DISCIPLINARY CODE OF CONDUCT

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UNIVERSITY OF WEST FLORIDA

Code of Conduct

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A. Student Rights

1. General. Upon enrollment, students are entitled to the following rights provided the exercise thereof is accomplished in accordance with this policy and other University policies and rules and does not result in disruption or disturbance as elsewhere described in the Rules.

a) Participation in the Student Government and its elective process, as long as the student is in good standing academically and in terms of student conduct.

b) Membership in student organizations, as long as the student is in good standing academically and in terms of student conduct.

c) Freedom of expression. The basic freedoms of students to hear, write, and act upon a variety of thoughts and beliefs are guaranteed to the extent guaranteed by law. Freedom of expression carries with it the responsibility for seeing that the essential order of the University is preserved.

d) Peaceful assembly. Student gatherings may continue as long as they do not disrupt or interfere with the orderly educational operation of the institution.

e) Fair and impartial Student Code of Conduct violation hearings.

f) Student grievances. Students have the right to bring complaints to the attention of the University. For further information, see the Student Grievance Procedure.

B. Definitions for Purposes of the Student Code of Conduct

University: means all locations of the University of West Florida.

Student: includes all persons enrolled at the University of West Florida, either full-time or part-time. degree seeking and non-degree seeking persons who are not officially enrolled for a particular term but who have a continuing relationship with the University.

Faculty member: means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.

University official: includes any person employed by the University, performing assigned administrative or professional responsibilities.

Member of the University community: includes any person who is a student, faculty member, University official or any other person employed by the University. A
person’s status in a particular situation shall be determined by the Vice President of Student Affairs or his/her designee.

**University premises:** includes all land, facilities, and other property in the possession of or owned, or controlled by the University (including adjacent streets and sidewalks).

**Organization:** means any number of persons who are recognized by the University.

**Student Conduct Committee:** means any person or persons authorized by the University President, or his/her designee to determine whether a student has violated the **Student Code of Conduct** and to recommend sanctions that may be imposed when a rules violation has been committed.

**Student Conduct Administrator:** means a University official authorized by the Vice President of Student Affairs or his/her designee to administer the **Student Code of Conduct**.

**Laws, Regulations, and Policies:** found in, but not limited to, the **Student Code of Conduct**, Residence Life Handbook, the University web page, computer use policy, and Undergraduate/Graduate Catalogs. *(Needs Work)*

**Complainant:** any person who submits a charge alleging that a student violated this **Student Code of Conduct**. *(Needs Work)*

**Charged student:** any student accused of violating this **Student Code of Conduct**.

**Shall:** is used in the imperative sense.

**May:** is used in the permissive sense.

**Off-Campus conduct:** the University may take disciplinary action against a student or student organization for violations committed off campus if any one of the following applies: The off-campus conduct is specifically prohibited by law or the University’s **Student Code of Conduct**. The off-campus conduct demonstrates that the continued presence of the student on campus presents a danger to the health, safety, or welfare of the university community; is disruptive to the orderly conduct processes and functions of the university; or is intimidating or threatening to the university community or an individual within the university community. The off-campus conduct is of such a serious nature that it adversely affects the student’s suitability to remain a part of the university community. *(Should we include a disclaimer)*

**Court or Administrative proceedings outside of the University:** charges by public authorities will not prevent the University in filing University charges against a student. If a student is charged by the public authorities with an act that is also a violation of a
University policy or rule, the University reserves the right to stay or not stay its proceedings pending the outcome of the off-campus proceeding, based on the nature of the offense and potential harm to members of the University community. Any admission of guilt, responsibility or against the student’s interest made by a student in a criminal, civil, or administrative forum outside the University shall be conclusive for University purposes.

**Outside proceedings:** a verdict of guilty, a plea of guilty or a plea of no contest (nolo contendere) in a court of law by a charged student will operate as a conclusive finding that the student is “responsible” for the same offense of the University **Student Code of Conduct.** The University reserves the right to amend its charge(s) based on information obtained through an outside proceeding where that information is relevant to activity adversely affecting the University community. If the outside charges have been dismissed, are not prosecuted, are not heard, or if adjudication of guilt is withheld, such action will have no bearing on the University charges.

