STUDENT EDUCATIONAL RECORDS

Complete information and regulations governing records are available in the Office of the Vice President for Student Affairs and in the Office of the Registrar. These regulations include the following rights of students to:

1. Authorize in writing the disclosure to others of personally identifiable information from their educational records;
2. Inspect and review the content of their record;
3. Challenge the content of their educational records and request the university to amend them;
4. Refuse in writing to permit the designation of any or all categories of personally identifiable information as directory information available to the public;
6. Student records may be released to investigating governmental agencies, upon request, without the student’s prior consent in accordance with the 2002 Patriot Act.

DISCLOSURE OF DIRECTORY INFORMATION

The information listed below may be released or published by the university without prior written consent of the student unless exception is made in writing by the student:

1. Options for printed and/or verbal release prohibited (does not include Electronic Directory Release): Category I - Name, address, telephone number, dates of attendance, e-mail address.
   Category II - Most recent previous institution attended, major field of study, awards, honors (includes dean’s list), degrees conferred (including dates).
   Category III - Past and present participation in officially recognized sports and activities, physical factors (height, weight of athletes) date and place of birth.
   Category IV - Commencement Program (name and degree at time of graduation).
   Category V - News releases (at time of graduation).
2. Students may choose to restrict all or a portion of their directory information from the electronic directory by checking:
   a. no restrictions
   b. suppress all information
   c. suppress home address only
   d. suppress home phone only
   e. suppress home address and phone.
   Students who wish to have the privacy flag removed from their permanent academic record must contact the Office of the Registrar in writing. NOTE that electronic release of information is separate from other printed and verbal release.

In accordance with the Family Educational Rights and Privacy Act, the University of West Florida’s policy regarding the disposition of records held pertaining to a deceased student state that the privacy interests of an individual expire with that individual’s death.

ACADEMIC CONDUCT EXPECTATIONS

As members of the University of West Florida academic community, we commit ourselves to honesty. As we strive for excellence in performance, integrity both personal and institutional is our most precious asset. Honesty in our academic work is vital, and we will not knowingly act in ways which erode that integrity. Accordingly, we pledge not to cheat, nor to tolerate cheating, nor to plagiarize the work of others. We pledge to share community resources in ways that are responsible and that comply with established policies of fairness. Cooperation and competition are means to high achievement and are encouraged. Indeed, cooperation is expected unless our directive is to individual performance. We will compete constructively and professionally for the purpose of stimulating high performance and standards. Finally, we accept adherence to this set of expectations for academic conduct as a condition of membership in the UWF academic community.

Approved UWF Faculty Senate, May 10, 1991

CLASSROOM BEHAVIOR

University of West Florida faculty are responsible for establishing and implementing appropriate academic standards as well as reasonable behavior standards for each class. Disruptive classroom conduct, a violation of the UWF Student Code of Conduct, is defined as individual or group conduct of a nature that interrupts or interferes with educational activities,
students about the seriousness of their action(s) and promoting civility and positive growth, while maintaining the safety and integrity of the individuals involved and the university community. The processes for adjudicating violations of federal, state and local laws and violations of the Student Code of Conduct are separate and may be pursued independently of one another.

The university distinguishes its responsibilities for student conduct from the control functions of the wider community. The conduct of students both on campus and in the wider community is ordinarily of university concern when: (a) the conduct interferes with the university’s responsibility for ensuring members of the university full and equal opportunity to obtain their educational objectives; (b) the conduct interferes with the university’s responsibility to protect the health, safety and general welfare of persons in the university community, to protect property, to maintain the ordinary rules of good conduct and to sponsor non-classroom activities; or (c) the conduct negatively impacts the university’s image and/or academic integrity.

The Student Code of Conduct applies to all campuses of the university and any international programs. The vice president for Student Affairs or Academic Affairs (or designee) may modify non-substantive procedures in the effort to adjudicate violations in these programs when necessary. Cases involving student organizations are adjudicated through the Office of University Commons and Student Activities.

Authority for student discipline ultimately rests with the university president. For cases involving academic misconduct, this authority is delegated to the faculty of each class and the appropriate dean of the college in which the violation occurs. For cases involving non-academic conduct violations, the president delegates this authority to the vice president and the Dean of Students for Student Affairs, and to other appropriate staff, including Housing, to review and pursue non-academic misconduct charges. The university president or vice president for Student Affairs may take direct jurisdiction of any case due to (1) the inability of the appointed hearing officer or board to serve, or (2) when it is determined that taking direct jurisdiction is the best resolution. The vice president for Student Affairs (or designee) has the authority to notify the person listed as the student’s emergency contact (or other appropriate person) in case of an emergency involving a student.

The vice president for Student Affairs, or the Dean of Students, may order any student to cease and desist from any activity adjudged to be disruptive to the university. If the student fails to cease and desist from such activity, the vice president or the Dean of Students for Student Affairs may immedi-

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The University of West Florida is dedicated to the advancement of knowledge and learning and to the development of ethically responsible persons. University students are expected to uphold appropriate standards of behavior and to respect the rights and privileges of others. Student conduct is expected to be lawful and in accordance with all federal, state and local laws, and university regulations. In keeping with the University of West Florida’s stated essential values, sanctions imposed on students found in violation of the Student Code of Conduct are designed to promote the university’s educational mission. Furthermore, sanctions are imposed for the purposes of restoring the standards of the university community, educating
II. Definitions

University. The University of West Florida. This includes the main campus, all of its branch campuses and university international programs.

