

FLORIDA **A&M** UNIVERSITY
Board of Trustees

Academic and Student Affairs Committee Meeting
Wednesday, June 7, 2023
8:30 a.m.
The Grand Ballroom

Committee Members: Nicole Washington, Chair
Londe Mondelus, Ann Marie Cavazos, Michael Dubose, Natlie Figgers, Kristin Harper, and
Craig Reed

AGENDA

- | | | |
|------|---------------------------------------|---------------------------|
| I. | Call to Order | Trustee Nicole Washington |
| II. | Roll Call | Ms. Valeria Singleton |
| III. | Minutes for February 15, 2023 Meeting | Trustee Washington |
| IV. | Follow-up Items | Trustee Washington |

ACTION ITEMS

- | | | |
|------|--|-------------------------|
| V. | Tenure | Dr. Allyson Watson |
| VI. | Amendment to Regulation 10.204 Faculty Tenure | Dr. Watson |
| VII. | BOT Regulations | Dr. William Hudson, Jr. |
| | a. Regulation 2.007 Voluntary and Involuntary Withdrawal | |
| | b. Regulation 2.011 Assessment and Care Team | |
| | c. Regulation 2.012 Student Code of Conduct | |
| | d. Regulation 2.013 Due Process, Other Rights and Responsibilities | |
| | e. Regulation 2.015 Admissions | |

INFORMATION ITEMS

- | | | |
|-------|------------------------------|------------|
| VIII. | Student Affairs Update | Dr. Hudson |
| | • Career Center Presentation | |
| IX. | Academic Affairs Update | Dr. Watson |
| X. | Adjournment | |

FLORIDA **A&M** UNIVERSITY
Board of Trustees
ACTION ITEM

Academic and Student Affairs Committee

Wednesday, June 7, 2023

Agenda Item: III

Subject: Minutes for February 15, 2023 Meeting

Proposed Board Action: In accordance with the Florida Statutes, a governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.

Attachment(s): Yes

1. Minutes for February 15, 2023

Academic and Student Affairs Committee Minutes
Trustee Nicole Washington, Chair
February 15, 2023

The meeting was called to order by Trustee Nicole Washington. Ms. Valeria Singleton called the roll, and the following committee members were present: Ann Marie Cavazos, Michael Dubose, Kristin Harper, and Nicole Washington. A quorum was established.

Trustee Dubose moved to approve the minutes for the meeting on December 7, 2022. Trustee Cavazos seconded the motion, and the motion carried.

There were two follow-up items from the December board meeting:

- Dr. Watson and her team will provide an update on academic advisement today.
- Dr. Hudson provided responses directly to Trustee Cavazos and Trustee Dubose regarding their question(s) about financial aid and veteran student population. In addition, Trustee Cliatt was provided additional information regarding campus safety measures.

The Committee recommended approval of the following items:

Sabbatical and Professional Development Leave - Each year, the University provides faculty with the opportunity to apply for sabbatical or professional development leave for the succeeding year. This year, six faculty members were recommended for approval. In addition, there were no applications for professional development leave.

Name	College/School
Dr. Yassir AbdelRazig	FAMU-FSU College of Engineering
Dr. Carlos Edwin Vega	College of Social Sciences, Arts, and Humanities
Dr. Peter N. Kalu	FAMU-FSU College of Engineering
Dr. Courtney Micots	College of Social Sciences, Arts, and Humanities
Dr. Angela Murphy	School of Business and Industry
Dr. Larry Rivers	College of Social Sciences, Arts, and Humanities

Trustee Dubose moved to approve the applications for sabbatical leave. The motion was seconded by Trustee Harper, and the motion carried.

Regulation 2.001 - Housing - The regulation was revised to include the newly named "Rattler Pointe" residential apartments, remove residence halls no longer in use (Gibbs Hall and Palmetto North), and update the University's process regarding emotional support animals in the residence hall. Specifically, the process distinguishes between a "service animal," allowed in non-residential facilities, and an "emotional support animal," viewed as a reasonable accommodation in a housing unit with a no-pet policy. Emotional Support Animals (ESAs) provide a measure of support and comfort to the individual with a qualifying disability and is a prescribed part of therapy. ESAs are restricted to the student's assigned residence hall room or bed space and can only leave for nature breaks. ESAs are not allowed in classrooms, campus buildings, common rooms, or other areas in the residence halls, or campus events. ESAs must be under the full control of their owner at all times, cannot be left alone overnight, and cannot be cared for by another student. All requests and supporting documentation for an ESA must be submitted in writing to the Center for Disability Access & Resources by the established deadlines. If the student's request is granted, the student must sign the Emotional Support Animal Agreement.

Trustee Harper moved to approve the revisions to Regulation 2.001. The motion was seconded by Trustee Dubose, and the motion was carried.

Regulation 2.006 – Counseling - The regulation was revised to clarify that counseling services are available only to currently enrolled students and specify the criteria for professional staff to submit documentation in support of a student's request for a term or retroactive withdrawal. Additionally, the limitation on the number of sessions has been removed, and instead students are provided services based on their individualized needs. Students also have the option to select in-person counseling or virtual counseling through the Zoom Healthcare platform. The Office of Counseling Services now maintains its records using a secure Electronic Medical Record Service and supplements its services to our students through a partnership with a vendor who provides additional virtual counseling services and online workshops. These services are available 24 hours a day/seven days a week.

Trustee Dubose moved to approve the revisions to Regulation 2.006. Trustee Harper seconded the motion and the motion carried.

Articles of Incorporation for FAMU Research Foundation - The Florida A&M University Board of Trustees approved the Florida A&M University Research Foundation, Inc., as a direct support organization in 2017. The University's Division of Research has concluded that it would be beneficial to the Research Foundation and the University to apply for the tax exemptions available under Section 501(c)(3) of the Internal Revenue Code. Therefore, amended and restated Articles of Incorporation of the FAMU Research Foundation, Inc., are being submitted for approval to apply for the exemptions from federal income taxes as provided for under section 501(c)(3) of the Internal Revenue Code.

There was a brief discussion regarding the accounting and management structures. Further, it was stated that this is a best practice among the top 100 colleges and universities. The majority of the universities

with big research enterprises have a research foundation. So, this is not a new foundation but we are changing the status to enhance the university's position as we reach for Carnegie R1 status.

Trustee Harper moved to approve the Articles of Incorporation for the FAMU Research Foundation, Inc. The motion was seconded by Trustee Cavazos, and the motion carried.

Student Affairs Updates – informational updates were provided:

- Dr. William Hudson, Jr., and his team provided updates on enrollment, housing, financial aid, and hazing prevention.
- Ms. Little-Berry provided snapshots of fall 2022 and fall 2021 admissions for the first time in college (FTIC) and Florida College System (FCS) applicants.
 - Applications for FTIC were up by 135% compared to last year. In addition, applications for FTIC were up by 201% compared to 2021.
 - There is a 20% increase in admitted students compared to 2022 and a 72% increase compared to 2021.
 - In fall 2022, the average student admitted had a 3.97 grade point average. As of now, the fall 2023 admits have a 3.98 grade point average.
 - There is a total of 1,927 students enrolled in the IGNITE program. Although applications and admits have declined, a recent BOG report indicated that FCS AA transfer students have reduced by 7% over the last five years.
- The Office of Undergraduate Admissions and the Office of University Housing have made procedural changes to better manage the increase in admissions applications and requests for on-campus housing.
 - This year, the Housing application portal opened on December 1, 2022, solely for newly admitted Fall 2023 FTIC and transfer students.
 - Students must pay the enrollment deposit before they are granted access to the Housing application portal.
 - The Housing portal opened to all upper-class/returning residents on February 1, 2023.
- Mr. Edwards and Ms. Brice provided an update on financial aid.
 - Same-day awarding – Students were awarded automatically when the FAFSAs were loaded. These students had valid FAFSAs. A valid FAFSA means there are no items that require follow-up. The most significant follow-up items are verification and citizenship concerns.
 - Total disbursement – There was a brief discussion of the total aid disbursed to students by YTD overall total, fall loans disbursed by term, and spring loans disbursed by term.
 - Barriers to disbursement are late submissions of appeals and readmit of students who were suspended; enrollment status; FAFSA issues (verification, citizenship, or missing signatures); incomplete loan requirements; receipt of funding received after August 1 (institutional, foundation, or private).

FLORIDA **A&M** UNIVERSITY
Board of Trustees

- Challenges faced by the Office of Financial Aid include resources such as IT support, a clear delineation between undergraduate and graduate for professional programs, and Oracle business processes that do not align with SFP.
- The final informational update was regarding the hazing prevention initiatives:
 - The University conducted three investigations into possible violations of University Regulation 2.028. One case remains open for investigation, and the other two were unsubstantiated.
 - The Alievek, online hazing course, remains available to various student entities.

Academic Affairs Updates – The following informational updates were provided:

- Interim Provost Watson provided brief updates on the advising timeline.
 - The following activities have been completed: determined the model for advisement; identified advisor liaisons; reviewed and assessed the compensation; finalized the report structure; initiated the development of the communication plan; developed a training schedule; and developed an MOU and evaluation tools.
 - The following activities are on track: hire a director of advising; advisors will transfer to Academic Affairs at the end of February; compensation package implementation; hire new advisors; MOUs signed by academic units; and establish an advisory council.
 - Also, the following activities are on track: hire a new assistant director of advising, establish a professional advisor training schedule, and schedule academic advisory council meetings.
 - Academic Advising Perspectives – Ms. Teresa Berger, Advisor for the FAMU-FSU College of Engineering, provided an advisor's perspective. Mr. Dayon Rawls, FAMU-FSU College of Engineering, provided a student's perspective.

Follow up Items: Distance learning presentation and leave without pay for faculty (June BOT meeting), FCS admissions gap, diagram of financial aid processes and progresses, percentage of students who received awards with the timestamp including the College of Law (Trustee Cavazos), and a survey or KPIs around advisement.

There being no further discussion, the meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Nicole Washington, Committee Chair

FLORIDA **A&M** UNIVERSITY
Board of Trustees

Academic and Student Affairs Committee

Wednesday, June 7, 2023

Agenda Item: IV

Subject: Follow-Up Items

Background Information and Summary: An update on follow-up items from February meeting.

FLORIDA A&M UNIVERSITY
Board of Trustees
ACTION ITEM

Academic and Student Affairs Committee
Wednesday, June 7, 2023
Agenda Item: V

Subject: Tenure

Proposed Board Action: Applications for tenure were reviewed by the departments, the colleges/schools, the University Tenure and Promotion Committee, Interim Provost Watson, and President Robinson. The applicants were evaluated based on their professional experiences, teaching effectiveness, university service, public service, demonstrated contributions to their teaching discipline, technical and performance competencies, records of publications and research, certifications and exceptional scholarly or creative activities.

Attachments: No

	Candidate Name	College/School	Department/Division	Levels of Internal Review
1	Chenita Carter	College of Pharmacy and Pharmaceutical Sciences_ Institute of Public Health (COPPS_IPH)	Institute of Public Health	<ul style="list-style-type: none"> - COPPS_IPH Committee - COPPS_IPH Dean - University-wide Tenure and Promotion Committee - Provost
2	Rashig Elhag	College of Science and Technology (CST)	Department of Chemistry	<ul style="list-style-type: none"> - Chemistry Department Chair - Chemistry Department - CST Dean - University-wide Tenure and Promotion Committee - Provost



FLORIDA A&M UNIVERSITY

Board of Trustees

ACTION ITEM

	Candidate Name	College/School	Department/Division	Levels of Internal Review
3	Leah Hunter	School of Journalism and Graphic Communication (SJGC)	Division of Journalism	<ul style="list-style-type: none"> - SJGC Committee - SJGC Dean - University-wide Tenure and Promotion Committee - Provost
4	Michee Lachaud	College of Agriculture and Food Sciences (CAFS)	N/A	<ul style="list-style-type: none"> - CAFS Committee - CAFS Dean - University-wide Tenure and Promotion Committee - Provost
5	John Odihiambo	College of Agriculture and Food Sciences (CAFS)	N/A	<ul style="list-style-type: none"> - CAFS Committee - CAFS Dean - University-wide Tenure and Promotion Committee - Provost
6	Keawin Sarjeant	College of Agriculture and Food Sciences (CAFS)	N/A	<ul style="list-style-type: none"> - CAFS Committee - CAFS Dean - University-wide Tenure and Promotion Committee Provost
7	Lillian Smith	College of Pharmacy and Pharmaceutical Sciences_ Institute of Public Health (COPPS_IPH)	Pharmacy Practice	<ul style="list-style-type: none"> - COPPS_IPH Committee - COPPS_IPH Dean - University-wide Tenure and Promotion Committee Provost

FLORIDA **A&M** UNIVERSITY
Board of Trustees
ACTION ITEM

	Candidate Name	College/School	Department/Division	Levels of Internal Review
8	Ukamaka Smith	College of Pharmacy and Pharmaceutical Sciences_ Institute of Public Health (COPPS_IPH)	Pharmacy Practice	<ul style="list-style-type: none">- COPPS_IPH Committee- COPPS_IPH Dean- University-wide Tenure and Promotion Committee- Provost

FLORIDA **A&M** UNIVERSITY
Board of Trustees
ACTION ITEM

Academic and Student Affairs Committee

Wednesday, June 7, 2023

Agenda Item: VI

Subject: Amendment to Regulation 10.204 Faculty Tenure

Proposed Board Action: Pursuant to Board of Governors Regulation 10.003, the University will adhere to the guidelines for post-tenure review as outlined in the regulation. The University will develop procedures for determining faculty eligibility, the schedule of evaluation, and criteria associated with the process. This information will be developed by a special committee, presented to the administration and the faculty, and ultimately submitted to the Board of Governors by the deadline, October 31, 2023.

Attachment: Yes

1. Regulation 10.204 – Faculty Tenure

Regulations of Florida A&M University



10.204 Faculty Tenure.

(1) Tenure may be granted to faculty employees as herein provided. This regulation is supplemented by the Board of Trustees/United Faculty of Florida (BOT/UFF) Collective Bargaining Agreement for those employees who are members of the faculty collective bargaining unit.

(2) Definition of Tenure.

(a) Preamble – Institutions of higher education are conducted for the common good. The common good depends upon the unfettered search for truth and its free exposition. Academic freedom and tenure exist in order that society may have the benefit of honest judgment and independent criticism. The meaning of tenure in the academic community in the United States is simply a guarantee of annual reappointment for faculty employees until voluntary resignation, retirement, removal for just cause, or layoff in accordance with standards specified by University Regulation 10.113 and the BOT/UFF Collective Bargaining Agreement, and standards as outlined in this chapter. Tenure assures the faculty employee security of employment and immunity from reprisals or threats due to an intellectual position or belief which may be unpopular. Tenure shall be in an academic department/unit.

(b) Criteria for Tenure – The criteria for faculty tenure shall require evidence of highly competent teaching and research and other scholarly activities, services, and contributions to the University and to society. Faculty employees considered for tenure normally shall hold the terminal degree, the President and Vice President for Academic Affairs may consider the following factors: (1) professional experiences; (2) work experiences; (3) demonstrated contributions to the teaching discipline; (4) technical and performance competencies; (5) records of publications; (6) certifications; and (7)

exceptional scholarly or creative activities. The term “appropriate academic field” as used in this regulation means the faculty employee’s teaching discipline or a closely related discipline. Additional criteria shall be established by the college/school. Nomination of a faculty employee for tenure shall signify that the President is satisfied the candidate will continue to make significant professional contributions to the university and to society.

(c) Tenure in the State University System – A faculty employee who has been granted tenure by the BOT shall have the status of permanent member of the faculty and be in the continuing employment of the University until he or she:

1. Resigns;
2. Retires;
3. Is dismissed for just cause under the provision of University regulations or the BOT/UFF Collective Bargaining Agreement;
4. Is discontinued pursuant to the layoff provisions in Regulation 10.113 and BOT/UFF Collective Bargaining Agreement; or
5. Dies

(3) Tenure-earning Appointments.

(a) Faculty appointments to the ranks of assistant professor, associate professor, and professor, which appointments do not include the appointment status modifiers of joint, acting, adjunct, provisional, visiting, research, clinical, courtesy, honorary affiliate or phased retirement are tenure-earning. Appointments which include the appointment status modifiers multi-year, joint, provisional, visiting, research, clinical or affiliate may or may not earn time toward tenure, as determined by the President or President’s designee at the time of appointment. Employees with appointment status modifiers of joint, provisional, visiting, research, clinical or affiliate will be notified in writing at time of appointment of the tenure-earning status of the position. In the event, the position is not designated as a tenure earning position, the time in the non-tenure earning position may be counted toward tenure-earning eligibility upon being appointed to a tenure-earning position.

(b) If a Faculty employee is initially appointed to the rank of instructor or to a position including an appointment status modifier determined by the University not to be

tenure-earning, and is subsequently appointed to a tenure-earning position, all or a portion of the Faculty employee's prior service in such a non-tenure-earning position may be counted toward time required for tenure, provided the President or President's designee specifically agrees in writing to credit such service.

(4) Eligibility for Tenure Nomination.

(a) Only those Faculty employees serving in tenure-earning positions as described in paragraph (3)(a), above, are eligible to be recommended for tenure at the University.

