

# MANUAL OF PROCEDURE

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**PROCEDURE NUMBER:** 4009

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**PROCEDURE TITLE:** Student Rights and Responsibilities

**STATUTORY REFERENCE:** FLORIDA STATUTE 1006.60-62

**BASED ON POLICY:** IV-5 Student Rights and Responsibilities

**EFFECTIVE DATE:** June 10, 2002

**LAST REVISION DATE:** July 9, 2018

**LAST REVIEW DATE:** July 9, 2018

## **I. PURPOSE**

The purpose of the Student Rights and Responsibilities Procedure is to enumerate the essential provisions for how students may participate responsibly in the College community. A student is defined as any individual taking any course(s) at any of the Miami Dade College (MDC) campuses and outreach locations, including courses offered online through Virtual College including all persons who are not officially enrolled for a particular term but have a continuing relationship with MDC or intend to enroll in the next term.

## **II. PROCEDURE**

Miami Dade College exists for the open interchange of knowledge and philosophies, the development of a capacity for critical judgment, and the creation of an atmosphere conducive to the independent search for truth and to the gaining of practical experience in our community. Free inquiry and free expression are indispensable to the attainment of these goals. This institution has a responsibility to develop policies that encourage the broadest possible participation of the College community.

The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility.

Miami Dade College is an equal access/equal opportunity institution which does not discriminate on the basis of sex, race, color, marital status, age, religion, national origin, disability, veteran's status, ethnicity, pregnancy, sexual orientation, or genetic information as indicated in [Policy I-21 Equal Access/Equal Opportunity](#).

## A. Freedom of Access to Higher Education

Within the limits of its resources and facilities, Miami Dade College is open to all persons who are qualified according to its admission and good standing requirements. Admission to college credit study is open to all high school graduates; transfer students; persons with state-issued high school equivalency diplomas; home educated students who have completed a home education program evidenced by a signed affidavit from their parent or legal guardian, stating that the student completed a home education program; and other special categories. Official transcripts of previously completed educational work and related documentation necessary to complete an application for admission is required. Post Secondary Adult Vocational (PSAV) study is open to all high school graduates, persons with state issued high school equivalency diplomas, or persons who are at least sixteen years of age.

1. **Admissions:** There may be circumstances where an individual may be denied admission to Miami Dade College. When questions of admissibility arise, the Student Dean's decision is final on behalf of the College. Moreover, specific admission criteria apply to certain academic programs. If an individual is denied admission to the program, the decision of the Faculty or Academic School Dean is final on behalf of the College.

Each student, during the process of applying for admission to the College and by the act of registering, agrees to abide by the rules and regulations of the College. Students are required to comply with all policies and procedures of the College, including but not limited to, [Procedure 4009 Student Rights and Responsibilities](#) and [Procedure 4025 Student Code of Conduct](#).

Students are required to keep the College informed of their current mailing and email addresses, in addition to their preferred phone number. The College meets all notice requirements to students by sending communications via the email provided by MDC at My MDC.net.

2. **Student Issues:** The College may exclude a student from or place special conditions on a student's participation in its programs or activities if it concludes that the student presents a direct threat (i.e., a high probability of substantial harm) to the health and safety of others or themselves or who demonstrate by their performance that they are not qualified to attend college.

The process by which the College would make such a decision involves a carefully delineated and comprehensive examination of issues relating to that individual student's observed behavior. This would include consultation with professional staff members at the College and may involve an evaluation by an independent medical consultant. This systematic review is described in [Procedure 4060 - Psychological Assessment](#) and [Procedure 4055 Services Provided for Students with Disabilities](#).

## B. Academic Responsibility

1. **Academics:** The professor in the classroom and in conference will encourage free discussion, inquiry and expression where relevant and appropriate to the educational objectives of the course. It is the responsibility of the instructor to present in writing to each class the educational objectives and the criteria to be used in evaluating student success in that class. It is the responsibility of students to avail themselves of knowledge of these objectives and criteria as published and set forth by Miami Dade College. The professor will not grade the student on opinions expressed, unless such evaluation is specifically related to course requirements.
2. **Protection of Freedom of Expression:** Students will be free to state reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion. They are, however, responsible for learning the substance of any course of study for which they are enrolled.
3. **Student Intellectual Property:** Miami Dade College has a policy concerning student intellectual property, [\*Policy IV-10 – Student Intellectual Property\*](#). When a student independently creates intellectual property without any material contribution from any other person, the student creator owns all rights to this intellectual property and the College has no rights to such intellectual property. Further, neither the College nor any employee of the College, including faculty members, has the right to use the intellectual property described in this Policy, without receiving written authorization from the student that independently created the intellectual property.
4. **Academic Evaluation:** Course grades will be based solely on academic achievement, unless otherwise specified by the professor in writing at the first class meeting. Students may appeal an assigned course grade by following the grade appeals process described in [\*Procedure 8301 - Student Appeal of Grades\*](#).
5. **Utilization of Special Aids for Study:** Students with disabilities, as defined under section 504 of the Rehabilitation Act of 1973, will be permitted to record classroom lectures. Other students, with permission of the instructor, may be permitted to record classroom lectures to be utilized as reference material and not to be utilized verbatim for personal gain. Students should contact the ACCESS office (Services for Students with Disabilities) for assistance.
6. **Academic Dishonesty:** Students are expected to conduct their academic affairs in a forthright and honest manner. In the event that students are suspected of classroom cheating, plagiarism or otherwise misrepresenting their work, they will be subject to procedural due process. The specific steps involved are outlined in [\*Procedure 4035 - Procedure for Dealing with Academic Dishonesty\*](#).
7. **Standards of Academic Progress (SOAP):** The College has established Standards of Academic Progress that are applicable to all students. Failure to maintain satisfactory academic progress will result in warning, probation, suspension, or dismissal from the College as outlined in [\*Procedure 4010-\*](#)