**Emergency or Interim Measures:** the Vice President for Student Affairs or his/her designee has the authority to take appropriate immediate action under conditions warranting such action, as follows:

a) **Interim suspension:** the Dean of Students or his/her designee determines that a student’s presence affects the health, safety or welfare of a member of the university community and such emergency is caused by a student or by the student’s presence, he or she shall, with the approval of the Vice President for Student Affairs, temporarily suspend a student. A student temporarily suspended may not attend classes, may not be on or come onto University property and may not use University facilities, equipment or resources.

b) **Restrictions on activity:** the Dean of Students or his/her designee determines that the health, safety or welfare of a student or the university community is involved, he or she has the authority, with the approval of the Vice President for Student Affairs to take any or all of the following actions on a student or student organization: restrict or bar attendance of classes; restrict or bar access or contact with individuals; restrict or bar access to University property, places, facilities or equipment; restrict or bar participation in University activities or organizations; or otherwise restrict or bar conduct.

c) **Emergency or interim measure:** may be taken at any time prior to the conclusion of the University judicial process including the appeal process.

d) **Notice of emergency or interim measure:** must be provided to the student or student organization in writing.

**Interpretation and application:** any question of interpretation or application of the **Student Code of Conduct** shall be referred to the Vice President of Student Affairs or his/her designee for final determination.

**Policy review:** the **Student Code of Conduct** shall be reviewed every three (3) years under the direction of the Vice President of Student Affairs or his/her designee.
C. Violations of Student Code of Conduct

The Student Code of Conduct sets forth the expectations of students as members of the UWF community. This code applies to behavior on University property and at all University-sponsored activities held off campus. Off campus violators will be handled in accordance with section D.2. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as, during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded).

The following behaviors violate the University Student Code of Conduct:

1. Deceit of any kind, including but not limited to:
   a) Acts of academic dishonesty as indicated in the Policy on Academic Integrity and Conduct.
   b) Forgery, alteration or misuse of any University documents, records, or identification cards.
   c) Failure to present proper identification upon request by University officials, including law enforcement officers or agents of the university personnel who have identified themselves.
   d) Furnishing false information to the University or University official.
   e) Unauthorized possession, duplication or use of keys, access cards, or identification cards to any University premises or services.

2. Disrespect to persons or property of others or of the University, including but not limited to:
   a) Physical, psychological, or sexual abuse of any member of the University community or threat of such abuse, wherever it may occur.
   b) Unlawful harassment which is defined as conduct that unreasonably interferes with an individual’s academic or employment status or performance by creating an intimidating, hostile or offensive working or educational environment where that harassment is based on any of the following protected classes: gender, race, color, religion, national origin, age, disability, marital status, veteran status or sexual orientation. Unlawful harassment on the basis of these protected classes include offensive or demeaning treatment of an individual, where such treatment is based on prejudiced stereotypes of a group to which that individual may belong. It also includes, but is not limited to, objectionable epithets, threatened or actual physical harm or abuse, stalking, or other intimidating or insulting conduct directed against the individual based on his or her protected class.
   c) Intentional physical assault or injury to another person.
   d) Participation in acts of vandalism as an individual or as a member of a group.
e) Conduct that substantially disrupts or materially interferes with University activities or that reasonably leads University authorities to forecast such disruption or interference.

f) Unauthorized entrance into or occupancy of any administrative office, classroom, or other University facility.

g) Taking or unauthorized use, possession or destruction of university or personal property or services or acts committed with disregard of possible harm to such property or services.

h) Hazing, defined as an act which recklessly or intentionally endangers the mental or physical health or safety of a person for the purpose of initiation or admission into, affiliation with, or as a condition for the continued membership in a group or organization.

i) Conduct which is disorderly, lewd, indecent; a breach of peace, disruptive or interferes with the lawful administration or functions of the University or which procures another person to participate in such conduct on University premises or at functions sponsored by, sanctioned by, or participated in by the University.

j) Actions which are committed without regard for the possible harm to self, other individuals, a group, or which may result in injury to an individual or group.

k) Interference with the freedom of movement of any member or guest of the University.

l) Interference with the rights of others to carry out their activities or duties at or on behalf of the University.

m) Soliciting, aiding, abetting or inciting others to participate in conduct which violates this rule.

n) Posting of commercial advertising or engaging in commercial activity without appropriate authorization.

o) Endangering the health, safety or welfare of members of guests of the University.

p) Any sexual act that occurs without the consent of the victim, or that occurs when the victim is unable to give consent.