(b) Except for Faculty employees who by virtue of prior service credited at the time of their appointment, are eligible for consideration earlier, a decision whether to nominate a Faculty employee for tenure shall normally be made during the sixth year of continuous full-time service, or equivalent part-time service, in a tenure-earning position. The word "normally" as used in this regulation takes cognizance of the fact that an employee may satisfy the requirements for tenure in his/her department or equivalent unit after 4 or 5 years of continuous full-time service, or equivalent part-time service. It also implies that an employee's tenure earning eligibility may be deferred for a certain period. An employee's written request for early tenure consideration is subject to the University's written agreement. Continuous employment for the purpose of tenure-earning eligibility consideration for full-time service shall mean employment during at least 39 weeks of any 12-month period. Continuous employment for the purpose of tenure-earning eligibility consideration for part-time service shall mean employment during at least one semester of any 12-month period. Part-time service of an employed at least one full semester in any 12-month period shall be accumulated. For example, two semesters of half-time service shall be considered one-half year of service for purposes of tenure eligibility.

(c) The number of years of previous tenure-earning service at other institutions of higher education which the President or President's designee may agree to approve as credit toward a Faculty employee's eligibility time for tenure shall be agreed upon in writing at the time of employment, subject to the following restrictions for service at other than SUS institutions: the President or President's designee may approve credit for not more than two years of tenure-earning service for a Faculty employee hired as an assistant professor, not more than three years for a Faculty employee hired

as an associate professor, and not more than four years for a Faculty employee hired as a professor. All prior SUS tenure-earning service shall be credited toward the time required for tenure unless otherwise agreed at the time of employment.

(d) Time spent by a Faculty employee under joint appointment or exchange within or without the SUS on a duly established personnel exchange program of the University or on a special assignment for the benefit of the University or for the SUS shall be counted toward the time for fulfillment of eligibility for tenure. In all such cases, the faculty employee shall be so informed in writing at the time leave is granted.

(e) Time spent on uncompensated leave shall not be credited as time earned toward tenure, except by agreement of the Faculty employee and the President or President's designee. In deciding whether to credit uncompensated leave toward tenure eligibility, the President or President's designee shall consider the relevance of the employee's activity while on such leave to the employee's professional development and to the employee's field of employment, the benefits, if any, accrue to the University by virtue of placing the employee on such leave, and other appropriate factors. Time spent on compensated leave shall be credited as time earned toward tenure, unless the Faculty employee and the President or President's designee agree in writing that such leave is not to be credited.

(5) Granting of Tenure.

(a) By the end of six years of continuous full-time, or equivalent part-time service in a tenure-earning position in the University, a Faculty employee shall be nominated for tenure or given notice that further employment will not be offered, in the affected position with reason(s) why the employee was not nominated for tenure.

(b) Upon nomination by the President, and approval by the BOT, tenure shall be granted. The effective date of tenure shall be acted upon with careful consideration being given to the qualifications of the faculty employee, including evaluation by colleagues and the immediate supervisor. In making judgments pertaining to the decision to award tenure, evaluation of research and other creative activities by qualified scholars in pertinent disciplines both within and outside the University should be sought. When one of the duties of the faculty employee being nominated is teaching, the quality of the faculty employee's teaching shall be gauged by the

standards outlined in this regulation, the BOT/UFF Collective Bargaining Agreement, as well as Regulation 10.119 which governs faculty evaluation and the approved criteria of the appropriate academic department/unit.

(c) With sufficient justification, an employee may be nominated by the President, and approved by the BOT for tenure at the time of initial appointment or prior to the fifth year of tenure earning service. The President or President's designee shall consider the recommendation of the department or equivalent unit prior to making his/her tenure nomination.

(6) Transfer of Tenure-Transfer of tenure of faculty serving in bargaining unit positions is governed by the BOT/UFF Collectively Bargaining Agreement. Tenure is not automatically transferable within the University; however, the tenure of a faculty employee may be transferred in accordance with University regulations upon the nomination by the President and approval by the BOT.

(7) Standards for Maintaining Tenure of Faculty Employees. An employee with tenure who is appointed to an Administrative and Professional position shall retain tenure in the academic position and in the academic department/unit where granted and not in the position.

(8) Duration of Tenure – A tenured faculty member retains this status as long as he/she is employed in any appropriate academic unit of the University.

(9) Post-Tenure Review— Each tenured faculty member at the University shall undergo comprehensive post-tenure review that is conducted in accordance with the criteria and requirements set forth in Florida Board of Governors' Regulation 10.003 Post-Tenure Faculty Review, which is incorporated herein by this reference in the entirety and made a part hereof, as now existing, amended, or hereafter promulgated. The President, or his designee, shall establish policies and procedures to ensure accurate, timely, and consistent implementation of this provision.

Specific Authority: 1001.74 and 1001.75, FS; 120.53(1)(a) FS; and relevant collective bargaining agreements. History—New 1; Formerly Rule 6C3-10.136; Technical Amendment 2/28/22 (formatting);

| 7/xx/23.

FLORIDA **A&M** UNIVERSITY
Board of Trustees
ACTION ITEM

Academic and Student Affairs Committee

Wednesday, June 7, 2023

Agenda Item: VII

Subject: Amendment to BOT Regulation 2.007 – Voluntary and Involuntary Withdrawal

Proposed Board Action: This Regulation is being revised to align with the University's current process for a voluntary course or term withdrawal. Additional clarification regarding the circumstances surrounding an involuntary term withdrawal are also provided, including a requirement that a student receives written notification that an involuntary withdrawal is under consideration, the reasons for the action and completion of an objective and individualized assessment by a licensed psychiatrist or psychologist. The assessment provides the University with an objective measurement of risk as well as any reasonable modifications that would sufficiently mitigate the risk. After receipt of the assessment, the University will proceed with an involuntary withdrawal or impose reasonable modifications that might mitigate the risk without a withdrawal. Failure of the student to comply with the reasonable modifications will result in immediate temporary withdrawal. The revised Regulation also clarifies that the University may impose conditions for the student's return including another objective, written assessment stating the student is no longer a legitimate safety risk or direct threat to the safety, health, or well-being of the individual student or the University community and is otherwise qualified to safely participate in the University's educational programs.

The University is requesting that the Board of Trustees approve amendments to Regulation 2.007 for notice and adoption in accordance with the Florida Board of Governors' Regulation Development Procedure.

Attachment: Yes

1. Regulation 2.007 – Voluntary and Involuntary Withdrawal

Regulations of Florida A&M University



2.007 Voluntary and Involuntary Withdrawal.

- (1) **Voluntary Withdrawal.** A student who desires to voluntarily withdraw from the University must report to ~~his or her~~their assigned academic advisor and explain the circumstances which ~~he/she~~they feels necessitates the withdrawal. There is a limit on the number of courses from which a student can withdraw in their entire undergraduate career; however, this does not include term withdrawals due to extenuating circumstances including, but not limited to, withdrawals for military service or medical withdrawals.~~If the request is approved, a Request for Voluntary Withdrawal Form (Official University Withdrawal Form), which is incorporated herein by this reference, will be completed and signed by the student, academic advisor, academic department chair and academic dean. The Voluntary Withdrawal forms are available in the academic area.~~
- (a) A student may initiate and complete a course or term withdrawal in iRattler after an academic advisor places a positive indicator on the student's record. The withdrawal link in iRattler will be available after the last day of add/drop and will be unavailable after the last day to withdraw. These dates are usually published on the academic calendar for each semester on the Registrar's website www.famu.edu/registrar. Students receiving financial aid (Scholarships, Pell Grants, Loans, etc.) should

consult with the Office of Financial Aid before withdrawing below full-time status and complete any appropriate exit interview.

- (b) ~~Once the voluntary withdrawal process has been initiated, the student is required to complete the Housing and Rattler Card Office cancellation forms. The student must relinquish all residence hall keys to the Residence Hall Director and ~~his/her~~their meal plan card to the Office of Auxiliary Services after completing the appropriate cancellation forms. ~~The withdrawal form must then be submitted to the Office of the Registrar. Academic advisors should also refer students to the Office of Financial Aid for an exit interview if the student receives Financial Aid.~~~~
- (b) ~~No student will be permitted to file a Voluntary Withdrawal Form within the last five (5) weeks of the semester without receiving failing grades, unless unusual circumstances exist as determined by the University Voluntary Withdrawal Committee, are established.~~
- (e) ~~Any student who voluntarily withdraws from the University during the registration or late registration period will not receive grades at the end of the semester. Those who officially withdraw after the add/drop period but before the withdrawal deadline~~last day to register~~ will receive a grade of “W” at the end of the semester. The “W” grade is not factored in the student’s grade point average (GPA) calculation. A student who stops attending class(es) and fails to officially withdraw will receive a grade of “WF₁” which has the same effect as a “F” grade.~~for each course will be assigned to any student who leaves the University without filing the~~~~

~~Voluntary Withdrawal Form with the University Registrar.~~

- (~~dc~~) Advisors should ~~refer~~contact ~~students to~~ the Office of Counseling Services for referral to an independent mental health professional, at the student's expense, post-enrollment services if should the student shows signs of distress.
- (d) Once a course or term withdrawal is finalized, it cannot be reversed.

(2) **Involuntary Term Withdrawal.**

- (a) The University desires to provide equality of educational opportunity in an environment that is safe for the campus community and which facilitates student learning. Students have a responsibility to conduct themselves appropriately and participate in the University community safely. There may be circumstances that create significant and imminent risks and/or that require a level of support that exceeds what would be considered a reasonable accommodation or support customarily provided by the University. In such circumstances, the University may be required to take prompt action to protect the health and safety of the University community, up to and including involuntarily withdrawing a student.
- (b) A student, who due to extenuating circumstances, engages in behavior that poses a significant risk of harm to the health, safety and well-being of ~~himself/herself~~ the individual student, the University community or property or who is unable to engage in the basic required activities necessary to obtain an education even with reasonable accommodations, may be involuntarily withdrawn from the University for the term and/or

from University Housing by the Dean of Students or ~~his/her~~ designee. Such action may also be taken in consultation with the University Assessment and Care Team (ACT). Involuntary withdrawal is not a disciplinary action. It is a remedial action taken to assist and protect individuals. Students who engage in threats to others or self-injurious behaviors that cause a significant disruption to the University community may also be subjected to Regulation 2.012, Student Code of Conduct.

- (~~b~~c) Evaluation - Prior to invoking involuntary withdrawal, the Dean of Students or ACT will notify the student, in writing, that an involuntary withdrawal is under consideration, including the reasons for the action and may~~shall~~ refer the student for an objective and individualized assessment~~evaluation~~ by a campus or independent licensed psychiatrist or psychologist to determine if the student's behavior poses a significant risk~~threat~~ to himself/herself/the individual student or others. This assessment serves to provide the University with an objective measurement of risk as well as any reasonable modifications that would sufficiently mitigate the risk. The student ~~evaluation~~ must ~~be~~ scheduled~~completed~~ an appointment to complete the assessment within ten (10) business days from the date of the referral. -A student who fails to schedule or complete the assessment~~evaluation~~ and/or give permission for the results to be shared with the Dean of Students or ACT may be withdrawn on a temporary basis in accordance with section (3) below or referred to the Office of Student Conduct and Conflict Resolution. ACT

shall review the results of the assessment and make a determination regarding the proposed involuntary withdrawal.

- (de) ~~A student subject to involuntary withdrawal shall be notified in writing, including the reasons for the action. —~~After receipt of the required assessment, the ACT will notify the student, in writing, if the University will proceed with involuntary withdrawal or whether there are reasonable modifications that might mitigate the risk without a withdrawal. The student may request, in writing, to meet confidentially with ACT within three (3) business days from the date ~~he/she~~the student receives the written notice of the decision to proceed with involuntary withdrawal or imposition of reasonable modifications. ~~to respond to the proposed involuntary withdrawal.~~ If the student does not ~~request~~ the meeting, then the student will have waived the opportunity, and as a result, agrees to the involuntary withdrawal or imposition of reasonable modifications. Failure of the student to comply with the reasonable modifications will result in immediate temporary withdrawal.
- (ed) Meeting - The Chair of ACT or designee shall exercise active control over the meeting to achieve orderly completion. ~~Any person who disrupts the meeting shall be excluded. This meeting is informal, not subject to formal rules of process, procedures, etc., and shall be recorded.~~
- (ef) Advisor - The student, at ~~his/her~~their own expense and initiative, may be assisted by an advisor, advocate or legal representative of ~~his/her~~their choice during the meeting; however, the student is expected to speak for

~~himself/herself~~themselves.

(g~~f~~) The Chair of ACT or designee~~Dean of Students, in consultation with ACT~~ shall render a decision in writing regarding the student's involuntary withdrawal or imposition of reasonable modifications within three (3) business days following the meeting.

(h~~g~~) Appeal - The student has three (3) business days from the date of written notification of the decision to submit a written appeal to the Vice President for Student Affairs. ~~The Vice President for Student Affairs will review the request for appeal, record of the meeting and supporting documents~~ for the following purposes:

(i) ~~only~~ To consider new information that was not available at the time of ~~during~~ the meeting;

(ii) To assess whether ~~or~~ a significant deviation from this Regulation impacted the fairness or that affected the outcome of the meeting; or-

(iii) To determine if the decision does not align with the information provided in the meeting.

A final written decision will be issued within five (5) business days after receipt of the appeal or the Vice President for Student Affairs shall notify the student that additional time is necessary to consider the appeal.

(3) **Immediate Temporary Term Withdrawal**

(a) The Dean of Students or designee may implement an immediate temporary withdrawal from the University for the term when necessary to protect the health, safety or property of a student or the University

community or when a student fails to complete an objective assessment, evaluation or release the results ~~thereof~~ the assessment, or comply with the reasonable modifications in accordance with section (2)(b) above.

(b) A student subject to immediate temporary withdrawal shall be notified in writing. The student shall also have the opportunity to meet with the Dean of Students or designee within three (3) business days from the effective date of the withdrawal provided in the written notice. -Upon receipt of the written notice, the student should contact the Office of the Dean of Students, in writing, to schedule the meeting. -If the student does not request a meeting, then the student will have waived the opportunity, and as a result agrees to the temporary withdrawal. -The student ~~must~~would ~~then have to~~ fully comply with section (6) of this Regulation in order to return to the University.

(c) Meeting- The meeting with the Dean of Students or designee shall review the following issues only:

- (i) The reliability of the information concerning the student's behavior;
- (ii) Whether or not the student's behavior poses a significant risk ~~danger~~ of causing substantial, serious harm to the student or others; causing property damage; or directly impeding the lawful activities of others; and/or

- (iii) Whether or not the student has completed an objective assessment~~evaluation~~ and provided the results thereof or is following the reasonable modifications imposed in accordance with section (2)(b) above.
- (d) Advisor - The student, at ~~his/her~~their own expense and initiative, may be assisted by an advisor, advocate or legal representative of ~~his/her~~their choice during the meeting and the student is expected to speak for ~~himself/herself~~themselves.
- (e) The Dean of Students or designee shall render a written decision on the immediate temporary withdrawal within three (3) business days following the meeting. This decision shall be final and is not subject to further appeal.
- (4) Failure of a student to take the opportunity to respond at the time and in the manner provided shall not affect the validity of or delay any decision made under this Regulation.
- (5) **Refund** - A student subject to involuntary withdrawal or immediate temporary withdrawal shall receive a refund of fees as provided in Florida A&M University Regulation 3.009(5).
- (6) **Return to the University.**
- (a) A student who is involuntarily withdrawn shall have an administrative hold placed on ~~his/her~~their account, and the University may impose conditions for return to the University including but not limited to the following:

- (i) Another objective, written assessment from the student's treating physician, independent licensed psychiatrist or psychologist stating that the student is no longer a legitimate safety risk or direct threat to the safety, health, or well-being of the individual student or the University community and is otherwise qualified ready and able to safely participate/return to in the University's educational program/community;
- (ii) An objective, written assessment from an independent licensed psychiatrist or psychologist of the University's choice stating that the student is no longer a legitimate safety risk or direct threat to the safety, health, or well-being of the individual student or the University community and is otherwise qualified ready and able to safely participate/return to in the University community;
- (iii) A written agreement from the student to attend and participate in any treatment, programs, meetings, etc. recommended by the student's treating physician, independent psychiatrist or psychologist;
- (iv) Completion of any other conditions outlined in writing to the student at the time of the withdrawal and/or any related conduct sanctions imposed; and/or
- (iv) A determination by ~~the Dean of Students and/or~~ ACT that

the student has met the conditions for return and that the University has appropriate resources to support and meet any ongoing needs of the student.

- (b) A student may submit a written request to the ~~ACT~~Dean of Students at any time to return to the University. The request and all supporting documentation must be submitted at least thirty (30) days prior to the semester in which the student is seeking to return.
- (c) ~~The Dean of Students, in consultation with ACT;~~ will~~may~~ approve the request, provide additional stipulations for return or deny the request, including the reasons for the denial, within fourteen (14) business days after receipt of the request. Approval to return to the University is not automatic readmission to the student's program of study. Students must also comply with any terms of re-admission to the University's limited access programs.
- (d) Students who remain on leave from the University for three (3) or more consecutive semesters will need to apply for re-admission to an ad hoc review board appointed by the Vice President for Student Affairs.

Specific Authority 1001.74(4)FS. Law Implemented 1001.74(4)(10) FS. History—New 10-1-75, Amended 7-19-85, Amended 7-20-86, Formerly 6C3-2.07. Amended June 29, 2006, Amended 4-29-15, Amended June 11, 2016, Amended _____ 2023.