Student. Includes all persons either registered or taking courses at the University of West Florida, both full-time and part-time, pursuing undergraduate, graduate or professional studies and those who attend post-secondary educational institutions other than the University of West Florida and who reside in the University of West Florida residence halls. This includes non-degree seeking students. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University of West Florida are considered “students.”

Charged Student. Any student who has been formally charged with an alleged violation of the Student Code of Conduct.

Faculty Member. Any person hired by the University of West Florida to conduct classroom activities.

Member of the University of West Florida Community. Includes any person who is a student, faculty member, University of West Florida official and any other person employed by the University of West Florida.

University Official. Includes any person employed by the university, performing assigned administrative or professional responsibilities. It also includes any person designated to oversee a university event or area.

University of West Florida Premises. Includes all land, buildings, facilities and other property in the possession of or owned, used or controlled by the University of West Florida (including adjacent streets and sidewalks).

Organization. Any number of persons who have complied with the formal requirements of recognition by the University of West Florida.

Hearing Body. Any University of West Florida official or panel authorized to review and evaluate student conduct charges, and to impose sanctions upon students found to have violated the Student Code of Conduct.

Appellate Body. Any person or persons authorized by the vice president for Student Affairs to consider an appeal from a hearing body’s determination that the student has violated the Student Code of Conduct.

Shall. Is used in the imperative sense.

May. Is used in the permissive sense.

III. Academic Misconduct Process

Note: The academic misconduct process is currently under revision. Once this policy has been approved, copies of the new code will be circulated to the campus. It is the student’s responsibility to contact the Dean of Students, Building 21, to obtain a copy of the code that is in place. Call 474-2384.

A. ADMINISTRATION

For these procedures, the university shall utilize as appropriate an academic standards committee appointed by the appropriate dean with membership consisting of an equal number of faculty and students.

When a student is alleged to have violated the Academic Conduct Code, and disciplinary action is warranted, the faculty member must exercise option one or option two below. If the violation is not the student’s first offense or the circumstances suggest the imposition of a sanction other than reduced or failing grade(s), the faculty member will refer the charge directly to the dean.

1. Option One - Within five (5) working days after discovery of the alleged misconduct, the faculty member shall notify the student in writing of the allegation and invite the student to respond within five (5) working days. The faculty member’s decision shall be sent in writing to the student within fifteen (15) working days after the date of the initial notification of the allegation sent to the student. The written decision shall describe any imposed sanctions of reduced or failing grade(s) and the student's right to appeal within five (5) working days to the appropriate Academic Standards Committee or state that the charges have been referred to the appropriate dean for adjudication. Copies of the above notifications shall be sent to the chairperson, dean and vice president for Student Affairs.

2. Option Two - The faculty member will refer the charge in writing to the appropriate dean for adjudication. The dean will notify the student in writing of the charge and may designate an agent to investigate the charge. In investigating the charge, the agent will discuss the charge with the student and with others who have personal knowledge of the alleged misconduct. If the dean determines the charge warrants adjudication, the dean shall notify the Academic Standards Committee and the student. The Academic Standards Committee shall conduct a hearing unless the student elects within three (3) working days after receipt of the notification to have the hearing conducted by the dean. In electing one, the student waives the right to the other. At least half of the Academic Standards Committee must consist of students when holding academic conduct hearings and shall follow the procedures outlined in section (C) on hearing procedures.

B. OFFENSES

Violations by a student of any of the following actions that constitutes an offense that will result in disciplinary action. Fraudulent or deceptive action
involving academic matters, including:

1. Cheating. The unauthorized giving or taking of any information or material on academic work considered in the determination of a grade.

2. Plagiarism. The act of representing the ideas, words, creations or work of another as one’s own.

3. Bribery. The offering, giving, receiving or soliciting of anything of value to influence a grade.

4. Conspiracy. Planning with others to commit any form of academic misconduct.

5. Misrepresentation. Any action or omission with intent to deceive a teacher so as to affect a grade.

C. ACADEMIC HEARING PROCEDURES

Pre-hearing information to assist the student in preparing for the hearing is available from the vice president or Dean of Students for Student Affairs. All hearings will be governed by the following provisions:

1. Student shall be entitled to a prompt hearing.

2. Student will receive written notice at least five (5) working days in advance of the date, time, place of the hearing, the specific charge(s) and factual basis (including the section of the Conduct Code upon which the charge(s) are based).

3. The person or persons who have brought the charge of misconduct shall provide evidence and, as appropriate, bring witnesses to the hearing to support the charge(s).

4. Student is entitled to have any person present at the hearing to serve as an advisor. However, the advisor cannot examine or otherwise participate in the hearing.

5. Student may inspect all documentary evidence to be presented at the hearing, may hear and question adverse witnesses testifying at the hearing and may present evidence and call witnesses.

6. Students shall not be forced to present self-incriminating testimony. However, the university is not required to postpone disciplinary proceedings pending the outcome of any criminal proceeding.