3. Obstruction of Disciplinary Process - Acts that disrupt or interfere with the University disciplinary process, including but not limited to:

   a) Failure to appear at an official university hearing when proper notification has been provided; (nothing in this subsection shall be construed to compel self-incrimination).

   b) Knowingly falsifying, distorting or misrepresenting information before a disciplinary proceeding.

   c) Deliberate disruption or interference of the orderly conduct of a disciplinary proceeding.

   d) Knowingly initiating a complaint/referral without cause.

   e) Use of threats, coercion, or intimidation to discourage an individual’s participation in or other proper participation or use of the disciplinary process.

   f) Tampering with evidence to be used in a University disciplinary process.
i) Attempting to influence the impartiality of a member of the disciplinary process prior to or during the course of the judicial proceeding.

j) Harassment or intimidation of any participant in the disciplinary process.

k) Violating and/or failure to comply with or fulfill disciplinary sanctions.

4. Violations of federal, state, local law or University regulations including, but not limited to:

a) Possession, use, sale or distribution of narcotics or other controlled substances (as defined in Chapter 893, Florida Statutes) on the University campus or at any University sponsored, off-campus function, except when such possession or use is prescribed by a licensed physician or permitted by law.

b) **Prohibited Uses of Alcohol**:
   i) Possessing or consuming alcohol if under the legal age.
   ii) Operating a motor vehicle while under the influence of alcohol.
   iii) Misrepresenting one’s age for the purposes of purchasing or consuming alcohol.
   iv) Possessing, furnishing or consuming alcohol in prohibited areas of the University.
   v) Possessing or using a common source of alcohol (i.e. kegs, beer bongs, or their equivalent).
   vi) Purchasing, furnishing or serving alcohol to any underage person.
   vii) Being intoxicated to the point at which an individual has lost normal control of his/her body or mental faculties or both.
   viii) Disorderly intoxicated and endangering the safety or property of another and intoxicated on campus or at a University sponsored event and causing a public disturbance.

c) Illegal or unauthorized possession or use of firearms, explosives, ammunition, fireworks, weapons (such as metallic knuckles, slingshots, bows and arrows, and knives), or other deadly weapons or dangerous chemicals, likely to cause harm to another, or to University property on University premises or at any University sponsored, off-campus function.

d) Actions which cause or attempt to cause a fire or explosion, falsely reporting a fire, explosion or an explosive device, tampering with fire safety equipment or failure to evacuate University buildings during a fire alarm.

e) Violation of any municipal or county ordinance, law of the State of Florida, or law of the United States.

f) Obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions.

5. Violations of the University of West Florida, Department of Housing and Residence Life rules or policies.

6. Computer, network and/or data misuse:

a) Unauthorized access, entry or use of a University’s or another’s computer, computer system, network, software, password, account or data.

b) Unauthorized alteration or degradation of computer equipment, software, network, data or system performance.

c) Unauthorized copying or distribution of computer software or data.
d) Theft of intellectual property.

e) Use of a computer or computer system in the commission of a crime or to violate or facilitate the violation of university rules or policies.

f) Any unauthorized commercial use of University computer or computing resources.

g) Any unauthorized use of electronic or other devices to make an audio or video recording of any person while on University premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress.

h) Use of computing facilities and resources to interfere with the work of another student faculty member or University official.

i) Use of computing facilities and resources to send obscene or abusive messages.

j) Any violation of the University Computer Use Policy.

D. Due Process for Violations of Student Code of Conduct (should we use the term Due Process)

1. Determination of Violation of Charges

   Any member of the University community may file charges against a student for violations of the Student Code of Conduct. A charge shall be prepared in writing and directed to the Dean of Students. Any charge should be submitted as soon as possible after the event takes place, preferably within twenty (24) hours.

   The Dean of Students or designee shall determine whether a student will be charged with a violation of the Student Code of Conduct. This determination process may be initiated in several ways, including receipt of any of the following reports (1) a police report or incident report filed by the UWF Police Department (or other law enforcement agency) which implicates a student, (2) a signed written statement filed with the Vice President for Student Affairs Office or, Dean of Students Office, or (3) an incident report or written statement filed with the Office of Housing and Residence Life.