FLORIDA **A&M** UNIVERSITY
Board of Trustees
ACTION ITEM

Academic and Student Affairs Committee

Wednesday, June 7, 2023

Agenda Item: VII

Subject: Amendment to BOT Regulation 2.011 – Assessment and Care Team

Proposed Board Action: This Regulation is being revised to include the establishment of a Threat Assessment Team to identify, inquire, assess and manage potentially violent or dangerous situations. The Office of Compliance and Ethics recommended that the Division of Student Affairs develops a Threat Assessment Team that blends with the already established Assessment and Care Team in order to maintain continuity in understanding the potential risk early and react quickly. A designee from the Department of Campus Safety and Security must serve on the Threat Assessment Team and Assessment and Care Team. Both Teams will develop policies and procedures to fulfill their responsibilities.

The University is requesting that the Board of Trustees approve amendments to Regulation 2.011 for notice and adoption in accordance with the Florida Board of Governors' Regulation Development Procedure.

Attachment: Yes

1. Regulation 2.011 – Assessment and Care Team

Regulations of Florida A&M University



2.011 Assessment and Care Team

(1) The Florida A&M University Assessment and Care Team (“ACT”) supports the safety and well-being of the University community through education, communication, collaboration and appropriate, timely intervention. ACT will respect privacy and confidentiality while proactively fostering prevention and awareness.

(2) ACT is responsible for reviewing, assessing, and making recommendations and/or referrals regarding any University student (student) who may be in significant distress, especially those who may do harm to self, others, or their behavior is significantly disruptive to the educational or working environment. The composition of the Team will be determined by the Vice President for Student Affairs.

(3) Students, faculty, staff, stakeholders, or other individuals with direct knowledge of the behavior in question may make a referral. All referrals must be in writing, preferably using the ACT Referral Form. The referring person must include, in the written report his or her name, employee or student identification number, e-mail address and telephone numbers. Individuals who make referrals to ACT should be aware that the student who is being reported may have access to the content of the written referral. All referrals will be evaluated by ACT.

(4) Potential outcomes as a result of the ACT evaluation may include, but are not limited to:

(a) No action recommended at this time, with or without further observation,

- (b) Request and/or gather additional information,
 - (c) Assist faculty or staff in developing a plan of action to address the reason for the referral,
 - (d) Referral to existing on-campus support services (e.g., Student Conduct and Conflict Resolution, Campus Safety and Security, Office of Counseling Services, Student Health Services, Dean of Students, Ombudsman, etc.),
 - (e) Referral to appropriate community resources,
 - (f) Other action deemed appropriate by ACT.
- (5) Decisions/recommendations of ACT are not disciplinary action but rather remedial action taken to assist and protect individuals; thus, the decisions are final and there is no appeal process. ACT shall develop policies and procedures to implement this Regulation.
- (6) Students who do not comply with the recommendations/referrals may be placed on an administrative hold, which prevents the student from conducting business at the University (i.e. any form of registration or obtaining transcripts). Students may also be referred to the Dean of Students for further action, including but not limited to, involuntary withdrawal from the University, prohibition from attending classes and participating in extra-curricular activities in accordance with existing University Regulations, policies and procedures until compliance is ~~effected~~ achieved.
- (7) The Vice President for Student Affairs may establish and appoint a University Threat Assessment Team (TAT) to identify, inquire, assess, and manage potentially violent or dangerous situations. The Threat Assessment Team will maintain continuity in understanding potential risk early, react quickly, and work closely with the ACT. The

Threat Assessment Team may review and assess any matter where a safety concern, interim suspension, immediate temporary involuntary withdrawal or other immediate separation from the University is imposed and provide a recommendation(s) to the appropriate University official(s). At least one designee from the FAMU Department of Campus Safety and Security and a separate designee from the ACT must serve on the Threat Assessment Team. The TAT shall develop policies and procedures to implement this provision.

Specific Authority: Article IX, section 7(c), Florida Constitution, Board of Governors Regulation 1.001; History: New April 29, 2015, Amended July 30, 2020, Amended _____ 2023.

FLORIDA **A&M** UNIVERSITY
Board of Trustees
ACTION ITEM

Academic and Student Affairs Committee

Wednesday, June 7, 2023

Agenda Item: VII

Subject: Amendment to BOT Regulation 2.012 – Student Code of Conduct

Proposed Board Action: The University’s Student Code of Conduct shall be reviewed on a biennial basis under the direction of the University Conduct Officer. The required review was performed this year and this Regulation is being revised to include support for the principles of free speech and civil discourse. The amendments also expand code violations to include medical marijuana and/or cannabis; providing access to or hiding an individual who has been restricted or prohibited from the University’s property; and public indecency. The Regulation also clarifies the sanctions of suspension, expulsion and withholding of diplomas, transcripts or other records and placement of a judicial hold on a student’s account. Lastly, the Threat Assessment Team may provide a review and recommendation in any matter where interim measures are imposed and an emergency hearing is held.

The University is requesting that the Board of Trustees approve amendments to Regulation 2.012 for notice and adoption in accordance with the Florida Board of Governors’ Regulation Development Procedure.

Attachment: Yes

1. Regulation 2.012 – Student Code of Conduct

Regulations of Florida A&M University



2.012 Student Code of Conduct

- (1) The Student Code of Conduct (“Code”) applies the principles and freedoms found in University Regulation 2.013, Due Process, Other Rights, and Responsibilities, by promoting responsible freedom for all students. This Code seeks to apply the principle of responsible freedom as it guides the conduct of Florida A&M University (“University”) students. The responsibility to know and abide by the Code ultimately lies with the student. The Student Code of Conduct supersedes all other means of disciplining or removing students for behaviors prohibited by the University.
- (2) As members of the University community, students enjoy the rights and privileges that accrue to such membership including, but not limited to, academic freedom and participation in the decision-making processes of the University. Florida A&M University protects the First Amendment rights of all, including those constitutionally protected views and values contrary to FAMU’s mission and fundamental principles. Freedom of expression includes the right to present and advocate ideas in the spirit and development of knowledge. The University supports and encourages a full and open discourse and the robust exchange of ideas and perspectives. While the University upholds these freedoms, the University will not permit speech, expression, or assembly that advocates lawlessness and/or violence, or restrains, disrupts, or interferes with activities of members of the University community, whether by physical force or intimidation. Additionally, students are subject to the obligations and duties that accompany this membership and are responsible for compliance with the requirements of law and University regulations, policies, and procedures. It is incumbent upon

members of the University community to notify the appropriate student conduct body or officials of a violation of this Regulation, to encourage all to comply with the Code, and assist in their enforcement by providing relevant information as witnesses when called upon to do so. Accordingly, all purported violations of the Code shall be referred to the University Conduct Officer (Director of Student Conduct and Conflict Resolution). Students, faculty, staff, stakeholders, or other individuals with knowledge, may report violations of the Code, in writing, to the Office of Student Conduct and Conflict Resolution.

- (3) The University ~~has zero tolerance for~~ does not tolerate any violation of any provision of –University Regulation 2.028 Anti-Hazing or University Regulation 2.012, Student Code of Conduct. ~~“Zero tolerance”~~ This means that given the factual circumstances of the purported violation, the charged student may be removed from University Housing and receive a sanction including, without limitation, suspension or expulsion from the University.
- (4) Due process protections, in accordance with University Regulation 2.013, will be appropriately afforded the charged student.
- (5) **Information Meeting.** If the University Conduct Officer or their designee believes after a review of the purported violations that the information has merit, the student will be issued written notice to attend a mandatory Information Meeting before the University Conduct Officer or their designee. At the Information Meeting, the University Conduct Officer or their designee will explain to the student the alleged violations, the elements of due process that will be afforded and the student’s resolution options.
 - (a) Student conduct proceedings may be instituted against a student charged with a violation of the law that is also a violation of the Code. The University reserves the right to proceed under the Code with a hearing and the possible imposition of a sanction prior to, concurrent with, or subsequent to civil litigation, criminal arrest, and/or criminal prosecution.
 - (b) With the exception of extenuating circumstances, the University will

proceed with an alleged violation of the Code prior to any final disposition of the Courts.

- (c) Determinations made or sanctions imposed under the Code shall not be subject to change because criminal or civil charges arising out of the same facts giving rise to violation of University rules and regulations were dismissed, reduced, or resolved in favor of or against the charged student.
 - (d) Any admission of guilt, responsibility, or statement against the charged student's interest made by a charged student at off-campus proceedings shall be conclusive for University purposes.
 - (e) A verdict of guilty, a plea of guilty, a plea of no contest (*nolo contendere*) or similar plea in a court of law by a charged student will operate as a conclusive finding that the charged student is "Responsible" for the purpose of student conduct proceedings.
 - (f) Prior to the issuance of the outcome letter, the University may amend the violation(s) based on information obtained through an outside proceeding when that information is relevant to activity adversely affecting the University community.
 - (g) The University will cooperate fully with law enforcement agencies in any criminal prosecutions to the extent permitted by law.
 - (h) Student conduct proceedings are closed to the public.
- (6) **Jurisdiction.** Discipline may be imposed for offenses against the Code occurring at any of the following locations or activities:
- (a) University Campus;
 - (b) University owned or controlled property;
 - (c) University premises, including, but not limited to, fraternities, sororities, and University recognized organizations' property;
 - (d) Activities sponsored by the University wherever they may occur;
 - (e) Activities officially approved by the University that are conducted by University recognized organizations wherever they may occur;
 - (f) Activities occurring off campus, including non-university related

activities; or

- (g) Activities occurring on or off campus in any virtual/online platforms or through any other electronic means.

(7) Definitions.

- (a) Business Day – A day of normal business operation as designated by the University.
- (b) Charged Student – The student charged with a violation(s) of this Code.
- (c) Club and/or Organization - Any number of students who have complied with the University requirements for recognition. For purposes of this Regulation, the term “club or organization” is given the same meaning as student.
- (d) Complainant – An individual who reportedly experienced behavior that could constitute Gender-Based Misconduct regardless of whether the individual participates in the disclosure or review of that report by the University at any point.
- (e) Educational sanctions – Work assignments, essays, presentations, or other related educational assignments.
- (f) Expulsion – A student shall be removed from their academic program and permanently deprived of their opportunity to re-enroll or continue at the University in any status. The student is permanently separated from the University; the club/organization’s registration is revoked and the relationship with the University permanently severed.
- (g) Faculty member - Any person hired by the University to conduct classroom instruction and/or research activities or who is otherwise considered by the University to be a member of its faculty.
- (h) Hearing panel or officer - Any impartial person, persons, or committee who have been authorized by the University to determine whether a student has violated the Code and to determine sanctions that will be imposed when a Code violation has been committed.

- (i) Judicial hold - This prevents the student from conducting business at the University (i.e. any form of registration or obtaining transcripts).
- (j) Mediation - The process in which all students voluntarily agree to meet with an impartial mediator to communicate their concerns and needs to each other and to reach their own agreement on the resolution of the case. The students are responsible for keeping their agreement or renegotiating, if necessary. In the event the participants do not agree to mediate or mediate but do not reach a full and final resolution, the case will be referred back for conduct proceedings. Breach of a mediated agreement may result in a follow up mediation session or the matter may be referred back through the conduct process.
- (k) Mediator – Any neutral member of the University community who has been trained in conflict resolution to assist parties in reaching a mutual agreement to resolve their differences. The Mediator shall not have personal connections with either party or have prior knowledge of the disagreement.
- (l) Not Responsible - The charged student has not been found to have committed a violation(s) of the Code or did not accept responsibility for the alleged violation(s) of a provision(s) of the Code.
- (m) Preponderance of Information - The information presented supports the finding that it is more likely than not that the violation occurred.
- (n) Probation – An indication that the student’s conduct violated the Code, the student is not in good standing, and requires the withdrawal of special privileges, participation in inter-collegiate activities, and other activities including, but not limited to participation in student clubs/organizations. Special privileges mean the student may not be elected to office or represent the University in any other capacity during the period of probation. If the student is holding an office, they must vacate the office for the term of

probation. The sanction of probation is for a specified period and may also include a specified monetary fine from \$100.00 to \$350.00.

- (o) Reporter – Any person who submits a report alleging that a student has violated this Code.
- (p) Reprimand – A formal rebuke and official recognition by letter to the student of misconduct as charged by the University. There shall be a written record of the reprimand.
- (q) Respondent – A student who is reported to have engaged in behavior that could constitute Gender-Based Misconduct. The term may also include an individual whose identity is unknown and there is reason to believe that they may be a student.
- (r) Responsible - The charged student has been found to have committed a violation(s) or has accepted responsibility for violating a provision(s) of the Code.
- (s) Restitution - Compensation for loss or damage to University property. This may be in the form of monetary or material replacement.
- (t) Sanction - A condition or action imposed upon a student after the student has admitted that they are Responsible or has been determined Responsible by the Conduct Officer or a hearing panel for violating a provision(s) of the Code.
- (u) Student - Any person admitted, enrolled, or registered for study at the University. This includes persons not officially registered or enrolled for a particular term but who are eligible to enroll or are associated with the University because they have not completed a course or program. For purposes of this Regulation, the term “student” also includes student clubs and organizations.
- (v) Suspension - Separation of the student from the University for a definite period of time. The duration of the period of suspension shall not exceed five (5) years and shall be in direct proportion to

the degree of seriousness attached to the misconduct. Readmission for suspensions exceeding one (1) year is conditioned upon the recommendation of an ad hoc review board appointed by the President or Vice President for Student Affairs.

- (w) University - The Florida A&M University whose main campus is located in Tallahassee, Florida and any of its satellite or branch campuses or programs.
- (x) University/Community service - Specified areas of service for the benefit of the community or the University allocated to the student.
- (y) University official - Any person employed by the University performing his/her assigned employment responsibilities.
- (z) University premises - All buildings, land, facilities, and any other property owned, leased, operated, controlled, or supervised by the University.
- (aa) University sponsored activity - Any activity on or off the University Campus which is initiated, aided, authorized, or supervised by the University, including virtual/online platforms or other electronic means.
- (bb) The word “Can” is used in the permissive sense.
- (cc) The word “May” is used in the permissive sense.
- (dd) The word “Shall” is used in the imperative sense.
- (ee) The word “Will” is used in the imperative sense.
- (ff) All definitions not included in this Code are in accordance with definitions found in the Merriam-Webster’s dictionary located in the Office of Student Conduct and Conflict Resolution. Students may contact the Office of Student Conduct and Conflict Resolution or Center for Disability Access and Resources for online access.

(8) Violations.

- (a) Academic Dishonesty:
 1. *Cheating*: using, attempting to use or giving unauthorized information or material in any academic endeavor. Cheating

includes, but is not limited to, unauthorized possession and/or use of an examination, course related materials, cheat sheets, study aids or other information in an academic exercise; communication to or collaboration with another through written, visual, electronic, oral means, or any other medium; submitting the same academic work for credit more than once without the express written permission of the instructor; use of any materials or resources a faculty member has notified the student or class are prohibited; or failing to follow the stated rules for an exam, paper, or other academic endeavor.

2. *Plagiarism* may be specifically defined for the purposes of any course by the school, institute, or college involved. Unless otherwise defined, plagiarism shall include, but is not limited to the student's use of another's work without any indication of the source and in so doing, conveying or attempting to convey that the work is the student's own; submitting a document or assignment in whole or in part that is identical or substantially identical to a document or assignment not written by the student; allowing another person to compose or rewrite an assignment or document.
3. A student who assists in any of the academic dishonesty violations mentioned above shall be considered equally as responsible as the student who accepts such assistance.
4. A student who is knowledgeable about any academic dishonesty violation is encouraged to report said violation.
5. When the University's schools, colleges, or institutes choose to internally address academic dishonesty violations, students should consult with the academic dean, director, or program coordinator in the respective school, college, or institute for procedural information.
6. In addition to the sanctions listed in Section (10) below, the

sanction for academic dishonesty violations may include: reprimand; reduction of grade; denial of academic credit; invalidation of university credit or of the degree based upon such credit. The individual or student may also be denied admission or further registration, and the University may invalidate academic credit for work done by a student and may invalidate or revoke the degree based upon such credit if it is determined that the student has made false, fraudulent, or incomplete statements in the application, residence affidavit, or accompanying documents or statements in connection with, or supplemental to, the application for admission to or graduation from the University.

- (b) Alcoholic Beverages: The violation of alcoholic beverages is defined as noted in University Regulation 3.021.
- (c) Conspiracy: Assisting or attempting to assist another in any act(s) that violate(s) the Student Code of Conduct.
- (d) Criminal Conviction: The student convicted of a criminal offense by an off-campus court of competent jurisdiction may be subject to sanctions by the University.
- (e) Demonstrations/Riots: Participating in an on-campus or off-campus demonstration, riot, or activity that disrupts or obstructs the normal operations of the University and/or infringes upon the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
- (f) Destruction of property: Defacement, damage, misuse or destruction of University property or services, or the private property of another. In addition to being subject to conduct action, students or student organizations responsible for such damage may be financially liable.
- (g) Disorderly Conduct: Behavior that disturbs the peace or undermines public safety, such as causing a disturbance or being unruly; failure

to comply with the lawful order, policy, or reasonable request of an identified University official, any non-University law enforcement official, any non-University emergency responder, or any protective order.

