

**PALM BEACH COMMUNITY COLLEGE
HEALTH SCIENCE//EMS
DISCIPLINARY PROCEDURE**

The Health Science/EMS Safety Disciplinary Procedure will apply to all students who have been accepted, including provisional acceptance into the following programs:

- Dental Assisting (DA)
- Dental Hygiene (DH)
- Emergency Medical Technician (EMT-B)
- Emergency Medical Services (EMS)
- Health Information Management (HIM)
- Massage Therapy (MT)
- Medical Assisting (MA)
- Medical Information Coder/Biller (MC/B)
- Medical Transcription (MT)
- Nursing (RN)
- Paramedic (EMT-P)
- Patient Care Assistant (PCA)
- Practical Nursing (PN)
- Radiography (RT)
- Respiratory Care (RRT)
- Diagnostic Medical Sonography (DMS)
- Surgical Technology (ST)
- All Health Sciences Advanced Technical Certificate and Continuing Education programs

At the time of admission to the program, the student must sign an acknowledgement of receipt of the Health Science/EMS Disciplinary Process. Students will receive copy of signed acknowledgement.

Disciplinary action shall be progressive in nature. Upon the first violation, the student may receive a documented verbal warning unless the violation is serious enough to warrant more serious discipline at the first occurrence. Violations of the program's code of conduct are categorized as either Group 1, 2, or 3 Offenses with Group 1 Offenses being less serious in nature resulting in corrective counseling to Group 3 Offenses may in certain cases warrant dismissal from the program.

The Health Science/EMS disciplinary/due process/appeal process governs for program violations rather than the PBCC general student handbook disciplinary procedures.

By signing this document, the student acknowledges s/he has read and agrees to abide by the process.

Date _____

Student's signature

Effective: 11/ 7/ 2006

Reviewed: 7/07

Revised: 1/08, 4/09

Approved By: College attorney, April 28, 2009

DISCIPLINARY PROCEDURE

Each Palm Beach Community College student must follow the student code of conduct as published in the PBCC Student Handbook. In addition, all students enrolled in Health Sciences/EMS Programs must also follow the code of conduct and policies and procedures, as attached in this handbook.

The Disciplinary Process is a measure taken to develop and train Health Sciences and EMS students of the expectations while enrolled in the program and those which are expected in the employment setting. Disciplinary action will provide fair treatment for the student while protecting and maintaining the effective operations and academic integrity of the Health Sciences and EMS Programs.

1. Health Science and EMS students will be counseled or disciplined when he/she has violated the program rules, regulations or code of conduct or has demonstrated behavior and/or performance that do not meet the high standards expected of the program.
2. All counseling and discipline actions will be documented in writing by the responsible staff member(s) and the student. A copy of the documentation will be kept in the student's file.
3. Any violation may result in dismissal from the Health Science or EMS program. A summary of the outcome of program violations will be provided to the Dean of Student Services for student record.

Group 1 Offenses:

1. Use of inappropriate, indecent, and/or obscene language, use of any lewd, racial, ethnic or sexual statement or innuendo, and/or indecent gestures or conduct.
2. Non-observance of the Program Dress Code and required personal grooming standards. Any debate over appropriateness of the student's attire shall be decided by the authorized instructor/preceptor, not the student.
3. Failure to follow chain of command.
4. Failure to act in a professional manner in all settings.
5. Absences without notification for designated lecture, lab, or clinical.
6. Arrive late to lecture, lab or clinical without prior notification.
7. Arrive late to any scheduled test/exam.
8. Smoke or chew tobacco while in classroom, lab, or clinical assignment.
9. Any conduct by act or omission deemed unacceptable or inappropriate to good order and discipline.

Group 2 Offenses:

1. Receive three separate documented verbal warnings from Group 1 or two documented verbal warnings of the same Group 1 offense.
2. Commit academic dishonesty by cheating, submission of fraudulent documentation, forgery, plagiarism or falsified reports.