   This information will then be reviewed by the university to determine the most appropriate action to be taken. This may include taking no action, conducting further investigation into the incident, resolving the conflict in an informal manner, referring the case to Housing and Residence Life, or initiating charges in accordance with the procedures contained in this code. Charges should be filed within twenty (20) academic calendar days after receipt of all available information regarding the complaint. Charges cannot be filed by the University more than one (1) year after the date the University has discovered the incident or conduct.

2. Notice of Charges
When the University has determined to charge a student, the University shall notify the student in writing of the charge(s) and the allegation(s) on which the charge(s) are based. This notice shall inform the student that he or she has three (3) regular business days in which to contact the Dean of Students Office in order to proceed.

A student has three (3) regular business days after receipt of the charges to contact the Dean of Students Office and notify the Dean or designee of the student’s decision regarding the type of hearing forum the student chooses, administrator or conduct committee. If a student does not contact the university during this time, the university will send the case to the University Conduct Committee. A student has the right to have the charges heard by a designated University administrator or by the University Conduct Committee. The University Conduct Committee consists of one administrator, one faculty member and two students.

When two or more individual cases stem from the same incident, those cases should be heard by the same hearing body. In such cases, the university may either pre-select the hearing forum or consult with the students involved before making that determination.

Upon receipt of the student’s choice for a hearing forum, the university shall schedule a hearing and notify the student at least five (5) regular business days in advance of the date, time, and location of the hearing. A student may chose to waive the notice or the five (5) day length of the notice, however, such waiver must be in writing.

3. Hearings

A charged student will be given an opportunity to present information, including witnesses during a hearing. The charged student may inspect all information presented at the hearing, may hear and question all witnesses at the hearing, and may present information and call witnesses. If a witness does not appear, his or her written or taped statement may be considered by the hearing body, but the statement shall be weighted accordingly by the hearing body as there will be no opportunities to cross examine the witness making the written or taped statement. Student questioning of witnesses may be modified in cases involving confidential or protected situations such as in hearings involving victims or protected student information. Witnesses will be required to wait outside of the hearing until their point of participation and will be asked to leave the hearing room after they have been questioned.

Hearing Procedures

All hearings are governed by the following procedures. Procedural modifications may be made to expedite proceedings as long as they do not jeopardize the charged student’s fundamental rights or the fairness of the hearing.
a) **Pre-hearing information notice:** to assist the student in preparing for the hearing, pre-hearing information including a copy of the hearing procedures and the available written information that will be presented by the University at the hearing will be made available to the charged student. The student and his or her advisor shall have the opportunity to inspect the pre-hearing information at least three (3) regular business days in advance of the hearing.

b) **Student advisor:** a charged student is entitled to have any one person at the hearing to serve as his or her advisor. Students are required to address the hearing body in person, on their own behalf, although they may consult with their advisor during the hearing. This consultation must take place in a manner that does not disrupt the proceedings. The advisor shall not speak on behalf of the student and may not question witnesses, present information or argue before the panel. The advisor shall not serve as a witness.

c) **Testimony:** no student will be compelled to make statements against him or herself. However, the university is not required to postpone disciplinary proceedings pending the outcome of any criminal proceeding.

d) **Standard for proof:** the standard for proof rests with the university. The standard for proof shall be the “majority of collective information.” This standard means that the “majority of collective information, taken as a whole, supports that it is more likely than not that the violation occurred.

e) **Decisions:** of “responsible” or “not responsible” on the charge(s) shall be based solely on the collective information presented at the hearing. In cases involving multiple students charged from the same incident, information obtained at one hearing may be used at another hearing provided that each charged student involved has the full opportunity to review and respond to the information at his or her hearing. The Student Conduct Committee shall determine (by majority vote if the Student Conduct Committee consists of more than one person) whether the charged student has violated each section of the **Student Code of Conduct** which the student is charged with violating.

f) **Collective information:** pertinent records, exhibits, written/oral statements (including Student Impact Statements) may be accepted as information for consideration by a Student Conduct Committee at the discretion of the chairperson.

g) **Questions:** during the hearing, questions by the charged student and complainant may be suggested and may be answered by each other or by other witnesses with such questions directed to the chairperson. This
method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment.