- (h) Disruptive Behavior: Disruption of a class, curricular, or University activity; obstruction of the free flow of pedestrian or vehicular traffic on University premises; interference with the rights of others to carry out their activities or duties at, or on behalf of the University; interference with the freedom of movement of any member or guest of the University; interference with the academic freedom and freedom of speech of any member or guest of the University; or any other act that impairs, interferes with or obstructs the mission, purposes, academic atmosphere, operations, processes, orderly conduct and/or functions of the University or the rights of other members of the University community.
- (i) Drugs: Use, possession, manufacture, cultivation, distribution, purchase or sale of illegal drugs and/or controlled substances is prohibited. Illegal drugs include, but is not limited to, synthetic drugs or other substances that will alter a student's mental state (e.g. glue, nitrous oxide, paint, etc.); drug paraphernalia; possession or use of prescription medication not issued to the student or sale/distribution of prescription medication. Use, possession, manufacture, cultivation, distribution, purchase or sale of marijuana, including medical marijuana and/or cannabis is prohibited on University property.
- (j) Extortion: The act or practice of obtaining something or compelling some action by force, coercion, intimidation, or threat is prohibited.
- (k) Gambling: Participating, or play, in an unlawful game of chance for money or for anything of value on University premises, or at an affair sponsored by a student or student organization; to unlawfully sell, buy, barter or dispose of a ticket, or any interest in a scheme of

chance by whatever name on University premises or at any affair sponsored by a student or student organization; wager on a University team or organization in a competition, with a direct influence in the success of the competition.

- (1) Gender-Based Misconduct: Encompasses a range of behaviors including, but not limited to, all forms of sexual harassment, non-consensual sexual contact, sexual exploitation, as well as other forms of misconduct such as stalking and relationship violence. Gender-based misconduct can occur between individuals who know each other, have an established relationship, have previously engaged in consensual sexual activity, and between individuals who do not know each other. Gender-based misconduct can be committed by persons of any gender identity and it can occur between people of the same or different gender.

1. Consent to sexual activity must be knowing, intelligent, unambiguous, and voluntary. Consent is active, not passive. This means there must be clear and willing participation, through words or actions, for each sexual act. Submission to sexual activity that is the result of force, coercion, or threats is not valid consent.
2. Consent to past sexual activity and/or one form of sexual activity does not imply consent to future sexual activity and/or other forms of sexual activity. There must be consent at every stage of the sexual encounter.
3. Consent can be withdrawn by any party at any time, including in the middle of a sexual encounter, if the withdrawal of consent is clearly indicated by words or actions.
4. Persons who are incapacitated by voluntary or involuntary alcohol or drug use (legal, illegal, or prescription), asleep, unconscious, mentally impaired by disease or illness, or

under 18 years old cannot give consent to sexual activity, no matter what they say or do. If there is any question regarding whether a person may be incapacitated, do not engage in any type of sexual activity with that person.

5. Gender-Based Misconduct offenses include, but are not limited to:

a) *Sexual Harassment*: Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature if: (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education, living or work environment, employment, or participation in a University-related activity or University Program; (2) submission to or rejection of such conduct by an individual is used as the basis for or a factor in decisions affecting that individual's education, living or work environment, employment, or participation in a University-related activity; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's educational performance or creating an intimidating, hostile, offensive, or abusive environment for that individual's education, living environment, employment, or participation in a University-related activity.

b) *Non-Consensual Sexual Contact* (or attempts to commit same): Unwanted or unwelcome touching of a sexual nature including, but not limited to, kissing, fondling, oral sex, anal or vaginal intercourse, digital penetration or

penetration by an object, or other physical sexual activity that occurs without valid consent.

- c) *Sexual Exploitation*: Occurs when one person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the individual being exploited, and the behavior does not otherwise constitute one of the other gender-based misconduct offenses. Examples of sexual exploitation include, but are not specifically limited to:
- i. Invasion of sexual privacy, including sharing information about an individual's sexual orientation, history, or preferences;
 - ii. Non-consensual photographing, video or audio recording of sexual activity, nude or sexual images;
 - iii. Non-consensual distribution of photos, videos, other images, or information of an individual's sexual activity, nude or sexual images;
 - iv. Going beyond the boundaries of consent (such as letting friends hide in the closet to watch you engage in sexual activity);
 - v. Engaging in voyeurism;
 - vi. Knowingly transmitting a sexually transmitted infection (STI) or HIV to another student;
 - vii. Exposing one's genitals in non-consensual circumstances;

- viii. Inducing another to expose their genitals;
or
 - ix. Prostitution of another person.
- d) *Relationship Violence*: Any act of violence or threatened act of violence that occurs between individuals who are or have been involved in a sexual, romantic, dating, spousal, domestic, or other intimate relationship. Relationship violence can also include psychological, sexual, economic, cultural and emotional abuse, when one partner tries to establish or maintain power and control over the other.
- e) *Intimidation*: Implied threats or acts that cause an unreasonable fear of harm.
- f) *Gender-Based Harassment*: Any slurs, innuendos, or other verbal or physical conduct reflecting on an individual's gender, sexual orientation, gender identity, or gender expression which has the purpose or effect of creating an intimidating, hostile or offensive educational, living or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities or participation in University-related activities.
- g) Other student conduct offenses may also fall under Gender-Based Misconduct as determined by the Office of Student Conduct and Conflict

Resolution. Examples of these offenses include, but are not limited to:

- i. Behavior prohibited under University Regulations 10.103, Non-Discrimination Policy and Discrimination and Harassment Complaint Procedures and 1.022 Title IX Sex Discrimination and Sexual Misconduct Prohibition, and Formal Hearing Process;
- ii. Hazing: Refer to University Regulation 2.028, Anti-hazing;
- iii. Retaliation in connection with allegations of gender-based misconduct; and
- iv. Stalking: Refer to subsection (8) (w) below.

6. Complainant Rights in a Gender-Based Misconduct Case:

- a) While the University encourages all violations to be reported, the Complainant has the right to choose whether or not to file a formal complaint. There is also the option of filing an anonymous report. However, filing an anonymous report may limit the University's ability to investigate, respond and act, including but not limited to charging a Respondent with a violation of this Code and/or other University Regulations or to address the needs of the Complainant;
- b) A Complainant also has the right to file a report and request confidentiality. However, the University cannot guarantee confidentiality in all circumstances. There may be circumstances based on the status or seriousness of the purported offense, that confidentiality may not be

honored when the University must investigate and take action to protect the Complainant or other members of the University community. The University will only disclose information to individuals with a need to know in order to review, investigate, and resolve reports of Gender-Based Misconduct or as permitted or required by law. If the University is unable to honor a request for confidentiality, the Complainant will be notified;

- c) In addition to pursuing administrative/conduct remedies, the Complainant maintains the right to pursue criminal charges;
- d) The Complainant may, at their initiative and expense, have one (1) advisor, advocate, or legal representative of their choice present throughout the conduct proceedings. The advisor, advocate or legal representative may be present to advise the Complainant and may participate in all aspects of the conduct proceeding but shall not testify for the Complainant and may not serve in any other role. The University provides a victim advocate to assist and support Complainants during the conduct process. The Complainant must provide, in writing, to the Office of Student Conduct and Conflict Resolution the name, mailing or email address, and phone number of their advisor, advocate or legal representative at least three (3) business days prior to the meeting or hearing date;

- e) The University may prohibit the Complainant's past sexual history from being presented as information in University proceedings;
- f) The Complainant may attend the entire portion of the hearing at which information is received, excluding deliberations;
- g) The Complainant will receive similar and timely access to any information that will be used during the proceedings;
- h) The Complainant may submit potentially relevant questions to the hearing panel chairperson prior to and during the hearing;
- i) The Complainant may present relevant information or witnesses during the hearing;
- j) The Complainant may ask relevant questions of witnesses who give statements during the hearing. All questions will be submitted in writing to and asked by the chair of the hearing panel;
- k) If the Respondent is found responsible, the Complainant may submit a written impact statement to be considered by the hearing panel before the panel determines the appropriate sanction(s). The statement may include a description of how the Complainant was impacted by the conduct violation and may include a recommendation for sanctions. While the impact statement is not binding, the impact described in the statement, together with the totality of the circumstances, including the

Respondent's conduct record, shall be considered in determining the appropriate sanction(s).

- 1) Please refer to the additional rights noted in University Regulation 2.013(5).

8. Respondent Rights in a Gender-Based Misconduct Case:

- a) Respondent rights are provided in University Regulation 2.013 (1) - (4).
- b) The Respondent may, at their expense and initiative, have one (1) advisor, advocate or legal representative of their choice present throughout the conduct proceedings. The advisor, advocate or legal representative may be present to advise the Respondent and may participate in all aspects of the conduct proceeding but shall not testify for the Respondent and may not serve in any other role. The University provides a Case Manager to assist Respondents during the conduct process. The Respondent must provide, in writing, to the Office of Student Conduct and Conflict Resolution the name, mailing or email address, and phone number of their advisor, advocate or legal representative at least three (3) business days prior to the meeting or hearing date.

9. Respondent and Complainant Hearing/Panel Additional Procedures in a Gender-Based Misconduct Case:

- a) The student conduct proceeding shall be conducted by an impartial University official or designee or a panel comprised of only University officials or designees.

- b) Upon request, the Complainant, Respondent and witnesses may provide relevant information in a manner that avoids direct contact with the Respondent, Complainant or witnesses; and
- c) A Complainant or Respondent may not be questioned directly by the other. All questions shall be asked through the hearing panel chairperson.

10. Pending Outcome of Proceedings in a Gender-Based Misconduct Case:

- a) The Vice President for Student Affairs, Dean of Students or Director of Housing is authorized to modify living arrangements in cases where the Complainant and Respondent live in the same residential hall or complex;
- b) The Vice President for Student Affairs, Dean of Students, or the University Conduct Officer is authorized to issue an immediate No Contact directive, forbidding the Complainant and Respondent from all contact;
- c) The Provost and/or the academic dean is authorized to establish an immediate reassignment of classes when both the Respondent and Complainant attend the same classes;
- d) The University provides on-campus counseling services for students involved in reports of gender-based misconduct;
- e) The University may provide additional rights and options in response to an incident;
- f) Both the Complainant and the Respondent shall

be informed of the outcome of any University conduct proceeding regarding reported gender-based misconduct, the University's final determination and any sanctions;

11. **Appeal.** Both the Complainant and Respondent have the right to appeal the outcome of the proceedings as outlined in University Regulations 2.012(24) and 2.013(1)(i).

a) If either the Complainant or Respondent submits an appeal, the other individual will be notified of an appeal submission, given the opportunity to review the submitted appeal and given an opportunity to submit a written response within ten (10) business days to the Dean of Students or other designated University official.

(m) Harassment: Verbal or written abuse (including electronic communications or internet activity), threats, intimidation, coercion and/or other conduct that endangers the health, safety, or welfare of others, or places another individual in reasonable fear of physical harm or creates a hostile environment in which others are unable to reasonably conduct or participate in work, education, research, living or other activities. Harassment also includes actions defined in University Regulation 10.103.

(n) Hazing: Hazing is defined in University Regulation 2.028.

(o) Identification violations include:

1. Failure to present identification when requested by a University Law Enforcement Officer or other University official who identifies themselves.
2. Alteration or attempted alteration, illegal use or attempt to illegally use another's identification regardless of methodology (i.e., card, identification number, access code, etc.).

3. The student who allows another student or any individual to use their student identification card, identification number, decal or other means of identification.
 4. To manufacture, distribute, deliver, sell, purchase, possess, or use of false identification.
 5. Impersonation or misrepresenting the authority to act on behalf of another or the University.
- (p) Mail: The opening and removing of the mail, including electronic mail, of another person without authority is a violation of Federal law. University sanctions may also be imposed for such a violation.
- (q) Misuse of computer facilities, wireless system, network, data and resources, including but not limited to:
1. Unauthorized access, entry, or use of a University or another's computer, computer system, security systems and equipment, network, software, password, account or data;
 2. Unauthorized alteration or degradation of computer equipment, software, network, data, or system performance;
 3. Unauthorized copying or distribution of computer software or data;
 4. Theft or unauthorized use of intellectual property or copyrighted materials;
 5. Use of a computer or computer system in the commission of a crime to violate or facilitate the violation of laws, Board of Governors or University rules, regulations, or policies;
 6. Any unauthorized commercial use of University or another's computer or computing resources;
 7. Any unauthorized use of electronic or other devices to make an audio or video recording;
 8. Use of computing facilities and resources to send obscene or defamatory messages or material; ~~or~~
 9. Use of computing facilities or resources to interfere with the

work of another student, faculty/staff, University official, or the normal operation of the University computing system;
or

10. Any other violation of the University's or Florida Board of Governors regulations, policies, procedures and/or guidelines regarding information technology, computer and data use.

- (r) Misuse of Safety Equipment and Other Safety Violations: Vandalizing or misusing emergency equipment for non-emergency events, which includes but is not limited to intentional misuse of 911, blue lights systems, fire alarm pull stations, fire extinguishers, smoke detectors, or heart defibrillators; unauthorized use of emergency exit doors; obstructing an emergency exit or leaving exit and/or fire doors propped open; false report of an explosive or incendiary device; causing or attempting to cause a fire or explosion; failure to evacuate during a fire alarm on the University's premises or at any University activity.
- (s) Noncompliance with a University Official's Directive: Failure to comply with oral or written instruction from a University official (i.e. faculty, staff, administration, residence hall staff, law enforcement officer) acting within the scope of their job duties. This also includes but is not limited to giving access to or hiding any individual who has been restricted or prohibited from entering any part or all of the University's campus or any other University owned or controlled property.
- (t) Obstruction of the Student Conduct System, including but not limited to:
1. Failure to obey a notice from the University Conduct Officer to appear for an Information Meeting or hearing as part of the student conduct system;
 2. Falsification, distortion, or misrepresentation of information

before a hearing panel, hearing officer, or a staff member of the Office of Student Conduct and Conflict Resolution during a student conduct meeting;

3. Disruption or interference with the orderly conduct of an administrative hearing;
4. Attempting to discourage an individual's proper participation in, or use of, the student conduct system;
5. Attempting to influence the impartiality of a member of a hearing panel prior to, during, and/or after an administrative hearing;
6. Harassment, verbal or physical, and/or intimidation of a member of the hearing panel, hearing officer, Student Conduct and Conflict Resolution staff, Reporter or a witness prior to, during, and/or after an administrative hearing; or
7. Influencing or attempting to influence another person to commit an abuse of the student conduct system.

(u) Providing False Information and/or Falsification of University Records: The student who falsifies records or gives misleading information, verbal or written. This includes falsifying, tampering, altering, forging, withholding of required information, or misusing any record or official document.

(v) Public Indecency: public nudity is prohibited on the campus. This includes a student who is nude, causes another or attempts to cause another to become nude in public. Examples include but are not limited to public urination and exposure of sexual organs. Nudity means any person insufficiently clothed in any manner so that any of the following body parts are not entirely covered with a fully opaque covering:

1. The male or female genitals;

2. The male or female pubic area;

3. The female breast; however, breastfeeding a child is not public

indecenty and does not violate this Regulation; or

4. The buttocks. Attire which is insufficient to comply with this requirement includes, but is not limited to, G-strings, T-backs, and thongs. Body paint, body dyes, tattoos, liquid latex whether wet or dried, and similar substances are not considered opaque covering.

(w) Stalking:

1. Repeated following, contacting, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method that places a person in reasonable fear for his/her physical or emotional welfare; or
2. Behavior that is intentional and repeated, or meant to be done in humor or in jest, that results in the intimidation, injury or distress of another individual physically, mentally, or socially. The behavior may be physical, written, visual, electronic or verbal.
3. Stalking also includes actions defined in University Regulation 10.103.

(xw) Theft: Unauthorized use or possession of, taking or attempting to take, the property or services of another. The property or services may be personal or public.

(y*) Unauthorized Use of Facilities and Grounds: Unauthorized access, entry, or attempted entry into any University building or facility or the property of another; misuse or unauthorized use of classroom or laboratory facilities; abusing grounds or building structures, including but not limited to ramps, rails, stair cases, and entryways by means of skating, scootering, recreational cycling or other recreational activities or devices; unauthorized possession, duplication or use of keys, access cards/codes for any such property.

(zy) Violation of Law: Violation of federal or state law or rules, local ordinance, or laws of other national jurisdictions; Florida Board of

Governors' Regulation; any other University regulation, rule, or University Board of Trustees Policy.

(~~aa~~) Violation of Residence Hall Policies: Violation(s) of any Department of Housing and Residential Life policy, rule, or regulation.

(~~bb~~) Violation(s) of the terms of conduct action imposed as a result of previous conduct proceedings under the provisions of this Code will subject the student to additional sanctions.

(~~cc~~) Violation of University Intellectual Property: Misuse or unauthorized use of the University's name, brand, acronym, logo, seal, symbols, marks, mascot, monogram, or other graphic identity symbol.

(~~dd~~) Violent Behavior: Conduct causing physical harm or injury; endangering the health, safety, or welfare of another or oneself; conduct causing severe emotional distress, or endangering one's own health or safety; any threat, attempt or offer to cause physical harm or severe emotional distress to another.

(~~ee~~) Weapons: Use and/or possession of weapons, firearms, ammunitions, explosives, knives, firecrackers, fireworks or any other instrument as a weapon is prohibited, except as provided by law. Firecrackers or fireworks may be used only when approved by appropriate University officials.

1. "*Weapon*" means any item (including, but not specifically limited to, metallic knuckles, sword, any dangerous chemical or biological agent, firearm, machine gun, starter gun, BB gun, stun gun, paintball gun, taser, archery equipment or any other object) which will, is designed to, or may readily be converted to, expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device.