7. The burden of proof rests with the university. The standard of proof shall be “greater weight of evidence” i.e., whether it is reasonable to conclude from all the evidence submitted by both the university and the student that the student did commit the violation(s) with which charged.

8. Decision of responsible or not responsible of the charge(s) shall be based solely on the evidence presented at the hearing.

9. All hearings shall be closed and confidential unless; (1) specifically requested otherwise in writing by the student three (3) working 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 confidential information.

10. If the student fails to appear at the hearing, the hearing may proceed in the student’s absence.

11. Witnesses for the hearing will be required to wait outside of the hearing until their point of participation.

12. A record of the hearing shall be made by the presiding hearing officer. The record may be in written form or in any other form capable of being converted into written form within a reasonable time. The student shall be entitled to a copy of the written record of the hearing at cost.

13. A decision shall be available in writing to the student within five (5) working days following the hearing.

IV. Non-Academic Misconduct Process

Note: The academic misconduct process is currently under revision. Once this policy has been approved, copies of the new code will be circulated to the campus. Students should contact the Dean of Students, Building 21, to obtain a copy of the code that is in place. Call 474-2384.

A. ADMINISTRATION

Procedures for Filing Charges. Charging decisions for non-academic misconduct shall be made by the Dean of Students or designees, including the housing staff (herein after designated as “the university”). The process for review is initiated by either (1) the filing of a police report with the UWF Police Department (or other law enforcement agency), (2) providing a signed written statement directly to the associate vice president for Student Affairs or designees or (3) by filing an incident report or written statement with the Housing Office.

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 or initiating charges in accordance with the procedures contained in this code. Charges should be filed within ten (10) working days after receipt of all available information regarding the complaint. Charges cannot be filed that exceed one (1) year after the discovery of the incident.

Charges. When a determination to charge is made, 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 appropriate agency (the Housing or Judicial Office) in which to select a hearing forum.

Hearing Forum. The student has the right to have the charges heard by a university panel, unless the student chooses to waive this right and have a designated university administrator review the case
and make a determination with regard to responsibility and sanctioning. In electing one forum, the student waives the right to the other.

For cases handled by the University’s Judicial Office, the designated panel is the University Conduct Committee. The University Conduct Committee consists of one administrator, one faculty member and two students. The committee’s decisions are final unless appealed (see VI. Appeals).

For cases handled by the Housing Office, the designated panel is the Residence Life Student Review Board. Students may waive a hearing to this board and have their cases heard by a designated housing staff member. Decisions of the Residence Life Student Review Board are recommendations to the Dean of Students or designee. The charged student must be notified in writing of any differences between the recommendation of the board and the final decision.

The student has three (3) regular business days after receipt of the charges to contact the appropriate university agency and notify them of the student’s decision regarding the type of hearing forum. If a student does not contact the university during this time, a determination regarding the choice of hearing forum may be made by the university. The university retains the right to send any conduct case that is determined to be serious in nature directly to the University Conduct Committee. 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 the determination.

Upon receipt of the student’s choice for a hearing body, 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 unless a student chooses to waive in writing five (5) regular business day notice and proceed with a hearing.

Rights of the Charged Student.

Students charged with violations of the Student Code of Conduct will be provided clear and complete notice of the charge(s) against them and the allegations upon which the charge is based.

1. Pre-hearing Information. To assist the student in preparing for the hearing, pre-hearing information will be available for the student. This information shall include a copy of the hearing procedures and the opportunity to review the available written information that will be reviewed at the hearing. The student and his or her advisor shall have the opportunity to inspect the information at least three (3) regular business days in advance of the hearing.

2. Hearing. Student shall be entitled to a prompt hearing. Students will be given an opportunity to present information, including witnesses during a fair and impartial hearing. Student may inspect all documentary evidence presented at the hearing, may hear and question all available adverse witnesses testifying at the hearing, and may present evidence and call witnesses. If a called witness does not appear, their written or taped statements may be considered by the hearing body, but the statement shall be weighted accordingly by the hearing body as the charged student has no opportunity 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 of crimes or protected student information. Witnesses for the hearing will be required to wait outside of the hearing until their point of participation.

3. Advisement. Student is entitled to have any one person at the hearing to serve as 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. The advisor shall not serve as a witness.

4. Testimony. Students shall not be forced to present self-incriminating testimony. However, the university is not required to postpone disciplinary proceedings pending the outcome of any criminal proceeding.

5. Decision. The charged student has a right to receive a written decision regarding the charges against him/her. The decision letter shall contain a decision regarding responsibility on each charge, a finding of fact and any sanctions (if applicable).

6. Student Status. The student’s status on campus will remain unchanged pending the final decision, except in cases of emergency as outlined in section VII.

Rights of the Victim.

Victim’s rights apply to cases involving sexual misconduct, stalking and physical abuse. These rights include:

1. Advisement. To have an advisor or advocate of the alleged victim accompany her/him when presenting information to the hearing body and to any other relevant meetings held throughout the disciplinary process.

2. Victim Impact Statement. To submit a victim impact statement to the hearing body. This information would only be used in the sanctioning phase of deliberations and is confidential. The impact statement consists of how the victim was impacted by the incident
and recommendations for possible sanctions. The hearing body is not bound by these recommendations.

3. Past Behavior. To have unrelated past behavior excluded from the hearing. The hearing body will decide if such information is relevant.