Effective: 11/ 7/ 2006

Reviewed: 7/07

Revised: 1/08, 4/09

Approved By: College attorney, April 28, 2009

3. Failure to report student(s) who knowingly help or are present when another student violates academic behavior standards.
4. Behave with intent to detract, disrupt, endanger or harass the education of another student or students.
5. Leave assigned area to include classroom, lab, or clinical setting without notifying instructor.
6. Perform duties and/or skills outside the scope of practice as student.
7. Unauthorized examination of a patient without an instructor or preceptor present.
8. Failure to adhere to OSHA Guidelines by not properly maintaining Body Substance Isolation (BSI) and/ or proper utilization of Personal Protective Equipment (PPE).
9. Disrespectful, insolent, or abusive conduct directed at staff, instructors, guest speakers, visitors, or clinical staff. Any dispute between a student and clinical staff will be settled by program staff, not the student.
10. Use of electronic devices to include, but not limited to cellular telephones, IPOD, MP3 while in classroom, lab, or clinical without prior consent on an instructor. **All mobile phones and pagers must be set in the 'off' mode.**

Group 3 Offenses:

1. Receive three separate written reprimands from Group 1 or Group 2 or two written reprimands of the same offense in either group.
2. Fail to notify program director/manager within 72 hours of any arrests while enrolled in the program.
3. Fail to notify program director/manager of any status change in licensure required during enrollment in the program.
4. Possess, or be under the influence of, any controlled substances or alcohol while in the classroom, lab, or clinical settings, except for those substances prescribed by a physician and documented by prescription.
5. Failure to submit to drug screen by given deadline while enrolled in program.
6. Possess *any* guns, illegal knives, or other lethal weapons while in the classroom, lab, or clinical rescue settings.
7. Fraudulent and/or unauthorized use of the college name/logo.
8. Unauthorized use of college property.
9. Perform skills on which s/he has not yet be designated competent in skills lab and signed-off by instructor.
10. Failure to comply with Health Insurance Portability and Accountability Act (HIPAA).
11. Be dismissed from a clinical site without immediate notification to program clinical coordinator/director or program director/manager.
12. Dismissal from clinical site due to one following but not limited to:
 - a. Compromise of patient safety
 - b. Insubordination
 - c. Abandonment of assignment
 - d. Violation of clinical facility policy
13. Failure to adhere to program accreditation standards or state statute requirements.
14. Any conduct perceived to be sexual harassment or hostile work/learning environment.
15. Conduct which threatens or endangers the health or safety of others, assault, threat, extortion and physical altercation (fighting).
16. Misuse of college/program property to include intentional damage or destruction of property.

Effective: 11/ 7/ 2006

Reviewed: 7/07

Revised: 1/08, 4/09

Approved By: College attorney, April 28, 2009

DUE PROCESS

1. A student's violation of the program's policies and procedures will be referred to the program director/manager or designee for review and subsequent action.
2. A careful investigation will be conducted by the director/manager or designee. This investigation can include but is not limited to gathering additional written documentation and/or conferring with appropriate College personnel or witnesses.
3. If after careful investigation, the director/manager or designee determines that the violation is not supported by the evidence presented, the violation will be deemed unfounded. No further action taken.
4. If the investigation reveals that a violation occurred, the student accused will be notified in writing of the charges and advised that s/he is required to attend an informal hearing with the program director/manager/designee.
5. During the informal hearing, the charges are read and explained to the student; the student will be asked to respond to the charges and whether s/he has questions.
6. If the student admits responsibility, the program director/manager or designee notifies the student of the sanctions. The student can either accept or reject the sanctions (documented verbal or written reprimands may not be rejected). If the student rejects the sanctions, a formal disciplinary hearing will be convened by the program director/manager or designee per the Health Sciences/EMS Appeal process. If the student accepts the sanction, s/he signs waiver accepting sanctions and waiving right to formal hearing.
7. If the student denies responsibility, written notice informing the student of time and place of formal hearing will be sent by certified letter to the address of record with return receipt.
8. All disciplinary proceedings are confidential to the extent allowable by law.
9. In the case of more than one student involved in the incident, the program director/manager or designee will determine if separate hearings will be held.
10. Pending the disciplinary hearing, the student may attend class and/or lab except in the case of temporary suspension.
11. The Program burden of proof shall be based on a preponderance of the evidence.
12. Resolution of any situation not outlined in this process will be at the discretion of the director/manager/or designee.

NOTICE OF FORMAL DISCIPLINARY HEARING

1. Notice of formal hearing provided in writing to student three (3) business days in advance of the hearing by written notification either in person or by certified mail with returned receipt.