h) **Confidentiality:** all hearings shall be closed and confidential unless (1) specifically requested otherwise by the charged student in writing three (3) regular business days in advance of the hearing and (2) such a request does not impede the university’s ability to comply with state and federal laws regarding student or confidential information and (3) all other students involved in the hearing as witnesses or victims also consent in writing within three (3) days of the hearing. In cases involving alleged victims and competing interests, the Dean of Students will make the final determination regarding open and closed hearings.

i) **Failure to appear:** if a student fails to appear at the hearing, the hearing may proceed in the student’s absence and a decision may be rendered provided that the student has been properly notified of the hearing.

j) **Official record:** there shall be a single verbatim record, such as a tape recording, of all Student Conduct Committee Hearings before a Student Conduct Committee (not including deliberations). Deliberations shall not be recorded. The record shall be the property of the University. The student shall be entitled to a copy of the record of the hearing, at cost.

k) **Deliberations:** are closed and shall include only those members involved in the decision making process.

l) **Notice of decisions:** a written decision letter will be provided to the student within five (5) regular business days following the hearing. This time may be extended in cases in which additional time is necessary for deliberations. If additional time is necessary, the charged student shall be notified. The decision letter shall contain a decision on each charge, any findings of fact and any recommended sanctions (if applicable).

m) **Student status:** the student’s status on campus will remain unchanged pending the final decision of the hearing and, if requested, the appeal process, except in cases where emergency or interim measures are required, as set forth in section B. If a student’s enrollment status is changed under this paragraph, but the student is subsequently found not responsible for the violation, the university must:

   i) Correct any record of the change in enrollment status in the student’s permanent records and reports in a manner compliant with state and federal laws; and

   ii) Refund to the student, a pro rata portion of any fees and charges for tuition, other university specific fees and charges as appropriate due to
the temporary change in enrollment status and in a manner consistent with university policies and procedures.

n) **Hold on student’s records:** the university may place a hold on the records or registration of any student who fails to respond to a judicial notice or to ensure the student’s fulfillment of the sanctions or other action needed for resolution of the case prior to enrollment in a subsequent semester, transfer or graduation. All pending judicial matters must be resolved prior to a student’s graduation, transfer from or continued education at the University of West Florida.

o) **Procedural questions:** all procedural questions are subject to the final decision of the chairperson of the Student Conduct Committee. Formal rules of process, procedure and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Code of Conduct proceedings.

p) **Safety procedures:** the Student Conduct Committee may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, charged student, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Vice President of Student affairs or his/her designee.

q) **Accommodations for student with disabilities:** any student with a documented disability may request that reasonable accommodations be provided during the disciplinary process. This request must be made at least three (3) regular business days in advance of the hearing, and the accommodations must be approved by the Student Disability Resource Center. The hearing officer(s) may postpone the hearing if necessary (to make the determination or to provide the accommodations).

E. Sanctions

1. **Student Sanctions**

   A student found responsible for violations shall be subject to sanctions commensurate with the offense with consideration given to any aggravating and mitigating circumstances. Sanctions include one or more of the following penalties, unless otherwise expressly provided:

   **Disciplinary warning:** a disciplinary sanction in writing notifying a student that the student’s behavior did not meet University standards. All disciplinary warnings will be taken into consideration if further violations occur.
Disciplinary probation: a disciplinary sanction in writing notifying a student that his or her behavior is in serious violation of University standards and that restrictions are being placed on his or her activities. Sanctions that may be placed on a student during a probationary period include restriction of the privilege to: participate in student activities or in student organizations; represent the University on athletic teams, or in other leadership positions; access to University housing facilities or other areas on campus; use University resources and/or equipment; or engage in contact with specified person(s).

Loss of University privileges: temporary or permanent loss of University privileges including, but not limited to, use of University facilities, resources, equipment, such as attendance at athletic functions, University commons access, unrestricted library use, parking privileges, university computer usage, and residence hall or other visitation for a designated period of time.

Suspension: the student is required to leave the University for a given or indefinite period of time, the end of an indefinite suspension shall depend upon specified acts of the student’s own volition related to mitigation of the offense committed. The student must comply with all sanctions and complete all requirements prior to re-admission. During the suspension period the student may not visit or be on any UWF campus.