2. "*Fireworks*" means and includes any combustible or

explosive composition or substance or combination of substances, or except as hereinafter provided, any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. The term includes blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, roman candles, incense, dago bombs, and any fireworks containing any explosives or flammable compound or any tablets or other device containing any explosive substance. The term “fireworks” does not include sparklers; toy pistols, toy canes, and toy guns.

3. The term “*sparkler*” means a device which emits showers of sparks upon burning, does not contain any explosive compounds, does not detonate or explode, is hand-held or ground-based, and cannot propel itself through the air.

(9) **Sanctions.** A student found Responsible for a violation or violations of the Code shall be subject to sanctions commensurate with the offense with consideration given to any aggravating and mitigating circumstances, including but not limited to, the student’s conduct record. The student will be deemed to have knowledge of their record of previous conduct violations and sanctions. If a student does not complete a sanction by the required deadline, a hold may be placed on the student’s record or additional violations may be issued. Sanctions include one or more of the following, unless otherwise expressly provided:

- (a) Counseling Assessment. The University can refer a student for an assessment at a counseling center for substance misuse, general mental health, or other counseling issues. The student shall choose an appropriately licensed and qualified facility.
- (b) Discretionary sanctions. Action not specifically set out but deemed proper by a majority of the hearing panel or the University Conduct Officer.

- (c) Educational Requirements. Attendance or presentation at educational programs; interviews with appropriate officials; planning and implementing educational programs; completion of an essay or project; or other educational activities.
- (d) Expulsion from the University. The student is not in good standing, is removed from their academic program and permanently deprived of their opportunity to continue at the University in any status, including but not limited to graduation or re-enrollment. A hold will be placed on the student's record and a permanent notation will be placed on the transcript. The club/organization's registration is revoked and the relationship with the University is permanently severed. All references (e.g. name, marks, symbols, paraphernalia, etc.) to the club/organization shall be removed from University property and students may not wear or display any reference (e.g. name, marks, symbols, paraphernalia, etc.) of the club/organization on campus.
- (e) Fine. A specific monetary amount ranging from \$100.00 to \$350.00, which may be included with a period of conduct probation. A fine may be issued for each individual violation or as an aggregate amount.
- (f) Mediation. Depending on the nature and severity of the alleged violation, the University Conduct Officer may recommend mediation as an alternative to formal conduct action. The involved parties must each agree to mediation in writing. Mediation shall not be offered as an alternative in instances to include, but not specifically limited to: loss of life, serious bodily injuries, use of weapons, hazing and the cultivation, distribution, or sale of drugs.
- (g) No Contact Directive. A directive to refrain from any contact, direct or indirect, with one or more designated persons or group(s) through any means including personal contact, e-mail, text messaging,

telephone, social media or third parties. A No Contact Directive may be temporary or permanent.

- (h) Probation. Probation for a specified period which shall not exceed time needed by the student to complete requirements for graduation. Students placed on probation are not in good standing with the University and may not be elected to office or represent the University in any other capacity during the period of probation. Additional conditions may be imposed as a part of club/organizational probation. Students on probation are subject to suspension or expulsion should they be found Responsible for another violation during the probationary term.
- (i) Reprimand. Correspondence which notifies the student that their behavior did not meet University standards. There shall be a written record of the reprimand.
- (j) Restitution for the loss or damage to University property. This may be in the form of monetary or material replacement.
- (k) Restriction/Loss of Privileges. The denial of specific University privileges including, but not limited to, attendance at athletic functions, restricted library use, parking privileges, University computer usage, University facilities and resources; residence hall visitation for a designated period of time, etc.
- (l) Suspension from the University for a period not to exceed five (5) years. A student who is suspended is not in good standing and may not be enrolled in classes (either in-person, online or virtual) or participate in University related activities, whether they occur on or off campus and which may also include restricted access to campus and/or other specified activities. ~~The student must comply with all conditions imposed by the hearing panel or University official prior to re-enrolling or applying for registration/recognition as a club/organization. The student is not permitted to enter the grounds of the University's main campus or any other University owned or~~

controlled property without specific written permission from the University Conduct Officer. A hold will be placed on the student's record and a notation will be placed on the transcript for the duration of the suspension period. Students who are suspended for more than one year will need to apply for re-admission to an ad hoc review board appointed by the President or Vice President for Student Affairs. A club/organization may not wear or display the club/organization's name, marks, symbols, or other paraphernalia, use University resources, facilities or participate in any University activities or events during the period of suspension.

- (m) University/Community service. The student is required to complete a specified number of hours of service to the campus or general community.
 - (n) Withholding of diplomas, transcripts, or other records. The University may withhold issuance of diploma, degree, transcript or other record pending completion of a stated timeframe and all sanction(s) imposed.
 - (o) Any combination of the foregoing that the majority of the hearing panel, hearing officer or the University Conduct Officer may, under the circumstances, consider fair and appropriate.
- (10) Students are required to carry a Florida A&M University picture identification card at all times. Failure to do so may subject them to reasonable detention by appropriate University authorities.
- (11) **Notice.** The written notice of the violation(s) to the charged student should proceed the actual hearing date, or information meeting with the charged student, by no less than seven (7) business days, except in an emergency. All notices, decisions and outcomes of conduct matters connected with the conduct process will be e-mailed to the student's University provided e-mail address. This method shall constitute proper notification to the charged student. At the discretion of the University Conduct Officer, correspondence may be sent to the student's last known local address as

filed with the Registrar's Office and/or via iRattler. If no local address is on file, correspondence will be mailed to the student's permanent address. Students who have a change of address must file a change of address form at the Office of the University Registrar and/or via iRattler.

- (12) **Time Limit.** Generally, the Office of Student Conduct and Conflict Resolution will charge a student with a violation within six (6) months from the date the violation was committed or discovered, whichever is later. However, the University Conduct Officer may exercise professional discretion when applying the time limit for charging a student when there are circumstances that warrant a waiver of the six (6) months' time limit. Circumstances that may warrant a waiver include, but are not specifically limited to: stalking, gender-based misconduct, or relationship violence; requests from law enforcement not to take action; or concern for the safety of students, University employees or other witnesses.
- (13) **Judicial Hold.** A student who fails to respond to the written notice to attend the mandatory Information Meeting or fulfill any sanction(s) previously issued by the University shall be placed on judicial hold and/or prohibited from attending classes and participating in extra-curricular activities until compliance with the notice or sanction(s) is completed. The University may also take action necessary for resolution of a case prior to the student's enrollment in a subsequent semester, transfer or graduation. All pending conduct matters must be resolved prior to a student's graduation, transfer from, or continued education at the University.
- (14) **Information.** A charged student may request an opportunity to provide information to the University Conduct Officer against other students who are charged with violations of the Code arising out of the same incident or circumstances, including the student's own involvement, in exchange for imposition of sanction(s) by the University Conduct Officer. Under this provision, the student waives their right to a hearing. The provision of information against other students will be considered a mitigating factor in determining sanctions.

- (15) **Alternative to a Finding of Responsibility.** The University Conduct Officer may defer or suspend a finding of Responsibility pending completion of specific sanctions where circumstances warrant. If a student successfully completes the required sanctions, the student's conduct record may be sealed. This means that the record sealed will not appear on a student conduct/background check; however, the record may be considered by a hearing panel or the University Conduct Officer should the student commit a subsequent violation of the Code.
- (16) **Amnesty.** In serious or life-threatening situations, particularly where alcohol poisoning or drug overdose is suspected or where other medical treatment is reasonably believed to be appropriate, students are asked to call 911 (or FAMU Police Department at 850-599-3256 if on campus); stay with the person needing assistance until help arrives; and be prepared to give emergency medical personnel as much information as possible including the amount and type of alcohol or substances consumed. Students who receive medical attention as a result of alcohol and/or drug use are eligible for Amnesty and may not face formal action under the Code. Students seeking medical assistance for another person while simultaneously violating the alcohol and/or drug regulation may also be eligible. Students who qualify for Amnesty are required to complete educational measures and pay any incurring costs. It is the University's expectation that a student uses Amnesty only once. If a student is involved in subsequent alcohol and/or drug abuse incidents, the incident will be reviewed for violation(s) of the Code.
- (17) **Scheduling of Hearing.** A hearing shall normally be scheduled within fifteen (15) business days from receipt of the student's written, signed request for such, unless the charged student and the University Conduct Officer or designee agrees in writing to a later hearing date or there are extenuating circumstances. Extenuating circumstances that may warrant a delay of a hearing include, but are not specifically limited to: unavailability of witnesses; illness; death; pending civil or criminal proceedings which

might prejudice University findings; no contact order issued by a court; an on-going related law enforcement investigation; University closures and/or breaks between semesters; failure to meet composition requirements for the administrative hearing panel; and written requests for continuance from the charged student or from the University attorney.

(18) **Postponement.** A student charged with a violation of the Student Code of Conduct, regardless of which hearing panel may hear the matter, may request to have the hearing postponed for no more than sixty (60) business days and such postponement may be granted provided the student requests it in writing and agrees to accept the imposition of probation, suspension, or expulsion, depending upon the gravity of the offense. Such probation, suspension, or expulsion will be recommended by the University Conduct Officer to the Vice President for Student Affairs, who shall make a determination. Action taken shall remain in force until such time as the student requesting a hearing appears before the appropriate hearing panel and a hearing is held. The student shall be informed whether they would be placed on probation or would be suspended or expelled prior to deciding to postpone the hearing.

(19) **Interim Measures.** The University may take immediate action when a student or group of students poses a danger to the health, safety, or welfare of the student or a member of the University community. A hold will be placed on the student's record for the duration of the interim measures. Interim measures include but are not limited to the following:

(a) **Interim Suspension.** A student under interim suspension is considered not in good standing and may not attend nor participate in any classes (including online or virtual), may not be on or come onto University property except with the permission of the University Conduct Officer, may not participate in any University activities or organizations, and may not use University facilities, equipment or resources. The Vice President for Student Affairs may impose an interim suspension under the following circumstances:

1. The continued presence of the student on campus is likely to create interference with the educational process and/or the orderly operation of the University; and/or
 2. The continued presence of the student on campus is likely to endanger the health, safety, welfare or property of the University community; and/or
 3. The offense or conduct committed by the student is of such a serious, heinous or repulsive nature, as to adversely affect the University community and the student's suitability as a member of the academic community; and/or
 4. The student convicted of or pleads guilty to a criminal offense of a kind which interferes with the educational orderly operation of the University, or a kind which, if the student were allowed to remain enrolled, would endanger the health, safety, welfare or property of the members of the academic community.
- (b) Interim Removal from University Housing. A student under interim removal from University Housing may not reside in University Housing and may not enter any University Housing facility and/or adjacent areas of University Housing facilities. The Vice President for Student Affairs, Dean of Students or University Conduct Officer is authorized to remove a student from University Housing on an interim basis.
- (c) No Contact Directive. A directive to refrain from any contact, direct or indirect, with one or more designated persons or group(s) through any means including personal contact, e-mail, text messaging, telephone, social media or third parties. The No Contact directive may apply to one or more students. The Vice President for Student Affairs, Dean of Students or University Conduct Officer is authorized to issue a No Contact Directive.
- (d) Other Interim Measures. Other interim measures which may allow access to class(es), instruction and other educational support,

include but are not limited to:

1. Restriction from or limited access to University property, facilities, services, or equipment;
2. Restriction from participation in University activities or organizations;
3. Restriction from any or all class(es). A student may be completely restricted from attending class(es) or may be limited to online or virtual class(es). A student who is restricted from attending class(es) may continue to receive instruction and course information in an alternate manner.
4. The Vice President for Student Affairs, Dean of Students or University Conduct Officer is authorized to impose the above interim measures. A review by the Threat Assessment Team may be requested in any matter where an interim suspension is imposed.

(20) **University's Right to Enter Housing.** In addition to the right of University officials to enter a student's room in University housing pursuant to the terms of the Housing Agreement, officials may enter when an emergency exists, where there is reasonable cause to believe there is a clear and present danger, or where there is a reasonable belief that contraband is present which interferes with the educational process of the University, or where the health, safety and welfare of the University community are in imminent and apparent danger.

(21) **Emergency and Administrative Hearings.**

- (a) **Emergency Hearings.** The Vice President for Student Affairs reserves the right to appoint an ad hoc committee to hear matters regarding, but not specifically limited to, an interim suspension as outlined in Section (19) above. The chairperson of the committee, who may be an academic dean or director, shall be appointed by the Vice President for Student Affairs. Unless an ad hoc committee is appointed, the matter shall ordinarily be heard by the hearing panel and chaired by a staff member of the Office of Student Conduct and

Conflict Resolution. The University Conduct Officer may request the review by the Threat Assessment Team is included as a part of the record for the Emergency Hearing. In the event the ad hoc committee or hearing panel lifts the interim suspension; the committee may implement any alternative interim measures.

1. The student shall have five (5) business days from the date of the notice to request, in writing, an emergency hearing solely on the interim suspension. During the emergency hearing the student may show cause why their continued presence on the University campus is not a threat pursuant to Section (19) of the Code.

2. The emergency hearing shall be held within five (5) business days of receipt of the written, signed request from the student for an emergency hearing. Should a student timely request both an emergency and administrative non-emergency hearing (see Section 21(b) below, Administrative (non-emergency) hearings), the University Conduct Officer, at their discretion, may combine the hearings into one proceeding. If the hearings are combined, the timeframes for an emergency hearing shall govern.

3. If the student fails to timely request in writing an Administrative (non-emergency) hearing on the merits of the case, the University Conduct Officer in his/her sole discretion may accept a written request from the student to proceed with informal disposition. Informal disposition is explained in Section (22) found below. The written request must be submitted within ten (10) business days following the emergency hearing. Should the student fail to submit a timely request for informal disposition, the University will adopt the allegations as the findings, find the student responsible for the alleged violations, and render sanctions

accordingly. The student shall not have a right to appeal the merits of the allegations under this provision; however, the student may appeal the sanctions imposed.

4. In accordance with Regulation 2.012(21)(a) above, if a student does not provide a written request an emergency hearing within the five (5) business days from the date of the notice of interim suspension, the student will have waived the opportunity to the emergency hearing; therefore, the student shall remain suspended until they request an administrative hearing on the merits of the alleged violations, the administrative hearing is held, and sanctions are rendered. If the student fails to request in writing an administrative hearing pursuant to Regulation 2.012(21)(b), within the ten (10) business days from the date of the notice, the student waives the opportunity to the administrative hearing, and waives the right to contest the facts alleged against them. The University shall then adopt the allegations as the findings, find the student responsible for the alleged violations, and render sanctions, which may include the suspension or expulsion.

(b) Administrative (Non-Emergency) Hearings.

1. An administrative (non-emergency) hearing is on the merits of the case, i.e., whether the student committed the alleged offense or offenses under the Code. The student must submit a written request for an administrative (non-emergency) hearing on the merits of the case within ten (10) business days. This information is also provided in the notice to the student. At the discretion of the University Conduct Officer, extenuating circumstances may be taken into consideration with regard to the ten (10) business day time limit such as a student's incarceration.

2. If the student does not provide a written request to the University for an administrative (non-emergency) hearing, the student waives the opportunity to the hearing and further, waives the right to contest the facts alleged against them. The University shall then adopt the allegations as the findings, find the student responsible for the alleged violations, and administer sanctions appropriately.

(22) **Informal Disposition.** In the event a student charged with an offense wishes to waive, in writing, their right to an emergency and non-emergency hearing and the University Conduct Officer wishes to accept jurisdiction, the University Conduct Officer may make a determination of facts and, if the student is found Responsible for the offense, make a determination of sanction(s). The student's written waiver shall be obtained after being given an explanation of the violations against them and of their rights to a hearing under the Student Code of Conduct. The student shall have two (2) business days from the date of signing the waiver to rescind, in writing, the waiver and request a hearing. In the absence of a rescission of waiver, the student shall be informed in writing of the decision within fourteen (14) business days from the date of the waiver. Should the student elect to proceed under this provision and fail to complete the process, a judicial hold may be placed on the student's account. If the University Conduct Officer finds the student is responsible and sanctions are imposed, the student shall not have a right to appeal the merits of the allegations under this provision; however, the student may appeal the sanctions imposed.

(23) **Other University Boards.**

(a) Violation of residence hall policies and procedures are punishable under the Code. Violation of the Visitation Policy as found in the University Housing Handbook may carry either an arrest for trespassing, suspension or probation, and removal from residing in University residential facilities.

(b) Matters involving incidents arising in University Housing may be

referred to the University Housing Judicial Appeal Committee by the Dean of Students or University Conduct Officer where the charged student is a resident of University Housing.