Effective: 11/ 7/ 2006

Reviewed: 7/07

Revised: 1/08, 4/09

Approved By: College attorney, April 28, 2009

2. Notice of formal hearing to provide the student with notice of:
 - Charges filed;
 - Results of student's informal hearing (student's rejection of charges of violating program code of conduct, or rejection of sanctions for accepted charges of violation);
 - Hearings are open only to those involved in the process as determined by the program director/manager or designee;
 - The right to face accusers at the formal hearing and direct questions to witnesses through the committee chair, and the right to present witnesses on his/her own behalf;
 - The right to not testify against himself/herself; this right shall not be regarded as admission of responsibility. Should the student choose to ask questions of witnesses or otherwise pursue a defense, this will not equate to the student's forfeiture of right to remain silent. Offering personal testimony in defense does negate the right to further remain silent;
 - The right to admit or deny responsibility for the charges or accept sanctions at any point prior to the hearing;
 - The hearing may be recorded and the College will notify all parties as the beginning of the hearing.

Temporary Suspension

A temporary suspension may be imposed when the program director/manager or designee determines that the student's continued presence on campus or any college related activity or class constitutes an on-going danger to persons or property or ongoing disruption or threat to the educational process. A suspension will be imposed for all students who have been dismissed from their clinical site pending the outcome of the informal or formal hearing.

Notice of temporary suspension will be provided to the student verbally in order to become immediately effective. Within one business day of verbal notification, written notification will be delivered to the student's college email address and within three (3) business days to the address of record.

Formal Discipline Committee

- Upon rejection of charge of violating the program code of conduct or accepting violation but rejection of the sanction to be imposed, the formal discipline committee will hear the case.
- The program director/manager or designee presents the charges, evidence and witnesses.
- The student accused provides their perspective, witnesses or documentation.
- At the conclusion of the fact-finding portion of the hearing, the participants are excused and in closed session, a decision is rendered by majority vote.
- Committee's recommendation is provided to the program's associate dean.

Effective: 11/ 7/ 2006

Reviewed: 7/07

Revised: 1/08, 4/09

Approved By: College attorney, April 28, 2009

- The student is notified of final decision initially by student's college email address within two (2) business days and in writing within seven (7) business days to the address of record by certified letter with return receipt.

Discipline Committee composition

The Health Sciences/ EMS Discipline Committee may be formed whenever there is a case to be heard or a standing committee for the academic year. The committee shall be composed of two (2) Health Science/EMS faculty, two (2) Health Science/EMS students and one (1) Health Science/EMS administrator not directly involved with the program.

Registered Nursing (RN) Academic Standards Committee (per National League for Nursing Accreditation Commission Standard # 1 **Mission and Governance**):

The RN Academic Standards Committee will be convened by the nursing director or designee for resolution of a student violation. The committee shall be composed of minimum (2) RN faculty and (1) nursing student.

Sanctions that may be imposed by the Health Sciences/EMS Programs include, but are not limited to:

- Dismissal—mandatory, immediate separation from the program with no promise for future readmission
- Suspension—mandatory immediate suspension from the program for a period of time as specified in the sanctions
- Disciplinary probation—notice that behavior in violation of code of conduct; subsequent violation may result in suspension or dismissal
- Disciplinary warning—notice the behavior is inappropriate and further issues will result in more permanent and formal sanctions
- Restitution—imposed for offenses involving damage to, destruction of, or misappropriation of property in which the student agrees to restitution which may mitigate further action
- Other—written apologies, revocation of privileges, counseling or community service

Appealing the Outcome of a Formal Hearing

A student who wishes to appeal the outcome of a formal disciplinary hearing should contact the supervising office of the Dean (Dean of Health Sciences for Lake Worth, Belle Glade programs and EMT at Palm Beach Gardens campus; Dean of Academic Affairs at Boca Raton and Palm Beach Gardens). Appeals will only be heard if the student can provide additional documentation or evidence that the hearing committee did not hear or see at the time of the hearing. **The Dean of Health Sciences or Deans of Academic Affairs act as the President's designee. The decision of the Dean is final and exhausts the student's academic remedies.**

Effective: 11/ 7/ 2006

Reviewed: 7/07

Revised: 1/08, 4/09

Approved By: College attorney, April 28, 2009