[Standards of Academic Progress](#). The process for appeals is described in [Procedure 4015 -Guidelines for Appeal of the Standards of Academic Progress](#).

8. **Additional Rights of Appeal:** Requests for exceptions to the financial and withdrawal policies of the College due to extenuating circumstances may be submitted in writing according to the guidelines for submitting a petition as described in [Procedure 4018 - Student Petitions Process](#).

### C. Student Records

Miami Dade College has a procedure concerning the manner in which a student's permanent educational record is maintained and disclosed, [Procedure 4085 - Release of Student Information](#). This procedure is available in various College publications. Transcripts of academic records will contain only information about academic status.

### D. Student Affairs

1. **Freedom of Association:** Students have a variety of interests as members of the academic community. As such, they may form and join student clubs or organizations to promote their common interests, in accordance with [Policy IV-3- Student Organizations](#) and [Procedure 4072 - Formation of Student Organizations](#).
  - a. Student organizations are required to identify an advisor; each organization will be free to choose its own advisor from among the fulltime faculty or administrative work groups.
  - b. A recognized club or organization may lose its official recognition and be suspended if actions of its officers or members, or activities of the organization as a whole, violate College Policies and Procedures, as described in [Procedure 4073 - Suspension of Student Organization](#).
2. **Freedom of Inquiry and Expression:** Students and student organizations will be free to examine and discuss questions of interest and express opinions publicly. They are free to support causes by orderly means that do not disrupt the operation of the institution as described in [Procedure 1409 – Demonstrations](#).
3. **Uses of Facilities:** Student clubs and organizations will have access to utilize facilities and services of the College provided that they are used in a manner appropriate to the academic community and in compliance with College Procedures. All requests for use of facilities must be submitted and approved through the Office of Student Life.
4. **Student Publications:** Student publications and the student press constitute one of the strongest means of encouraging an atmosphere of responsible discussion and intellectual exploration on the campuses of Miami Dade College. The College has established a policy covering student publications, [Policy IV-90 - Student Publications](#).
5. **Distribution of Literature:** It is the intent of the College to provide for the

exchange of written thoughts and ideas in an orderly fashion and without disruption to the College. The College has established a procedure for the distribution of literature, [Procedure 4095 – Distribution of Literature](#).


6. **Guest Speakers:** The College has established a procedure, which provides guidelines for inviting visiting speakers to the College, [Procedure 4097- Student Life Guest Speaker](#)
7. **Alleged Discrimination or Harassment:** Students, who believe that they have been discriminated against, have a formal grievance process available, which is described in [Procedure 1665 – Discrimination and Harassment Grievance Procedure](#).
8. **Identification of Students:** Students are required to wear visibly and present their MDC identification card when requested by authorized College officials. Any misrepresentation, alteration or misuse of identification is prohibited.

#### E. Discipline

The President of Miami Dade College is responsible at all times for the maintenance of the orderly functioning of the College and will take necessary actions to prevent any interference with such orderly operation of the College. The President of Miami Dade College has also delegated authority for the maintenance of the orderly functioning of each campus to the Campus Presidents and other appropriate College employees. The Campus Presidents have charged the Student Deans with implementation of the student disciplinary procedures and maintenance of student discipline records. Due process and proper procedural safeguards will be observed to ensure that students' rights are protected. The College's disciplinary procedure is set forth in [Procedure 4030 - Student Disciplinary Procedures](#) and [Procedure 4025 - Student Code of Conduct](#).

#### F. Student Ombudsmen

MDC has Student Ombudsmen who serve as the initial point of contact for students who have concerns, complaints, or issues related to College processes, policies, and procedures. The Student Ombudsmen listen and address student concerns, inform students of College policies and procedures, and if requested, assist students in completing forms required to obtain resolution. The Student Ombudsmen have the authority to investigate issues and arrange meetings among the involved parties in order to reach a resolution. MDC has designated the Student Ombudsmen as the Assistant Deans of Student Services or designee at each campus.

	
7/9/2018	
<b>PRESIDENT</b>	<b>DATE</b>