- (c) Matters involving a club and/or organization may be referred to the Clubs and Organization Review Board by the Dean of Students or University Conduct Officer.
 - (d) Student Supreme Court. When a student is charged with a violation, which in the opinion of the University Conduct Officer, would not warrant a sanction in excess of probation, the University Conduct Officer may refer the case to the Student Government Association Supreme Court.
 - (e) In the event the violation is within the jurisdiction of more than one primary hearing panel, the University Conduct Officer shall determine which primary hearing panel shall hear the violation.
- (24) **Appeals.** Decisions of the Student Supreme Court pursuant to Section (23)(d) above, University Housing judicial boards, Clubs and Organizations Review Board, University Conduct Officer and administrative hearing panels are appealed to the Dean of Students or other designated senior University administrator. No person may hear or decide an appeal if they conducted or participated in the conduct proceeding being reviewed on appeal. At the conclusion of the appeals process, the decision of the Dean of Students, or other designated senior University administrator, shall be final, and the student's conduct matter shall be disposed of through a final order signed by the Vice President for Student Affairs, which includes notice to the student of the student's right to appeal to an external judicial forum.
- (a) The student has ten (10) business days from the date of the written notification of the decision by the hearing panel to submit an appeal in writing and file same with the Office of the Dean of Students. Deference is given to the original hearing panel's outcome; thus, the burden is on the student filing an appeal to demonstrate cause to alter

the decision of the hearing panel.

(b) The written appeal must specify reason(s) why consideration should be granted and is limited to the following:

1. The student's due process rights, as outlined in University Regulation 2.013, were violated in the conduct proceeding;

2. New information exists that was not known to the student and could not have reasonably been known or discovered at the time of the original proceeding and which would have substantially affected the outcome of the proceeding. This does not include statements from an individual or student who did not appear for a proceeding.

3. The information presented during the proceeding does not support the decision;

4. The sanction(s) imposed is not commensurate with the violation(s), with consideration given to any aggravating and mitigating circumstances.

(c) The Dean of Students or other designated senior University administrator may uphold the decision and/or sanction(s); modify the decision and/or sanction(s); remand the case to the original hearing panel for reconsideration of the decision and/or sanction(s) subject to any instructions; or remand the case for a new hearing by a different hearing panel.

(d) No student's final sanction shall begin to run until all University appeals are exhausted or denied, except as specified under Section (19) above.

(25) **Record.** The University will maintain an accurate and complete record of each conduct proceeding. A digital recording of each hearing will be made by the Chairperson and preserved. Retention of the record is subject to the General Records Schedule GS5 for universities and community colleges. Deliberations shall not be recorded. During the appeal period, the charged

student, with or without the company of legal counsel, and/or advisor, and/or parent with the written authorization of the charged student will be granted permission to listen to the recorded testimony under arrangements as determined by the University Conduct Officer, with the express understanding that the record is to remain confidential to the extent provided by law. The student may, at their own expense, arrange for the making of a full transcript of the recording by employment of a certified court reporting agency. The recording will be provided by the University with the written authorization of the charged student directly to the court reporting agency, who will be required to return the recording directly to the University. Other than the above modes of recording the hearing, other mechanical, electronic devices for recording or broadcasting shall be excluded from the hearing. If the student chooses to appeal, the recording shall be made available to the charged student and the Dean of Students.

(26) The hearing panel, ad hoc committee or University Conduct Officer shall afford the charged student with due process, as provided by University Regulation 2.013, and/or Board of Governors Regulation 6.0105. The regulations implementing the due process provisions, as well as other matters referenced in said rules, but not included herein shall be printed in the student handbook, the FANG, under the section entitled “Student Rights, Responsibilities and Code of Conduct.”

(27) **Student Conduct Process.**

(a) In accordance with University Regulation 5.003, the University’s primary source of communication with students involved in the student conduct process is through the student’s FAMU e-mail address. Students are responsible for checking their FAMU e-mail on a regular basis.

Reports

(b) Alleged violations of the Student Code of Conduct shall be reported, in writing, to the University Conduct Officer by any individual with knowledge of the allegations. The University Conduct Officer will review the information to determine if: an investigation is warranted; a student will

be charged with violating the Student Code of Conduct; there is not sufficient information and no further action will be taken; the action claimed is not a violation of the Student Code of Conduct; the accused person is not a student; or other appropriate action should be taken. The University Conduct Officer will refer all information warranting conduct action and assign the case to the appropriate staff member.

Charges

(c) If at any time during the course of the conduct process, the University Conduct Officer determines that either charges are not warranted or that insufficient information exists to continue, the charges may be withdrawn and the student will be notified of such in writing.

(d) Students charged with alleged violation(s) will receive written notice of the allegations and be required to attend a mandatory Information Meeting. During the Information Meeting, the staff member will explain the elements of due process afforded to the charged student; review the alleged violation(s) and corresponding allegations; provide the resolution options; and answer any questions. The student will also be given an opportunity to accept responsibility or not accept responsibility and select their resolution option. If the student opts not to make a selection at that time, the student shall contact the Office of Student Conduct and Conflict Resolution within two (2) business days with their selection. If the student does not provide their selection within the required timeframe, an administrative hearing will be scheduled. A hold will be placed on a student's account who fails to attend the Information Meeting. Students who leave the University before a conduct matter is resolved may be prohibited from future enrollment until such time as the matter is resolved and a hold may be placed on the student's account.

Resolution Options

(e) The charged student has the right to a hearing before an impartial Administrative Hearing Panel, at least one-half of which must be students. However, Gender-Based Misconduct cases shall be heard before an

impartial University official or designee or a panel comprised of only University officials or designees (refer to Section (8)(1) above). If the student selects the Administrative Hearing Panel, a staff member from the Office of Student Conduct and Conflict Resolution may serve as Chairperson and will be conducted in accordance with Hearing Guidelines below. Witnesses, documents, exhibits, etc. will be presented. Upon written request, the charged student shall have the opportunity to inspect all of the information related to the allegations, including inculpatory and exculpatory information and the names of any known witnesses. The inspection must occur at least five (5) business days before the hearing and the student is responsible for submitting a timely request. The Panel will determine if the student is Responsible or Not Responsible and any appropriate sanction(s). The charged student has the right to attend the entire hearing, excluding deliberations, and will be provided a written decision within fourteen (14) business days following completion of the hearing.

(f) Alternatively, the charged student may waive their right to a hearing and select Informal Disposition. Informal Disposition is a meeting with a staff member in the Office of Student Conduct and Conflict Resolution. Upon written request, the charged student shall have the opportunity to inspect all of the information related to the allegations, including inculpatory and exculpatory information. The inspection must occur at least five (5) business days before the meeting and the student is responsible for submitting a timely request. The charged student will have an opportunity to respond to the information and present any documentary information on their own behalf; however, witnesses will not be presented. The staff member shall determine if the student is Responsible or Not Responsible and any appropriate sanction(s). Refer also to Section (22) above for additional information regarding Informal Disposition.

(g) The University Conduct Officer may recommend mediation as an alternative to formal conduct action. Mediation is confidential and the

involved students must each agree to mediation in writing. In mediation, the students meet with an impartial mediator to communicate their concerns and needs and reach their own agreement on the resolution of the case. In the event the students do not agree to mediation or fail to reach an agreement, the case will be referred back to the above hearing options for disciplinary action.

Appeal

(h) The charged student may appeal the decision and sanction(s) rendered by the Administrative Hearing Panel and the sanction(s) rendered during Informal Disposition to the Dean of Students or other designated senior University administrator as provided in Section (24) above.

(i) Decisions of any committee, hearing panel, or designated University official constitutes official action and is not a recommendation. If an appeal is not timely filed, the decision of the committee, hearing panel or designated University official becomes the final outcome.

(28) **Hearing Guidelines.** Student conduct hearings shall be conducted in accordance with the following guidelines:

(a) All hearings shall be closed to the public unless required by law.

(b) The charged student and their advisor, advocate or legal representative, if any, shall be allowed to attend the entire portion of the hearing at which information is received, excluding deliberation. No other person shall be permitted to attend.

(c) In conduct hearings involving more than one charged student, the University Conduct Officer or the chairperson, in their discretion, may permit the hearing concerning each student to be conducted separately or jointly. Information received during a hearing arising out of the same circumstances may be used.

(d) The charged student has the right to be assisted by one (1) advisor, advocate or legal representative, at their own expense and initiative. An advisor, advocate or legal representative may participate in all aspects of the conduct proceeding but shall not testify for the student

and may not serve in any other role. A student should select an advisor, advocate or legal representative whose schedule allows attendance at the scheduled date and time of the hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor, advocate or legal representative. The student must provide, in writing, to the University Conduct Officer or the chairperson of the hearing panel, the name, mailing or e-mail address, and phone number of their advisor, advocate or legal representative at least three (3) business days prior to the meeting or hearing date.

- (e) The charged student may arrange for witnesses to present pertinent information to the hearing panel. The University will try to arrange the attendance of possible witnesses who are members of the University community, if reasonably possible and who are identified by the charged student at least five (5) business days prior to the conduct hearing. Witnesses will provide relevant information to and answer questions from the hearing panel and the charged student. No witness may be compelled to provide self-incriminating information. Witness statements may be provided to the hearing panel and are entitled to be given the same weight by the hearing panel as live witness testimony. A written statement is not a violation of the due process rights of the charged student, as the charged student has the opportunity to review and respond to the written statement and may offer information to rebut the witness statement and other information presented at the hearing.
- (f) If the charged student fails to appear at the hearing after being properly notified or fails to cooperate in the hearing process, the hearing panel may hear the case on the basis of information accumulated as a result of witnesses and shall notify the charged student of the decision. In the absence of the charged student, a response of Not Responsible shall be entered on the student's behalf

by the chairperson of the hearing panel. Also refer to Obstruction of the Student Conduct System, Section 8(t).

- (g) A charged student may request only one postponement of a conduct hearing by contacting in writing the University Conduct Officer at least three (3) business days prior to the hearing. Postponement of the hearing shall be at the discretion of the University Conduct Officer or their designee.
- (h) Witnesses shall not serve as advisors at any conduct hearing.
- (i) At the time of the hearing, an automatic postponement shall be granted if the composition requirements of the hearing panel are not met.
- (j) If any member of the hearing panel feels that they had previous contact with the case or with the students involved so that a fair judgment cannot be rendered, the member must request that they not serve for the hearing. The charged student may request that any member of the hearing panel be excused whenever the student can show a bias on the part of the member. The chairperson of the hearing panel will decide on such challenges and, if appropriate, ask the member to excuse him or herself. If the chairperson of the hearing panel is challenged by the student, the hearing panel will decide by a majority vote whether or not the chairperson should be requested to excuse themselves, notwithstanding that the chairperson does not vote on whether the charged student is Responsible or Not Responsible for violating the Code.
- (k) A charged student may be diverted from the conduct process or hearing if prior to or during the conduct process or hearing, it is determined by the Dean of Students pursuant to University Regulation 2.007, Voluntary and Involuntary Withdrawal, that the charged student has a mental health issue and the objectionable behavior appears to be a result of the mental health issue.
- (l) Pertinent records, exhibits, and written statements may be accepted

as information for consideration at the discretion of the chairperson of the hearing panel.

- (m) All procedural questions are subject to the final decision of the chairperson of the hearing panel.
- (n) After the portion of the conduct hearing concludes in which all pertinent information has been received, the hearing panel shall determine by a majority vote whether the charged student is Responsible or Not Responsible for violating each section of the Code for which the charged student is charged. The chairperson of the hearing panel cannot vote. Prior records of student conduct action and impact statements are considered by the hearing panel only if the student has been found Responsible and during the sanctioning phase of deliberations.
- (o) Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court proceedings, ~~are do not use~~ do not apply in conduct hearings.
- (p) The burden of proof in all conduct hearings shall be on the University and is not on the charged student. A “preponderance of information” shall constitute the standard of proof standard in all conduct hearings. The charged student shall be presumed Not Responsible for the alleged violation(s).
- (q) The University Conduct Officer and/or the chairperson of the hearing panel may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Respondent, or any other participant during the hearing by providing separate waiting rooms and/or by permitting participation, when feasible, by video conferencing, videotape, audio tape, telephonically or other means.
- (r) The administrative hearing panel is comprised of faculty members, staff members, administrators and students. The composition is variable from four to six (4-6) persons, depending upon the nature

of the violation. At least one-half of the membership must be students.

- (s) Any student with a disability may request reasonable accommodations during the conduct process. If accommodations are desired, the request must be made to the Center for Disability Access and Resources (CeDAR) at least seven (7) business days prior to the proceeding. If necessary, the University Conduct Officer may postpone the proceeding to provide reasonable accommodations. Non-students may contact the Office of Equal Opportunity Programs.
 - (t) The above guidelines for conducting a conduct hearing are not exhaustive. Therefore, the University Conduct Officer may adopt additional guidelines for the conduct of hearings that are not inconsistent with the provisions of this Code. Such procedural guidelines must be approved by the Vice President for Student Affairs or designee, must be in writing and made available to the charged student and all witnesses at least three (3) business days prior to the hearing.
- (29) Unless specifically stated otherwise herein, the provisions of this Code should be read and interpreted broadly, and are not intended to define misconduct in exhaustive terms. The Office of Student Conduct and Conflict Resolution may adopt internal operating procedures, which are consistent with this Code. In instances where there may be conflict between the internal procedures and the Code, the Code shall supersede.
- (30) **Review of Code.** The Student Code of Conduct shall be reviewed on a biennial basis under the direction of the University Conduct Officer who shall appoint a committee, with student representation, to evaluate the Code and make recommendations, if any, for amendments or revisions.

Specific Authority: Article IX, section 7, Florida Constitution, sections 1006.60, 1006.61, 1006.62, 1006.63, Florida Statutes, Board of Governors Regulation 6.0105. History—New October 1, 1975, Repromulgated March 8, 1976, Amended August 6, 1978, Amended December 22, 1983, Amended September 14, 1987, January 26, 2004, Amended June 29,

2006, Amended July 15, 2013, Amended March 6, 2014, Amended July 7, 2014, Amended June 11, 2016, Amended July 31, 2020, Amended January 8, 2021, Amended December 8, 2021, Amended _____, 2023.

FLORIDA **A&M** UNIVERSITY
Board of Trustees
ACTION ITEM

Academic and Student Affairs Committee

Wednesday, June 7, 2023

Agenda Item: VII

Subject: Amendment to BOT Regulation 2.013 – Due Process, Other Rights, and Responsibilities

Proposed Board Action: The University’s Student Code of Conduct shall be reviewed on a biennial basis under the direction of the University Conduct Officer. The required review was performed this year and this Regulation is being revised to ensure compliance with Florida Board of Governors Regulation 6.0105. The amendments clarify that the charged student and the student’s advisor, advocate or legal representative, if any, shall have the opportunity to inspect all of the information related to the allegations, including inculpatory and exculpatory information and all known witnesses. Additionally, the rights and rules of evidence or procedure in a civil or criminal proceeding do not apply in a student conduct proceeding.

The University is requesting that the Board of Trustees approve amendments to Regulation 2.013 for notice and adoption in accordance with the Florida Board of Governors’ Regulation Development Procedure.

Attachment: Yes

1. Regulation 2.013 – Due Process, Other Rights, and Responsibilities

**Regulations of
Florida A&M University**



2.013 Due Process, Other Rights, and Responsibilities

(1) The due process requirements contained below shall be applicable in all cases involving academic dishonesty and purported violations of the Student Code of Conduct. Applicable definitions are found in Florida A&M University (“University”) Regulation 2.012, Student Code of Conduct. All definitions not included herein or in University Regulation 2.012, are in accordance with definitions found in the Merriam-Webster’s dictionary located in the Office of Student Conduct and Conflict Resolution. Students may contact the Office of Student Conduct and Conflict Resolution or Center for Disability Access and Resources for online access. Due process as applied by the University and its schools, institutes, and colleges shall include, at a minimum, the following:

(a) **Notice.** The student shall be provided with written notice of the violations against them in sufficient detail and in sufficient time to prepare for a hearing or meeting before an appropriate and impartial committee, hearing panel, or designated University official. This notice shall be presented no less than seven (7) business days prior to the hearing or meeting, except in cases of emergency hearings, where the notice will be provided as soon as possible.

(b) **Scheduling of the Emergency and Administrative (non-emergency) Hearings.** The student shall be entitled to a prompt hearing or meeting before

an appropriate and impartial committee or hearing panel, as established by the University. The student is responsible for ensuring that the University receives the student's written request for any hearing within the allotted times.

1. **Emergency Hearing.** The student shall have five (5) business days from the date of the notice to request, in writing, an emergency hearing solely on the interim suspension at which the student may show cause why their continued presence on the University Campus is not a threat pursuant to University Regulation 2.012(19). For emergency hearings, the hearing shall be scheduled within five (5) business days from receipt of student's written request.
2. **Administrative (non-emergency) Hearing.** Pursuant to University Regulation 2.012(21)(b), when a student has been suspended on an interim basis, the student is provided with ten (10) business days from the date of the notice to request, in writing, an administrative (non-emergency) hearing on the merits of the case, i.e., whether the student committed the alleged offense or offenses under the Student Code of Conduct. The administrative (non-emergency) hearing shall be scheduled within fifteen (15) business days from receipt of the student's written request.
3. **Combined Hearings.** Should a student timely request both an emergency hearing on the interim suspension and administrative (non-emergency) hearing on the merits of the case (see University Regulation 2.012(21)(b), Administrative (non-emergency) hearings), the University Conduct Officer, at their discretion, may combine the hearings into one proceeding. If the hearings are combined, the timeframes for an emergency hearing shall

govern.

4. **Information Meeting.** If the University Conduct Officer or their designee believes after a review of the purported violations that the information has merit, the student will be issued written notice to attend a mandatory Information Meeting before the University Conduct Officer or their designee. At the Information Meeting, the University Conduct Officer or their designee will explain to the student the allegations, elements of due process that will be afforded and the student's resolution options.

5. Exceptions to scheduling the hearing within the specified number of days may occur due to outside factors such as the availability of witnesses or the hearing panel members. It is the responsibility of the student to ensure that their written requests are timely received by the appropriate University official.