4. Questions. To submit questions to the hearing body. The hearing body will consider posing those questions to the charged student.

5. Limited Privacy. To testify in limited privacy, as long as the process does not compromise the charged student’s right to confront and question the witness. This option must be requested at least three (3) regular business days in advance of the hearing. In cases involving sexual assault, questions by the charged student to the victim may be asked through the hearing body. Appropriate follow-up questions by the charged student are permitted.

6. Notification. To be notified of the outcome of the hearing, including the decision and the sanctions, once a final decision is rendered.

B. OFFENSES

Violation of any of the following actions, or the aiding, abetting or attempting to commit these offenses by a student constitutes an offense that will result in disciplinary action.

1. Forgery, alteration or misuse of documents or records.

2. Threatening Behavior: This includes intimidation, harassment, coercion, verbal or physical abuse of persons, including involvement in relation to any student disciplinary process.

3. Stalking: Defined as to follow or otherwise contact another person repeatedly, so as to put that person in fear for their personal safety.

4. Sexual Misconduct:
   a. Any sexual act that occurs without the consent of the victim, or that occurs when the victim is unable to give consent.
   b. Lewd and indecent conduct.
   c. Voyeurism.

5. Destruction, Damaging or Misuse of public or private property.

6. Theft and/or the Possession of Stolen Property.

7. Disruptive and/or Disorderly Conduct. Individual or group conduct of a nature that:
   a. Interrupts or interferes with educational activities of the university.
   b. Infringes upon the rights and privileges of others.
   c. Is prejudicial to the maintenance of order or the normal operation of the university.

8. Alcohol Misconduct:
   a. Possession and/or consumption of alcoholic beverages by individuals under the age of 21.
   b. Buying, selling or distribution of alcoholic beverages to individuals under the age of 21.
   c. Possession and/or consumption of alcoholic beverages in areas prohibited by university policy (see the UWF Alcohol policy).
   d. Any conduct taken under the influence of alcohol that endangers one’s own health or safety or the safety of others.
   e. Possession of liquor or kegs.

9. Drug Misconduct:
   a. Possession and/or consumption of drugs or any controlled substance prohibited by law.
   b. Manufacturing, buying, selling or distribution of drugs or any controlled substance prohibited by law.
   c. Possession of drug paraphernalia.

10. Possession or use of Weapons and Firearms, Fireworks and Explosive Devices. This includes, but is not limited to, BB guns, stun guns, hunting knives, bows and arrows, machetes and martial arts weapons.

11. Computer Misuse. Unauthorized access or entry into a computer, computer system, network, software or data; or the unauthorized alteration, copying or distribution of software or data. (See UWF Computer Policy for further clarification and policies.)

12. Trespass. The unauthorized access to an area, room or building.

13. Hazing. Any group or individual action or activity that inflicts or intends to inflict physical or mental harm or discomfort or which may demean, disgrace or degrade any person, regardless of the intent or the consent of participant(s). Although hazing is related to a person’s initiation or admission into, or affiliation with, any student group or organization, it is not necessary to have direct proof that a person’s initiation or continued membership is contingent upon participation in the activity for a charge of hazing to be upheld.

14. Fire Safety:
   a. Inappropriate activation of any emergency warning equipment or the false reporting of any emergency.
   b. Removal, damage or tampering with fire safety or other emergency warning equipment.
   c. Failure to evacuate a university building or facility when a fire alarm is sounded.

15. Knowingly Provides False or Misleading Information to a university official, to a hearing body, on a university document or to a law enforcement agent or agency.

16. Endangerment:
   a. Action(s) that endanger one’s own health or safety.
   b. Action(s) that endanger the health, safety or well being of another person or group.