Expulsion: the student is permanently deprived of his or her opportunity to continue at the University in any status and may not, without specific written permission of the Vice President for Student Affairs or designee, visit or come onto any UWF campus.

Restitution: the student is required to pay for loss of use or damages to an individual’s or University property, provided that such payment is limited to the actual cost of repair or replacement of such property.

Community/University Service: a student is required to complete a specified number of hours of service to the campus or general community.

Education requirements: a student is required to complete a specified educational sanction related to the violation committed. Such educational requirements include, but are not limited to, completion of a seminar, report, alcohol or drug assessment, or counseling.

Residence Hall transfer or removal: a student is required to transfer residence halls or leave the residence halls for a specified indefinite period of time or permanently.
No contact order: a directive to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means, including personal contact, e-mail, telephone, or third parties.

Fines: not to exceed $250.00 per case.

Revocation of admission and/or degree: admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

Withholding Degrees: the University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct, including the completion of all sanctions imposed, if any.

Multiple sanctions: more than one of the sanctions listed above may be imposed for any single violation.

2. Student Organizations

Sanctions range from written reprimand through revocation of registration or permission to use or meet at campus facilities, or continued recognition at the University. The following criteria will be used to determine if a student group or organization is to be held collectively responsible for the action or actions of individuals when the action or actions result in a violation of the Student Code of Conduct by those associated with the group or organization.

a) The action or actions resulting in the violation have received the tacit or overt consent or encouragement of the group or organization or of the group’s or organization’s leaders, officers or spokesperson, or;

b) The group or organization or its leaders, officers or spokesperson failed to take responsible precautions against the action or actions resulting in the conduct violations.

Disciplinary sanctions which may result in limits being placed on extracurricular activities and/or registration for individuals and groups, do not take effect until any appeal requested has been completed. If no appeal is requested, the final action with respect to the above will take effect upon expiration of the appeal time or 15 business days from the date of the decision letter.

The following sanctions may be imposed upon groups or organizations:

a) Those sanctions listed above in section E. Student Sanctions.
b) Loss of selected rights and privileges for a specified period of time.
c) Deactivation – loss of all privileges, including University recognition, for a specified period of time.
F. Appeals

1. The student may appeal the decision of the University Conduct Committee or of the university official hearing his or her case in writing within 15 business days from the date of the decision letter. Decisions made by the Assistant Dean of Students or Coordinator of Judicial Affairs can be appealed to the Dean of Students. Decisions made by the Dean of Students involving a sanction of suspension or expulsion can be appealed to the Vice President for Student Affairs. No person may hear or decide an appeal if he or she conducted or participated in the student disciplinary proceeding being reviewed on appeal.

2. The appeal must be filed in writing within fifteen (15) business days from the date of the decision letter. Criteria for filing an appeal is limited to the following grounds: a) the student’s rights were violated in the hearing process; b) new information that could not have been discovered at the time of the hearing; c) the majority of collective information does not support the decision; d) the sanction(s) imposed were not appropriate for the violation. The decision of the reviewing authority shall be final.

At the conclusion of the appeals process, the decision of the Vice President for Student Affairs is the final agency action in hearings and appeals where the sanction is suspension or expulsion and for all other sanctions, the decision of the Dean of Students is the final agency action.

If an appeal is upheld, the matter may be returned to the Dean of Students or his/her designee, or the original Student Conduct Committee, for re-opening of the hearing to allow reconsideration of the decision and/or sanction(s). If an appeal is not upheld, the matter shall be considered final and binding upon all involved.

G. Records

Records of disciplinary actions shall be maintained by the Dean of Students Office in accordance with Federal and Florida Law. Records will be managed pursuant to Section 1002.22, F.S.

Student files involving cases that do not result in suspensions or expulsions shall be expunged seven (7) years after a decision is reached on a charge. Records for cases that result in suspensions or expulsions will be kept permanently. Statistical data and database information may be kept permanently at the university.

Students found “not responsible” or cases in which charges are dropped are considered not to have a judicial record. However, the records will be maintained by the University in accordance with 1002.22, F.S. and Florida retention laws.

H. Transcription Notations
In cases that result in a suspension, a transcription notation will be placed on the student’s records during the period of suspension. In cases involving expulsion, a permanent notation will be placed on the student’s transcriptions.