(c) **Informal Disposition.** In lieu of a hearing, the student shall have the option to request resolution of the matter by an appropriate and impartial official designated by the University. This opportunity will be provided to the student during the Information Meeting. Please refer to University Regulation 2.012(22).

(d) **Disclosure of Information.**

1. In Emergency Hearings and upon the student's written request, the student and the student's advisor, advocate or legal representative, if any, shall have the opportunity to inspect all of the information related to the allegations, including inculpatory and exculpatory information and all known witnesses at least one (1) business day prior to the hearing. The University shall also

have the right to inspect any information related to the allegations, including inculpatory and exculpatory information and all known witnesses the student intends to use at the hearing at least one (1) business day prior to the hearing.

2. In Administrative (non-Emergency) Hearings/Meetings and upon the student's written request, the student and the student's advisor, advocate or legal representative, if any, shall have the opportunity to inspect all of the information related to the allegations, including inculpatory and exculpatory information and all known witnesses. Inspection of the information shall occur at least five (5) business days before the student conduct hearing or meeting. Failure of the student to timely request inspection of the information waives the five (5) business day timeframe in which the University has to comply. Upon waiver, inspection will occur at the University's availability. The University shall also have the right to inspect any information related to the allegations, including inculpatory and exculpatory information and all known witnesses the student intends to use at least five (5) business days before the student conduct hearing or meeting.
3. If the student and the student's advisor, advocate or legal representative, if any, fails to notify the University, within the above-allotted times before the hearing, that they have information the student plans to present, and/or fails to allow the University to inspect the information that the student intends to use at the hearing, it may be considered a waiver by the student. As a result, the student might not be able to present the information at the hearing.

(e) **Hearing/Meeting Procedures.** The student has the right to a presumption that no violation occurred. The University has the burden to prove, by a preponderance of the information, that a violation has taken place. The student may present relevant information on their own behalf during the student conduct hearing or meeting. The student may hear and question witnesses who testify at the hearing or meeting. The student shall not be forced to present testimony, which would be self-incriminating and has the right to remain silent. Such silence may not be used against the student.

1. The University is not required to postpone the proceedings pending the outcome of a criminal or other outside proceeding.
2. The University student conduct proceeding is not a criminal or judicial proceeding and is designed to address student behavior; therefore, purported academic dishonesty or violations of the Student Code of Conduct will be addressed independently of any penalty imposed by an external judicial or administrative body. The rights and rules of evidence or procedure in a civil or criminal proceeding do not apply in a student conduct proceeding.

(f) **Advisor.** The student may, at their own expense and initiative, have one (1) advisor, advocate or legal representative of the student's choice present during the student conduct proceedings. The student must provide, in writing, the name, mailing or email address, and phone number of their advisor, advocate or legal representative at least three (3) business days prior to the meeting or hearing date. It is the student's responsibility to make appropriate arrangements for the advisor, advocate or legal representative to attend the student conduct proceedings which will not be delayed due to scheduling conflicts of the chosen advisor, advocate or

legal representative. The student shall coordinate the scheduling of the hearing and not the advisor, advocate or legal representative.

1. The advisor, advocate or legal representative may be present to advise the student and may participate in all aspects of the proceeding but shall not testify for the student. The advisor, advocate or legal representative cannot serve in any other role, including as a witness, an investigator, decider of fact, hearing officer, member of a committee or panel convened to hear or decide the charge or any appeal.

(g) The decision of Responsible or Not Responsible shall be based solely on the information presented during the hearing or meeting.

(h) The decision of any committee, hearing panel, or designated University official, is not a recommendation but is an official action and shall be presented to the student in writing within fourteen (14) business days following the hearing or meeting.

(i) Appeal.

1. The student may appeal the decision of any committee, hearing panel, or designated University official, in writing, within ten (10) business days from the date of the decision to the Dean of Students or other designated senior University administrator, as appropriate, unless otherwise proscribed. No person may hear or decide an appeal if they conducted or participated in the conduct proceeding being reviewed on appeal.

2. At the conclusion of the appeals process, the decision of the Dean of Students or other designated senior University administrator shall be final and the student's conduct matter shall be disposed of through a final order

signed by the Vice President for Student Affairs. The final order shall include notice to the student of the right to appeal to an external judicial forum, as appropriate.

3. In cases where the student selects informal disposition of the case, the student is limited to appealing the sanctions.
- (j) A student shall remain eligible to attend classes and University activities pending the University's conduct decision, and until any appeal is concluded except as set forth below:
1. In cases where the Vice President for Student Affairs determines that the health, safety, or welfare of the student or a member of the university community is involved, the student may be temporarily suspended or expelled from classes and/or University activities.
 2. In cases where the sanction(s) determined by the University official(s) in the conduct decision include either suspension or expulsion, the student's privileges at the University, including the ability to attend classes, in-person or online, and engage in University activities may be revoked.
- (k) If a student's privileges are temporarily revoked as described in paragraph (1)(j)2. above, but the student is subsequently found not responsible for the violations, the University will:
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 charges for tuition and out-of-state fees, as appropriate, if the temporary revocation or suspension of the student's ability to attend classes lasts for more than ten (10) business days.

(2) Additional due process protections, as may be provided by regulation or policy of the Board of Governors, shall also be applicable to cases involving academic dishonesty or violations of the Student Code of Conduct as indicated by said regulation. Refer to Board of Governors Regulation 6.0105.

(3) Waivers.

(a) In accordance with University Regulation 2.012(21)(a), a student is provided five (5) business days from the date of the notice of interim suspension to request in writing an emergency hearing regarding the student's continued presence on the University's Campus. If the student does not provide the University with a timely, written request for the emergency hearing, the student will have waived the opportunity for the emergency hearing; therefore, the student shall remain suspended until the student requests an administrative hearing on the merits of the alleged violations, the administrative hearing is held, and sanctions are rendered.

(b) Pursuant to University Regulation 2.012(21)(b), when a student has been suspended on an interim basis, the student is provided with ten (10) business days from the date of the notice to request in writing an administrative (non-emergency) hearing on the merits of the case. Should the student fail to submit a timely, written request for an administrative (non-emergency) hearing, the student would have waived the opportunity to contest the alleged facts. Based

on the student's waiver, the University Conduct Officer shall adopt the allegations as the findings, find the student responsible for the alleged violations, and render sanctions.

- (c) If the student has been suspended on an interim basis and fails to timely request, in writing, an Administrative (non-emergency) hearing on the merits of the case, the University Conduct Officer in their sole discretion may accept a written request from the student to proceed with informal disposition. (Informal disposition is explained in University Regulation 2.012(22).) The written request must be submitted within ten (10) business days *following* the emergency hearing. Should the student fail to submit a timely request for informal disposition, the University Conduct Officer shall adopt the allegations as the findings and find the student responsible for the alleged violations. The student shall not have a right to appeal under this provision.
- (4) The Student Code of Conduct supersedes all other means of disciplining or removing students for behaviors prohibited by the University.

(5) **Victim Rights.** A victim is defined as the person harmed by a violation of the Student Code of Conduct committed by the charged student. The University will provide notice to the alleged victim(s) of their rights at least five (5) business days before any hearing is held. Victims have the following rights:

- (a) To have an advisor, advocate or legal representative of the purported victim's choice and at their initiative, accompany them when presenting information to the hearing panel and to any other relevant meetings held throughout the student conduct process;
- (b) To submit an impact statement to the hearing panel. This information may be

used only in the sanctioning phase of deliberations, if the charged student is found Responsible for the violation(s). If the charged student appeals the decision on the basis of severity of the sanction imposed, the charged student will have the right to view the impact statement upon written request;

- (c) To have unrelated past behavior excluded from the hearing. The University Conduct Officer or chairperson of the hearing panel will decide if such information is unrelated;
 - (d) To submit questions to the University Conduct Officer at least three (3) business days prior to the hearing. The University Conduct Officer will decide whether the questions are relevant and should be presented at the hearing;
 - (e) To have personal property returned if in the current possession of the University. The determination of when this property may be returned is within the discretion of the University Conduct Officer and/or University Department of Campus Safety and Security;
 - (f) For Complainants involved in a Gender-Based Misconduct case, please refer to additional rights noted in University Regulation 2.012(8)(1).
- (6) **Basic Rights.** All students enrolled at the University shall be afforded the basic rights as set forth below:
- (a) The right of respect for personal thoughts; the right of freedom from indignity of any type; the right to expect an education of the highest quality; and the right to make the best of one's talents and time toward the objectives which brought them to the University;
 - (b) The right to inquire about and to recommend improvements in University policies, regulations, and procedures through established protocol;

- (c) The right to participate in the self-governing process of student organizations pursuant to the regulations, policy, and procedures of the University and affected organizations;
 - (d) The right to be represented on University-wide committees in accordance with University procedures;
 - (e) The right of freedom of expression and peaceful assembly as defined and governed by the Constitutions of the United States and the State of Florida and the regulations of the University and the Florida Board of Governors;
 - (f) The right to participate in dialogue during public discussions that provide a diversity of opinions;
 - (g) The ability to join University clubs and organizations for educational, political, social, religious, and cultural purposes in accordance with the regulations, policy, and procedures of the University and the respective clubs and organizations;
 - (h) The right of due process as outlined above; and
 - (i) The right of freedom of press and media to publish and distribute materials in accordance with the Constitutions of the United States and the State of Florida and the regulations of the University.
- (7) **Student Responsibilities.** The University encourages its students to help maintain a healthy academic climate where students can intellectually grow and develop as mature and responsible individuals. Concomitant with student rights are student responsibilities. These responsibilities include but are not limited to the following:
- (a) The responsibility of making the most of their educational opportunities by attending classes and laboratory periods on a regular basis and by completing

all academic requirements, in a satisfactory manner, as stated in each course syllabus while taking advantage of the many opportunities provided in a University environment for all around personal growth, development, and maturation;

- (b) The responsibility of knowing and observing all University policies, procedures, and regulations (e.g. the General Catalog of the University and Student Handbook, including the Student Code of Conduct, etc.) as well as state and federal laws and requirements;
- (c) The responsibility of taking the initiative in exercising the democratic processes to include, but not be limited to, voting and performing community or volunteer services;
- (d) The responsibility of ensuring the orderly operation of the University through appropriate conduct in and out of the classroom; and
- (e) The responsibility of assuming the consequences of one's own actions, and to avoid conduct detrimental in its effect upon fellow students and members of the University community.

Specific Authority: Article IX, section 7(c), Florida Constitution, Sections 1006.60, 1006.61, 1006.62, Florida Statutes, Board of Governors Regulation 6.0105. History New October 1, 1975, Formerly 6C3-2.13, Amended September 14, 1987, Amended June 29, 2006, Amended July 15, 2013; Amended July 7, 2014, Amended June 11, 2016, Amended July 31, 2020, Amended January 8, 2021, Amended December 8, 2021, Amended _____, 2023.

FLORIDA **A&M** UNIVERSITY
Board of Trustees
ACTION ITEM

Academic and Student Affairs Committee

Wednesday, June 7, 2023

Agenda Item: VII

Subject: Amendment to BOT Regulation 2.015 - Admissions

Proposed Board Action: This Regulation is being revised to provide updates to admissions criteria, and more adequately directs readers to Board of Governors Regulations that directly influence the University's admissions practices.

The University is requesting that the Board of Trustees approve amendments to Regulation 2.015 for notice and adoption in accordance with the Florida Board of Governors' Regulation Development Procedure.

Attachment: Yes

1. Regulation 2.015 – Admissions

Regulations of Florida A&M University



2.015 Admissions

(1) General Policies

(a) Admission of students to Florida Agricultural and Mechanical University (University or FAMU) is within the jurisdiction of the University, but subject to the minimum standards adopted by the Board of Governors. Applications may be located at www.famu.edu/admissions. Each applicant must submit an admission application along with the requisite nonrefundable fee. Fee waivers are accepted from First-Time-in-College Florida residents who can document that they have received a fee waiver based on economic need as determined by the College Board or the American College Testing Program. Submission of applications may be as early as twelve (12) months prior to the anticipated enrollment date and by the deadline stated in the university calendar.

(b) No person shall be admitted, enrolled, or matriculated who does not meet the standards set by the University, which include but are not limited to having received a high school diploma or its equivalent (e.g., GED), except as provided in Section 1007.271, F.S., as now or as hereafter amended.

(c) Prior to registration, each student must complete a FAMU Health History and Immunization form signed by the applicant. All entering applicants born in or after 1957 must provide proof of immunizations which is mandatory prior to enrollment. FAMU Student Health Services is responsible for oversight of student immunization compliance and reserves the right to require immunizations based on recommendations from the Centers for Disease Control and Prevention

(CDC), the Florida Department of Health, the Florida Board of Governors, or the FAMU Board of Trustees. FAMU reserves the right to refuse registration to any applicant, former student, or student whose health record indicates the existence of a condition which may be harmful to the members of the University community.

(d) An application, application fee, residency affidavit, or supporting documentation submitted by or on behalf of a student which contains false, fraudulent, misleading, or incomplete statements may result in denial of admission, denial of further registration, invalidation of FAMU credits or degree earned, and/or disciplinary action up to and including dismissal.

(e) Admissions shall be on a selective basis within curricular, space, and fiscal limitations. The selection process shall include, but is not limited to, consideration of multiple factors such as grades, test scores, educational objectives, class rank, pattern of courses completed, past conduct, school recommendations, personal recommendations, character, talent, and personal records.

(f) All applicants for admission or readmission to the Florida A&M University, including applicants for post-baccalaureate or non-degree-seeking attendance, and regardless of program of study, are required to disclose on the application prior criminal conduct, pending criminal charges, and prior educational misconduct. The University reviews all applications in which a student discloses prior criminal conduct or prior educational misconduct to determine whether the admission of the applicant is in the best interest of the University. Applicants who fail to disclose prior criminal misconduct, pending criminal charges, or any prior educational misconduct are in violation of the disclosure requirements of this paragraph and may be subject to appropriate action by the University, including denial of admission or readmission, revocation of admission, or other academic and/or disciplinary action prescribed by the University, up to and including dismissal. Criminal conduct which must be disclosed includes all felony and misdemeanor convictions and any driver's license

revocation or suspension, regardless of the jurisdiction. This includes cases in which the applicant pled *nolo contendere* and also cases in which adjudication was withheld. Applicants are also required to disclose any pending criminal charges. Applicants are not required to disclose a conviction or charges which were expunged or sealed by the court. Applicants are not required to disclose traffic citations which result only in a fine

(g) Admission to the University does not guarantee admission to a specific school, college, or limited access program that may have additional or higher requirements that the applicant must meet.

Admission requirements to a specific school, college, or limited access program is published in the General Catalog of the University.

(2) Undergraduate Admission of First-time, Degree-seeking Freshman.

(a) Applicants for admission as first-time, degree-seeking freshman (FTIC) must meet the minimum requirements set forth in Florida Board of Governors Regulation 6.002 as well as any admissions criteria set by the University. A first-time, degree-seeking freshman is a student who has earned a high school diploma from a Florida public or regionally accredited high school, or equivalent and who has earned fewer than twelve (12) semester hours of transferable college credit since receiving a high school diploma or its equivalent.

(b) High school students participating in dual enrollment and other acceleration programs who are on track to earn an associate in arts (A.A.) degree from a Florida College System (FCS) or State University System (SUS) institution and who do not meet the requirements of Board of Governors Regulation 6.004 may be considered for admission as either a first-time-in-college (FTIC) freshman or as a potential A.A. transfer student.

(b) (c) Admission to the University shall be on a space available basis. Students judged to have a greater probability of academic success at the University will be given priority in admissions when FTIC enrollment must be limited.

(e) (d) The Office of Undergraduate Admissions will consider all appeals based on newly submitted academic or personal information that was not present in an applicant's initial admission application. The Office of Undergraduate Admissions conducts a holistic review of applicants who do not meet automatic admissions requirements. Applicants who do not meet our automatic requirements are reviewed for admission in the spring and for the Summer Bridge Program. If an applicant does not meet the minimum requirement of the Florida Board of Governors and the University's Summer Bridge requirements, will be redirected to participate in the University's IGNITE Program. In addition, the University's Summer Bridge Program has a limited enrollment cap and when the enrollment cap is satisfied, students will be encouraged to participate in the IGNITE Program. As a result of our holistic review process, it is unusual for the University to reverse an admission decision unless the applicant is able to show an increase in GPA, High School Units, and/or Test Scores.

(3) Admission of Undergraduate Transfer Students.

(a) The admission of Florida College System institutions Associate in Arts and state articulated Associate in Science transfer students is governed by the Articulation Agreement between the state universities and the Florida College System, the Florida A&M University general admissions policy and, as applicable, the appropriate FAMU international student admission policy. Within curricular, space, and fiscal limitations, Associate in Arts and state articulated Associate in Science degree recipients of the State University System and Florida College System shall be admitted.

(b) Undergraduate transfer students who have not earned the Associate in Arts or state articulated Associate in Science degree from a state university or Florida College System institution must meet the general admission requirements of the University and the following requirements:

1. Transfer applicants for admission must meet the minimum requirements set forth in Florida Board of Governors Regulation 6.004 as well as any admission criteria set by the University.
2. Applicants must be in good standing with and eligible to return to the last institution they attended.

3. Applicants must have a grade point average of at least 2.0 on a 4.0 point scale for all college level course work attempted as well as at the last institution attended.