17. Failure to comply with the reasonable order
## Student Appeals Process

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<th>Nature of Appeal</th>
<th>Committee/Person Designated to Hear Appeal</th>
<th>Format</th>
<th>Time Limit/Deadline to Submit Appeal</th>
<th>Submit Appeal To</th>
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<tr>
<td>Academic Probation or Suspension</td>
<td>Academic Standards Committee of your college, Associate Dean, College of Arts and Sciences</td>
<td>Oral discussion, then in writing; see Student Grievance System pp. 55, Student Handbook</td>
<td>2 weeks after written notification from Dean</td>
<td>Dean’s Office of appropriate college</td>
</tr>
<tr>
<td>Admission or Readmission—Undergraduates</td>
<td>University Admissions Committee</td>
<td>In writing</td>
<td>End of drop/add period</td>
<td>Director of Admissions, Building 18</td>
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<tr>
<td>Admission or Readmission—Graduates</td>
<td>Faculty Committee appointed by Dean of College</td>
<td>In writing</td>
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<td>Appropriate Dean of College</td>
</tr>
<tr>
<td>Assessment or Refund of Tuition and Fees</td>
<td>University Fee Appeals Committee</td>
<td>In writing; by letter or form available in Cashier’s Office and Office of the Registrar</td>
<td>Within six months of close close of academic term of appeal</td>
<td>Controller’s Office, Building 20E or Office of the Registrar</td>
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<tr>
<td>CLAST Requirements</td>
<td>CLAST Appeals Committee</td>
<td>In writing</td>
<td>One semester prior to projected graduation</td>
<td>Office of the Registrar, Building 18</td>
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<tr>
<td>Discrimination Due to Race, Gender, Disability</td>
<td>Director of Human Resources Affirmative Action and Diversity</td>
<td>In writing; see university Non-Discrimination Policy</td>
<td>180 days</td>
<td>Director of Human Resources, Building 20E</td>
</tr>
<tr>
<td>Financial Aid</td>
<td>Financial Aid Satisfactory Progress Appeals Committee</td>
<td>In writing</td>
<td>None</td>
<td>Financial Aid Office, Building 18</td>
</tr>
<tr>
<td>Grade Appeals</td>
<td>Faculty member, then to Department head, then to College Academic Standards Committee</td>
<td>Oral discussion, then in writing; see Student Grievance System, pp. 55, Student Handbook</td>
<td>3 months after semester ends</td>
<td>Faculty member</td>
</tr>
<tr>
<td>Housing Fines</td>
<td>Director of Housing</td>
<td>In writing or by appointment</td>
<td>None</td>
<td>Director of Housing, Building 21</td>
</tr>
<tr>
<td>Immunization Requirements</td>
<td>Dean of Students</td>
<td>In writing or by appointment</td>
<td>Prior to registration for classes</td>
<td>Dean of Students Student Affairs, Building 21</td>
</tr>
<tr>
<td>Late Withdrawal from Class/University</td>
<td>Academic Appeals Committee then to Provost</td>
<td>In writing; use form available from Registrar’s Office</td>
<td>3 months after semester ends</td>
<td>Office of the Registrar, Building 18</td>
</tr>
<tr>
<td>Library Fines</td>
<td>Head, Circulation Department, then to Associate Director of Library</td>
<td>By phone, in person, or in writing</td>
<td>None</td>
<td>Head, Circulation Department UWF Library</td>
</tr>
<tr>
<td>Parking Violations and Fines</td>
<td>Parking Violations Appeals Board</td>
<td>In writing; form available from UWF Police</td>
<td>Within 7 days of violation</td>
<td>Department of Public Safety, Building 19</td>
</tr>
<tr>
<td>Registration Appeals (late registration,drop/add, Grade Forgiveness, etc.)</td>
<td>Registrar or Associate Registrar, then to Associate Vice Provost for Enrollment Services</td>
<td>In writing or by appointment</td>
<td>Late registration: by the end of 3rd week of classes Drop/Add, Grade Forgiveness: Last day of class for semester</td>
<td>Office of the Registrar, Building 18</td>
</tr>
<tr>
<td>Residency</td>
<td>Associate Vice Provost for</td>
<td>In writing or by appointment</td>
<td>Last day of registration for requested semester</td>
<td>Associate Vice Provost for Enrollment, Enrollment Services, Building 18</td>
</tr>
<tr>
<td>Student Conduct</td>
<td>Vice President for Student Affairs</td>
<td>In writing; see Code of Student Conduct, pp. 47-57, Student Handbook</td>
<td>Within 5 days of Notification of Sanction</td>
<td>Vice President for Student Affairs, Building 10</td>
</tr>
<tr>
<td>Student Organization</td>
<td>Vice President for Student Affairs</td>
<td>In writing</td>
<td>None</td>
<td>Vice President for Student Affairs, Building 10</td>
</tr>
</tbody>
</table>
of a university official or the lawful order of any non-
university law enforcement official. Failure to heed an
administrative summons issued pursuant to university
rules and regulations.

18. Violations of federal or state law, respective
county and city ordinances which bring discredit to the
university or result in disruption of the normal opera-
tion of the university.

19. Violation of any published University of West
Florida policies, rules or regulations. This includes,
but is not limited to, housing policies, computer poli-
cies or other university policies directly related to
departments, organizations or clubs.

C. NON-ACADEMIC HEARING PROCEDURES

All hearings are governed by the following proce-
dures. Procedural modifications may be made to expedi-
te proceedings as long as they do not jeopardize the
charged student's fundamental rights or the fairness of
the hearing.

1. Burden of Proof. The burden of proof rests with
the university. The standard of proof shall be the “pre-
ponderance of the evidence.” This standard means that
the evidence, taken as a whole, supports that it is more
likely than not that the violation occurred.

2. Decisions. Decisions of “responsible” or “not
responsible” on the charge(s) shall be based solely on
the evidence presented at the hearing. In cases involv-
ing multiple students charged from the same incident,
information obtained at one hearing may be used at
another hearing, provided that the charged student
involved has the full opportunity to review and re-
spond to the information in the hearing against them.

3. 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 confi-
dential information. In cases involving alleged victims
and competing interests, the Dean of Students will
make the final determination regarding open and
closed hearings.

4. Failure to Appear. If the student fails to appear at
the hearing, the hearing may proceed in the student’s
absence and a decision rendered provided that the
student has been properly notified of the hearing.

5. Official Record. A record of the hearing shall be
made by the presiding hearing officer. The record may
be in written form or in any other form capable of being
converted into written form within a reasonable time.
The student shall be entitled to a copy of the written
record of the hearing at cost. Any student who wishes
to have an audio copy of the hearing must notify the
hearing board at least three (3) regular business days in
advance.

