- 5) State funds shall not be used for the purchase, use, distribution, possession or consumption of alcoholic beverages, and shall not be used to purchase liquor liability insurance coverage for functions or events in or on TCC owned or controlled facilities.
- 6) At all events and functions where alcoholic beverages are sold, served, used, distributed, possessed or consumed in or on TCC owned or controlled facilities and property, the event or function sponsor shall not hinder or prevent the full participation of persons who choose not to drink alcoholic beverages.
- 7) At all events and functions where alcoholic beverages are sold, served, used, distributed, possessed or consumed in or on TCC owned or controlled facilities and property, the event or function sponsor must obtain liquor liability insurance coverage in an amount not less than one million dollars (\$1,000,000) naming TCC as an additional insured.
- 8) At all events and functions where alcoholic beverages are sold, served, used, distributed, possessed or consumed in or on owned or controlled TCC facilities and property, the event or function sponsor shall enter into a written agreement that shall indemnify and hold harmless TCC from any and all claims, liabilities, costs, and expenses that may arise

from the sale, service, use, distribution, possession or consumption of alcoholic beverages in or on owned or controlled TCC facilities.

- 9) When requesting approval for the sale, service, use, distribution, possession or consumption of alcoholic beverages in or on owned or controlled TCC facilities and property, the event or function sponsor shall assume all responsibility for compliance with state and federal laws pertaining to liquor licensing requirements.
- 10) The requisite permit or license for the sale of alcoholic beverages must be obtained from the Division of Alcoholic Beverages and Tobacco of the State of Florida, and a copy must be provided to the College's Coordinator of Conference and Events at least 14 days before the permitted or licensed event.
- 11) The event or function sponsor shall establish precautionary measures at the function to ensure that alcoholic beverages are not served to persons under the legal drinking age, to persons who are intoxicated or appear intoxicated, or to persons known to be habitually addicted to the use of any and all alcoholic beverages.
- 12) At any event where alcohol is sold, served, used, distributed, possessed or consumed, a person or persons over the legal drinking age must be designated as the servers of alcoholic beverages, and the servers shall not consume alcoholic beverages at the event or function.
- 13) The only alcoholic beverages that may be sold, served, used, distributed, possessed or consumed at events or functions are those alcoholic beverages served at the event or function, pursuant to the requisite permit or license.
- 14) Any advertisement(s) or announcement(s) of an event should not portray the drinking of alcoholic beverages as a solution to personal or academic problems or as necessary to social, sexual, personal or academic success. Promotion of certain brands of alcoholic beverages at the activity shall not be such as to encourage any form of alcohol abuse nor place emphasis on quantity and frequency of use of alcoholic beverages. Alcoholic beverages, such as kegs or cases of beer, shall not be provided as free awards, prizes, or rewards to an individual(s) or group(s).
- 15) The College may require an event sponsor to hire an off duty law enforcement officer to be present at the event and to check identification.
- 16) The President shall cause a procedure to be developed for the implementation of this policy.