4. Applicants whose native language is not English must demonstrate English proficiency by successfully completing one of the approved methods outlined by the International Education Office.

(c) Exceptions may be made on an individual basis when, in the judgment of the Admissions and Standards Committee, a student can reasonably be expected to do satisfactory academic work.

(d) The Office of Undergraduate Admissions will consider all appeals based on newly submitted academic or personal information that was not present in an applicant's initial admission application.

The Office of Undergraduate Admissions conducts a holistic review of applicants who meet our automatic admissions requirements. In most cases, if a student is redirected, the student fell below the Florida Board of Governors minimum requirements and it is unusual for us to reverse an admission decision unless the applicant is able to show an increase in GPA or can prove the student will complete the necessary courses prior to the start of the applicant's desired term of entry.

(a) Admission of international students to FAMU is governed by the University Admission Regulation, Florida Board of Governors Regulation 6.009 and the following regulations based on applicant type: Has to meet 6.002 if First-Time In College or 6.004 If Transfer

(b) Eligible international students may be accepted at the appropriate level subject to curricular, space, and fiscal limitations. International applicants can only be admitted in a status that is appropriate for the visa category designated on the application.

(c) International student applicants are obligated to follow the laws and regulations set by the United States Citizenship and Immigration Services and the United States Department of State. International students must submit the following for admission to the University:

(d) Application for admission with the requisite non-refundable application fee.

(e) In order for the University to issue a Certificate of Eligibility (Form I-20) to an international applicant, the student must provide documentation showing sufficient resources to cover tuition, fees, books, room and board, health insurance, and other living expenses while enrolled at the University. The documents must be certified by a financial institution or if the international student is awarded a scholarship from the University, an official letter is required indicating the amount and duration of the scholarship.

(f) Each international applicant determined to be academically and financially eligible for admission must submit a medical/health history form including proof of immunizations as required by the University prior to enrollment at the University.

1. Official transcripts from all high schools and/or colleges attended.

a. Academic credentials (credentials must be certified true copies from high school; college or University). Original transcripts from all institutions must be submitted from the foreign institutions directly to the Office of Admissions.

b. To determine academic eligibility for admissions, academic credentials must be: (1) translated into English and (2) evaluated course by course by an evaluation service. It is the responsibility of the applicant to contact the evaluation agency directly and provide

2 FAMU with an original evaluation of all academic credentials.

a. Acceptable evaluators can be found at the web pages of the National Association of Credential Evaluation Services (NACES) National Association of Credential Evaluation Services.

(g) Scores resulting from the SAT or ACT College Entrance Examination;(no exceptions or waivers will be accepted;

(h) Test of English as a Foreign Language (TOEFL= 550/paper-based; 80 internet-based) or International English Language Testing System (IELTS) scores (6.0) sent directly to FAMU from the Testing Service if an applicant is from a country in which English is not the official language, or if an applicant's degree is not from an accredited U.S. institution, or if an applicant did not earn a degree in a country in which English is the only official language, or if the applicant is from a university where English is the only official language of instruction;

(i) An applicant transferring from another college or university in the United States must submit an official transcript(s) of final grades reflecting at least sixty (60) semester or ninety (90) quarter hours and at least a “C” average. In addition, the applicant must have been interviewed and filed Form I-538 (application for school transfer).

(j) Each international student accepted for admission shall, prior to registration, submit proof of compliance with the mandatory health and accident insurance requirement. Written proof of insurance must be provided from an American-based company and valid for one year from the date of first enrollment and each year thereafter.

(k) The Office of International Education and Development is responsible for administering special programs for all sponsored international students. There is a requisite administrative cost per student per semester to the sponsoring agency for these required programs.

(5) Readmission as Undergraduate Student.

(a) A student must apply for readmission to the Registrar's Office when:

1. the student has not enrolled at FAMU for two consecutive semesters (not including the Summer term);
2. the student has been academically suspended from FAMU;
3. the student failed to enroll or withdrew from all classes during the readmitted term; or
4. the student has previously attended, or is currently enrolled at FAMU, as "degree seeking" and desires to pursue a second bachelor's degree.

(b) Students can apply on-line by visiting the website at www.famu.edu/admissions and paying the applicable application fee.

(c) Applications from students who have permanent University holds or who are not in good standing with the university will not be processed.

(d) Even where a student is eligible to apply for readmission, readmission is within the discretion of the University and is not automatic. A student who is ineligible for readmission may not apply for readmission, and any such application submitted will not be considered; there is no appeal for a student who is ineligible for readmission.

(e) Readmission for Servicemembers.

1. Servicemembers who are required to stop attending classes because of military service will be granted readmission in accordance to 34 C.F.R. § 668.18.

(6) Inter-Institutional Transient Registration

(a) A student, by mutual agreement of the appropriate Dean or designated academic authorities at both the parent and host institutions, may be allowed to register as non-degree seeking transient

student. Transient applicants may receive a waiver of regular admission requirements of the host institution if credit earned will be accepted by the parent institution.

(b) Interinstitutional transient status is normally limited to one term. Enrollment as a transient student in no way implies future admission as a regular student at FAMU.

(7) Early Admission

(a) The University provides an early admission program for outstanding high school students who demonstrate potential to do college-level work. Applications for early admission should be submitted during the junior year along with high school transcripts and SAT or ACT scores. A recommendation from the principal (or designated representative) is required. Additional requirements are as follows:

1. A “B” or better high school average in the core academic subjects;
2. Meet the minimum SAT or ACT test score requirements for undergraduate FTIC admission; and
3. Eighteen (18) core academic units as indicated under paragraph (2)(e) of this regulation.

(8) Special Provisions for Veterans and Active Duty Military Students.

(a) FAMU will grant college credit to students with military training, experience, or coursework that is recognized by the American Council on Education (ACE). Military training, experience or coursework is subject to FAMU’s regular transfer practices including limitations on amount and level of transfer credit.

1. FAMU will utilize the ACE Guide to the Evaluation of Educational Experiences in the Armed Services to determine equivalency and alignment of military coursework with appropriate university courses.

2. If the military training or coursework equivalency fulfills a general education or degree program requirement, FAMU will apply the credit accordingly. For courses deemed college equivalency that

FAMU does not offer or does not meet a general education or program course requirement, the student will receive elective course credit.

3. Credit that was previously evaluated and awarded by another SUS Institution or other Florida degree granting college or institution and that is appropriate to the transfer student's major will be accepted subject to institution transfer limitations.

4. Credit awarded for military education and training will be noted on the transcript and documentation of the credit equivalency evaluation will be maintained.

5. Credit awarded for military education and training shall not be counted in the excess hours fee per Board of Governors Regulation 7.003 Fees, Fines and Penalties due to the credit being based on work accomplished while serving on active duty.

(b) Priority course registration will be provided for each veteran of the United States Armed Forces who is receiving GI Bill educational benefits and for the spouse or dependent children of a veteran to whom the GI Bill education benefits have been transferred.

(c) Any student enrolled in a college credit course at FAMU will not incur academic or financial penalties by virtue of performing military service on behalf of our country. Students in this situation are encouraged to withdraw and will be provided any eligible refund without academic penalty, unless the student and faculty member agree that completion is imminent and possible. If the course is no longer offered when the student seeks to resume study, an equivalent course may be selected. If the student chooses to withdraw, the student's record shall reflect that the withdrawal is due to active military service. This section applies to:

1. Students who are currently on active duty with any unit of the United States Armed Forces who receive orders that require reassignment to a different duty station or absence from class for an extended period of time during the semester in which they are enrolled;

2. Students who are members of a National Guard, Air National Guard, or other military reserve unit who receive orders calling them to active duty for operational or training purposes during the semester in which they are enrolled, excluding any regularly scheduled weekend and annual training duty;

3. Students who are veterans of the United States Armed Forces and who are recalled to active duty during the semester in which they are enrolled; and

4. Students who enlist in any branch of the United States Armed Forces and whose induction date falls within the semester in which they are enrolled.

(9) College Credit for Nontraditional Courses Prior to Initial Enrollment.

(a) Undergraduate students who are admitted to the University and who have completed nontraditional courses, including online and short college level courses, prior to initial enrollment in undergraduate education may request that the University evaluate that work to determine if credit might be awarded. Sufficient time must be allowed for the University to evaluate the course material for transferability.

(b) Award of credit for that work must meet the following conditions:

1. The request is made prior to the initial term of enrollment and as soon as practicable.

2. University faculty members determine the nontraditional course content and learning outcomes to be comparable to a course offered at the institution;

3. Nontraditional courses meet the quality and accreditation standards intended for a transfer course as determined by the College of Undergraduate Studies in consultation with other units, as appropriate;

4. If the course is intended to meet a specific requirement for the student's degree program, the department offering the program determines that the nontraditional course is relevant to the student's intended program of study; and

5. If the coursework was delivered by a foreign institution, the coursework and accreditation status of the institution must be evaluated by an appropriate service provider acceptable to the University.

(c) Students wishing to have such nontraditional coursework evaluated for the purpose of receiving credit should inform the FAMU Office of Undergraduate Admissions as soon as practicable. If credit for the nontraditional coursework was awarded by another accredited institution of higher education meeting university transfer eligibility requirements, the student must submit an official transcript reflecting the award of credit and the transferability of that work will be determined with the same processes and criteria for other transferred courses.

(d) If the nontraditional coursework did not result in credit awarded by a previous institution, the student may request a review for the awarding of credit by providing the following information directly to the academic department that is qualified to evaluate the subject matter:

1. A syllabus for the course;

2. Credentials of the faculty member(s) teaching the course;

3. Course objectives and learning outcomes for the course;

4. Confirmation that the course was satisfactorily completed; and

5. Other information requested by the subject area faculty member(s) in order to determine demonstrated mastery of course learning outcomes. This may include a proctored testing requirement. To ensure there is sufficient time for review, all required documentation must be submitted no later than three months prior to the start of the initial term of enrollment. Assuming all

requested information is provided, normally a decision regarding the awarding of credit shall be made within the first term of enrollment.

(e) To be eligible for credit, short courses for credit shall have the same number of contact hours as do regularly scheduled courses. Other nontraditional courses must have an appropriate substitute(s) for the associated contact hours. The review of nontraditional course(s) must document equivalency with traditional course(s) when such traditional courses exist.

(f) Courses may be evaluated on the basis of the recommendations of the American Council of Education (ACE) when official credentials have been properly presented. While credit may be granted when courses are equivalent to those offered by the University, recommendations by ACE are not binding upon the University. Even though records may have been evaluated by another accredited institution, it is important to have official credentials sent to FAMU for evaluation.

(g) Credit for coursework taken prior to the initial term of enrollment will be noted on the student's transcript.

(h) An undergraduate student wishing to appeal the University's redirect of credit for nontraditional courses may submit an appeal, in writing, to the College of Undergraduate Studies within thirty (30) days of the date that the redirect is sent to the student.

(10) Acceleration Mechanisms.

(a) The use of acceleration mechanisms shall be governed by the articulation agreement between the state universities and the public State Colleges of Florida, Florida Board of Governors Regulations and Sections 1007.23 and 1007.27, F.S.

(b) A maximum of forty-five (45) semester hours in any combination of extension, College Board Advanced Placement Program (AP), International Baccalaureate Program (IB), correspondence, College Level Examination Program (CLEP), Armed Forces Services School Credits, and University

Credit by Examination credit will be accepted by the University and may be applied toward an undergraduate degree. Credit earned by acceleration mechanisms also applies towards satisfaction of the Summer Attendance Requirement. The acceptance of credit for degree purposes shall be subject to state statutes and review by the appropriate college academic standards committee.

(c) The University shall award credit for specific courses identified by the Florida Department of Education for which competency has been demonstrated by successful passage of examinations of the CLEP, AP, IB, Cambridge AICE exams, DANTES, and Excelsior College Examinations. Credit is awarded only if exam scores are sufficiently high at the time the score is received at FAMU. Credit will not be awarded if it duplicates credit already awarded.

(d) Regularly enrolled degree-seeking undergraduate students at the University may participate in the FAMU course credit by examination program. Prior approval to participate in the program must be obtained from the chair of the department in which the course is offered. Credit by examination shall not be given for any course lower in content than courses in the same discipline in which a student is currently enrolled or has completed.

(e) Credit by examination cannot be used to raise a grade in a course previously completed or to meet the twenty-five percent residency hours requirement.

(11) Graduate Studies.

(a) Minimum University requirements for admission to graduate degree program: Applicants must:

1. Hold a baccalaureate degree from an accredited institution of higher education and have earned a Grade Point Average (GPA) of 3.0 or higher in the last 60 credit hours of undergraduate work taken while enrolled as an upper-division student working towards a bachelor's degree, OR

2. Hold a graduate degree in a related field from an accredited institution of higher learning with a cumulative GPA of 3.0 or better. Hold a graduate degree in a related field from an accredited institution of higher learning with a cumulative GPA of 3.0 or better.

3. Demonstrate potential for successful graduate study;
4. Submit Graduate Record Examination (GRE) or General Management Admission Test (GMAT) scores; GRE scores are required for doctoral applicants and for those applying to master's programs that require admissions test scores.
5. Submit Test of English as a Foreign Language (TOEFL = 550/paper-based; 80 internet-based) or International English Language Testing System (IELTS) scores (6.5) sent directly to FAMU from the Testing Service, if an applicant is from a country where English is not the official language or when an applicant's degree is not from an accredited U.S. institution, or if an applicant did not earn a degree in a country where English is the only official language or from a university where English is the only official language of instruction; and
6. Submit three letters of recommendation;
7. Submit a résumé, an essay, or other materials, if required by the program; and
8. Submit a completed medical/health history form including proof of immunizations. .

(12) Post-baccalaureate Non-degree Students.

(a) A person who holds a bona fide baccalaureate degree but who is not officially admitted to or approved for graduate study may be permitted to take a limited number of graduate courses up to 12 semester hours. Successful completion of such post-baccalaureate coursework shall have no affirmative bearing on the student's admissibility to graduate study, and may, or may not, at the discretion of the appropriate officials of the University, be used for graduate degree credit when or if such student subsequently gains admission to graduate study. *Any student, who attempts to exceed the 12 credit hour limit without being accepted into a degree-seeking program at the University, will be placed on a registration hold. The hold can only be cleared upon producing evidence of admission to a degree seeking program.*

(13) Transfer of Credits.

(a) At the discretion of the appropriate academic unit, a maximum of six (6) semester hours at the master's level and twelve (12) semester hours at the doctoral level of graduate course work taken prior to the term of admission into a graduate program may be accepted by the University at the master's and Ph.D. levels, respectively, from another accredited graduate school in the United States, provided that the grades are "B" or better, the subjects are acceptable to the department or program concerned, as a part of the student's graduate program, and the courses are not counted toward a previous degree at the accredited university.

(b) Transfer credits that are not counted toward a previously earned degree within the University are limited to twelve (12) semester hours, except when the credit hour requirement for the graduate program exceeds the University-wide minimum requirement of thirty-six (36). In this case, additional transfer credits up to a maximum of fourteen (14) semester hours may be allowed to the extent of the additional required hours by the program. The University does not accept experiential learning for transfer credit.

(14) College of Law Admissions.

(a) The following admission requirements apply to all applicants to the College of Law:

1. All applicants for admission must have a bachelor's degree from an accredited institution of higher education prior to enrollment or have credentials consistent with ABA Standard 502(a).
2. All applicants must submit a completed Application for Admission, along with the requisite non-refundable application fee.
3. All applicants must take the Law School Admission Test (LSAT). For admission purposes, LSAT scores are valid for five (5) years from the test date. Applicants are encouraged to take the LSAT no later than December for admission in the following fall semester.

4. All applicants must register for the Credential Assembly Service (CAS) of the Law School Admission Council (LSAC). CAS information and registration materials may be obtained from 40 LSAC's website at <https://www.lsac.org/applying-law-school/jd-application-process/credential-assembly-service-cas> or by calling (215) 968-1001.

5. All applicants are required to submit two personal statements and two letters of recommendation.

(b) For admission to the fall entering class, applicants must submit their applications by the published deadline in the LSAC website. Application files cannot be reviewed until the files are complete.

Admissions decisions will be made on a rolling basis after all required materials have been received.

In accordance with section 487 (a) (20) of the Higher Education Act and with Federal Regulation, Florida Agricultural and Mechanical University does not provide any commission, bonus or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any individual or entity in recruiting or admissions activities or in making decisions about awarding Federal Student Aid program funds.

Specific Authority: Article IX, section 7, Florida Constitution, Board of Governors Regulations 1.001, 6.001, 6.002, 6.003, 6.004, and 6.009. History – New October 1, 1975, Amended July 12, 1976, November 4, 1979, November 10, 1982, September 14, 1987, January 26, 2004, June 29, 2006, September 16, 2013, July 23, 2015; Substantial Rewording Amendment September 9, 2020.

FLORIDA **A&M** UNIVERSITY
Board of Trustees
INFORMATION ITEM

Academic and Student Affairs Committee
Wednesday, June 7, 2023
Agenda Item: VIII

Subject: Student Affairs Update

Background Information and Summary: An update on the Division of Student Affairs.

FLORIDA **A&M** UNIVERSITY
Board of Trustees
INFORMATION ITEM

Academic and Student Affairs Committee

Wednesday, June 7, 2023

Agenda Item: IX

Subject: Academic Affairs Update

Background Information and Summary: An update on the Division of Academic Affairs.