6. Deliberations. Deliberations are closed and shall
include only those members involved in the decision
making process.

7. Notice of Decision. A decision shall be available
in writing 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 delib-
erations. If additional time is necessary, the charged
student shall be notified. The decision letter shall con-
tain a decision on each charge, the finding of fact and
any recommended sanctions (if applicable).

8. Hold on Student’s Records. The university may
place a hold on the records or registration of any stu-
dent who fails to respond to a judicial notice or to
ensure resolution of the case prior to transfer or gradu-
ation. All pending judicial matters must be resolved
prior to a student’s graduation, transfer from or contin-
ued education at the University of West Florida.

9. Disabilities. Any student with a documented
disability may request that reasonable accommodations
be provided during the judicial 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 Disabled Student Resource Center
and the Dean of Students.

V. Sanctions

Students adjudicated responsible of violations(s) of
the Student Code of Conduct will be subject to one or
more of the following sanctions. This determination is
made in light of the unique facts and circumstances surround-
ing each individual case and the previous conduct
history.

Any offense that is motivated by bias may result in
stronger penalties.

A. Counseling. Psychological service or evaluation
to help students deal more effectively with conduct.

B. Reprimand. Formal written notice to the student
and official recognition that a violation has occurred.

C. Community Service. Performance of a specified
service for a prescribed number of hours to the univer-
sity community.

D. Degree Program Modification. Additions to
or substitutions in the current degree program.

E. Grade Reduction. Reductions of grade(s) for
test(s), assignment(s) or course(s).

F. Educational Activities. The inclusion of
attendance at educational programs, interviews with
appropriate officials, planning and implementing
educational programs, research papers and other educa-
tional activities.

G. Restriction. The withdrawal of specified
privilege(s) for a definite period of time. Restrictions
may include requirements such as not entering cer-
tain areas of housing or the campus, not contacting a
certain individual or group, or not operating motor vehicles on campus.

H. Restitution. A payment of financial injury in cases involving theft, destruction of property or deception.

I. Probation. A period of time during which any further violations of the Student Code of Conduct may impact or jeopardize the student’s status in a specific manner. The three types of probation that can be imposed are as follows:

1. Conduct Probation. A specified period of time in which any future violations of the Student Code of Conduct can result in increased sanctions being imposed that exceed those of a student who is not on conduct probation.

2. Housing Probation. A specified period of time in which any future violations of the Student Code of Conduct will result in the termination of housing privileges and access to any university owned housing facilities.

3. University Probation. A specified period of time during which any further violation of the Student Code of Conduct puts the student’s status with the university in jeopardy. Additional violations of the Student Code of Conduct that occur during this period of probation may result in suspension or dismissal.

Students are restricted from holding office in any student organization and cannot represent the university in any official capacity during the term of university probation.

Continued enrollment depends on maintenance of satisfactory conduct during the period of probation.

J. Eviction from University Housing. Permanent removal from the housing system.

K. Suspension. The termination of the student’s attendance at the university for an indefinite or specified period of time. Conditions that must be met before re-enrollment is considered may be placed on a student as part of this sanction.

L. Expulsion. The permanent separation of the student from the university.

VI. Appeals

1. Academic Misconduct Appeals. For cases involving academic misconduct, a student may appeal the decision to the provost/vice president for Academic Affairs within five (5) working days after receipt of the written decision. The appeal shall be in the form of a written request for review. The appeal shall consist of a review of the prior proceedings; there shall not be another hearing. The student shall receive a written decision to the appeal.

2. Non-Academic Misconduct Appeals. For cases involving non-academic appeals, a student may appeal the decision to the vice president for Student Affairs within five (5) working days after receipt of the written decision. The appeal shall be in the form of a written request for review. The vice president may choose to hear the appeal or designate an appropriate staff member to review the appeal and make a recommendation to the vice president. No person may hear or decide an appeal if he or she participated in the charging decision or hearing process. The appeal shall consist of a review of the prior proceedings; there shall not be another hearing. The student shall receive a written decision to the appeal.

VII. Immediate Suspension of a Student

In certain circumstances involving a student’s actions that may affect the safety, health or general welfare of the student or university community, the vice president for Student Affairs, or the Dean of Students may impose an immediate suspension prior to the student’s conduct hearing. Student organizations may be immediately suspended by the director of Student Activities and Organizations, vice president for Student Affairs, or the Dean of Students. The vice president and Dean of Students for Student Affairs, and the director of University Housing has the authority to cancel a student’s university housing contract under a separate process.

An immediate suspension means that a student cannot be on university property, cannot attend classes and cannot use university facilities. An immediate suspension requires that the student be notified in writing by the university.

The student has the opportunity to request a hearing on the immediate suspension to the vice president of Student Affairs. If requested, the hearing will be conducted within three (3) regular business days of the receipt of the student’s written request by the vice president for Student Affairs or designee. The scope of this hearing is solely on whether the immediate suspension should continue until a hearing is heard on the facts of the case.

Disciplinary charges will be filed either when the immediate suspension is imposed or as soon thereafter as possible.

In cases in which a student is immediately suspended, but the student is subsequently found not responsible for all violations, the university will take the following steps: (1) 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 (2) refund to the student a pro rata portion of any fees and charges for tuition, and other university specific fees and charges, as appropriate due to the temporary change in enrollment status.

VIII. Records

Records. The Dean of Students Office is the official custodian of all educational records involving academic
misconduct and non-academic misconduct. Records will be managed pursuant to FS 228.093. 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. 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.

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.

PARENTAL NOTIFICATION POLICY

The following parental notification policy has been adopted by the University of West Florida in regard to student drug and alcohol conduct violations. The University of West Florida believes that this policy balances the legal, moral and ethical obligations that we share for student safety against the obligation we share for educating students and holding them accountable for their behavior. For questions regarding this policy, contact the Dean of Students in Building 21 or call (850) 474-2384.

Parental Notification Policy

1. University of West Florida students, under the age of 21, found responsible for first-time minor offenses involving alcohol and/or drugs in accordance with the Student Code of Conduct will be dealt with directly, without notification of their parents.

   “Minor offenses” are defined as non-life-threatening, non-threatening to the community and not involving any other significant violations of the law or the Student Code of Conduct. The illegal selling or provision of alcohol and/or drugs may be determined to constitute a threat to the campus community depending on the circumstances.

2. Enrolled students, under the age of 21, found responsible for two minor offenses involving alcohol and/or drugs within the same semester or a third offense during the students’ enrollment at the university will result in parental notification. The process of adjudicating these violations will be handled in accordance with the Student Code of Conduct. The offense number is determined by the number of incidents related to either alcohol or drugs with an incident in either category counting toward the total number of offenses. Multiple charges resulting from one incident will constitute one offense.

3. Incidents related to alcohol and/or drugs that are determined to be life threatening to the student, threatening to the community or involving other significant violations of the law or the Student Code of Conduct may result in parental notification regardless of the number of the offense. An incident in which a student is transported to the hospital as a result of alcohol and/or drug consumption will be considered a life-threatening incident.

4. The Dean of Students or designee will be the responsible university official to contact the parent. Students whose parents are divorced or separated have the option of designating the parent to be contacted.

The Dean of Students may use discretion regarding parental notification in those incidents where it is determined that extenuating circumstances exist which would directly and conclusively negatively impact the situation. Alternative guardian contact determinations will be made by the Dean of Students.

5. This policy applies to financially dependent students under the age of 21 except for incidents which constitute health and safety emergencies. Parental notification may occur in health and safety emergencies regardless of the age or financial dependency of the student.

GRIEVANCE SYSTEM, STUDENT

Note: The academic misconduct process is currently under revision. Once this policy has been approved, copies of the new code will be circulated to the campus. It is the student’s responsibility to contact the Dean of Students, Building 21, to obtain a copy of the code that is in place. Call 474-2384.

The Student Grievance System provides students the opportunity to bring complaints to the attention of university personnel and to receive a fair hearing and a prompt disposition of the grievance.

Definition

A grievance is defined as a complaint or dissatisfaction occurring when a student thinks that any condition at the university affecting him/her is unjust, inequitable or creates unnecessary hardship. Such grievances include but are not limited to mistreatment by any university employee; discrimination; problems with student or academic services; contested grades for courses, academic probation, suspension, readmission actions or other academic matters. These grievances do not include matters which have been determined through procedures prescribed for the Student Conduct System. Continues on page 52.

Exclusions

Excluded from the process are grievances concerning:

1. Discrimination-Grievances related to charges of discrimination due to race, sex, age, religion or disability should be directed to the Office of Human Resources.
2. Fees-Grievances concerning the assessment or refund of tuition and fees shall be directed to the Fee Appeals Committee.

3. Financial Aid-Grievances related to financial aid shall be directed to the Financial Aid Appeals Committee.

4. Parking and Traffic-Grievances related to parking or traffic regulations shall be made to the designated police representative, and appeals to the Parking Violation Appeal Board.

   Step 1 requires an oral discussion between the student and the person(s) alleged to have caused the grievance. The student should meet with the person(s) as soon as practical after becoming aware of the condition that is the basis for the grievance. If the student considers the response to this discussion to be unsatisfactory, he/she should initiate the action outlined in step 2.

   Step 2 requires the student to submit a written petition within five (5) calendar days after receiving notification of the Step 1 decision to the immediate supervisor of the person alleged to have caused the grievance.

      The written petition should include:
      1. the student’s name, local address and phone number;
      2. the name and office of the individual by whom the student feels aggrieved;
      3. a concise statement of the event(s) being petitioned;
      4. a statement of action previously taken to resolve the issue;
      5. the results of these actions;
      6. the disposition desired by the student.

      The supervisor or designee may take testimony, receive evidence, provide other affected persons the opportunity to submit written statements and make or receive offers of settlement, stipulations and adjustments.

      The supervisor or designee will render a written decision to the student within five (5) calendar days of the date the petition was filed or within a time limit mutually agreed upon by both parties.

   Step 3. Any student who is not satisfied with the response after completing Steps 1 and 2 may present the grievance in written form to the appropriate dean, vice president or designee within five (5) calendar days after receiving notification of the Step 2 decision. The dean or designee will refer grievance concerning academic matters to the Academic Standards Committee.

   The student shall be informed of the Step 3 decision within five (5) calendar days of the date the petition was filed or within a time limit mutually agreed upon by both parties.

   All petitions filed shall be adjudicated to finality even if the aggrieved is no longer a student at the time of the proceeding.

   **Appeal**

   The president of the university or designee shall be the final appeal but only after the prescribed grievance process has been exhausted. The president or designee shall review the matter and decide what action, if any, should be taken.

   **HARASSMENT, PROHIBITION OF**

   The University of West Florida will not tolerate discrimination or harassment based on sex, race, color, religion, national origin, age, disability or protected activity. This prohibition covers discrimination or harassment by anyone in the workplace. Discriminatory harassment undermines the integrity of the employment-academic relationship and is a violation of state and federal laws and university policy. The major goal of this policy is to prevent harassment within the university community.

   Violation of the University’s policy prohibiting sexual or racial harassment may subject employees or students to appropriate disciplinary action up to and including dismissal or expulsion. Faculty and staff who violate this policy may be held personally liable for damages.

   Consenting romantic relationships between faculty and student or between supervisor and employee, while not a violation of state and federal laws, are discouraged. Such relationships undermine academic and professional success and integrity. Where unequal power relationships exist, in the case of a harassment charge, it is the university’s position that immunity on grounds of mutual consent is not a legitimate defense.

   For questions regarding the University’s policy, please contact the Office of Human Resources at 474-2205.

   **What is Sexual Harassment?**

   Sexual harassment, a form of sex discrimination, is defined by law as unwelcome conduct of a sexual nature when:

   - Submission to such conduct is made either explicitly or subtly, a requirement of an individual’s job or status as a student
   - Submission to, or rejection of, such conduct by an individual is used as the basis for employment or academic decisions affecting the individual, or
   - The conduct has the purpose or impact of unreasonable interfering with the person’s work or academic success, or creating an intimidating, hostile or offensive work or school environment

What Constitutes Sexual Harassment?
Sexually harassing behavior can take many forms – verbal, nonverbal, and/or physical. Some examples are:
- Unwelcome familiarity; flirtation that continues after it is rejected or that involves the abuse of an unequal power relationship
- Sexually oriented jokes or remarks that degrade another person or group on the basis of gender
- Sextist remarks regarding a person’s body, clothing, or intellectual capacity
- Sexual visuals such as pin-up calendars, pornography, cartoons, posters, etc.
- Explicit body language; leering, looking the person up and down, ogling
- Physical advances such as unwelcome hugging, kissing, petting, pinching, fondling, massaging, brushing up against
- Sexual bribery such as propositions that involve the exchange of sexual favors for higher grades or to prevent lower grades; to keep one’s job; to get a promotion; or reclassification
- Explicit sexual invitations for sexual contact that are unwanted by the recipient, but contain no threats or promises

What is Racial Harassment?
Racial harassment is conduct that demonstrates hostility towards or interferes with a person’s status or performance by creating an intimidating, hostile or offensive educational or work environment, on the basis of the individual’s race, color, national origin, or ancestry. It includes offensive or demeaning language or treatment of an individual, where such language and treatment are based on prejudice towards a group to which the person may belong. Harassment includes, but is not limited to, threatened or actual physical harm or abuse, or other intimidating or insulting conduct.
The University of West Florida is committed to providing a harassment-free environment for all employees, specifically those who historically have been at the greatest risk of harassment due to prejudice.

Where Can I go For Help?
Questions and inquiries regarding the university’s sexual harassment policy are encouraged. Guidance, support, and assistance are available to you from the Office of Human Resources. An advocate can provide information regarding the university’s policy and procedures, help you understand your rights, options, and available support services, and accompany you throughout proceedings. Advocates will handle your concerns with sensitivity and respect.

Where do I File a Complaint?
The formal complaint process involves submitting a written account of the incidents of harassment to the University’s Director of Human Resources, building 20 E, Room 117. For further information contact the Office of Human Resources at 474-2205.

OTHER POLICIES

ALCOHOLIC BEVERAGES
The University of West Florida prohibits, at a minimum, the unlawful possession, use or distribution of alcohol by students and employees on its property or as part of any of its activities. Local, state and federal laws pertaining to the possession and use of alcoholic beverages in public places on campus is prohibited except in those areas and under those conditions specified herein. All buildings and grounds of the campus are considered to be public places with the exception of residence halls, which are considered to be private living quarters and are, therefore excluded from the provisions of this regulation, but are covered under the university Student Code of Conduct and housing regulations.
The possession and consumption of alcoholic beverages are limited to beer and wine and are permitted in the following approved and designated public areas: the University Commons, Library Foundation Room, Center for Fine & Performing Arts, Oak Grove Picnic Area and the Santa Rosa Island Campus. Possession and consumption of beer and wine in the University Commons are restricted to that sold by the university food concessionaire. The university food concessionaire is responsible for the supervision of all beer and wine sales in the University Commons.
The university does not approve the sale, possession or consumption of any alcoholic beverages at the Fort Walton Beach Campus.
Special exceptions to this policy may be made only by the vice president for Student Affairs when all provisions of the law and all agreements with the university food concessionaire have been satisfied.
Specific regulations regarding the possession and consumption of alcoholic beverages at student activities and residence hall events are available from the Offices of Student Activities, Housing and Student Affairs.
The Campus Alcohol and Drug Information Center, located in the Counseling Center, in Building 19, is available to provide information about the use, misuse and abuse of alcoholic beverages.
You may not sell alcohol without a license or with an improper license. FS 562.12