6.0105 Student Conduct and Discipline.

(1) Each university board of trustees is required to provide a prompt, fair and equitable process for resolving student misconduct. For purposes of this In furtherance of

the educational mission of the universities, each university board of trustees shall establish a student disciplinary system that protects the rights of the accused student, complaining parties and the university community, including a code of conduct, which shall include, at a minimum the following provisions:

- (a) A written description of the rights and responsibilities of students, standards of conduct expected by the university, a list of violations, appropriate penalties or sanctions, and procedures for initiating and conducting student disciplinary proceedings.
- (b) Definitions of terms used in the code of conduct, such as "student" and "university community."
- (c) A statement that the code of conduct shall govern student behavior both on and off the
- (d) A description of the available university disciplinary proceeding forum which may consist of an impartial university official or officials, designee(s) of university official(s), or a committee or panel. Where a

 A provision requiring an accurate and complete record of each disciplinary proceeding to be made and preserved. Retention of the record is subject to the General Records Schedule GS5 for Public Universities and Colleges.

(2) Each university shall publish, at a minimum on its internet website, the regulations and policies comprising its student disciplinary system, including the code

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or panel convened to hear or decide the chargeor any appeal.

- (d) Except as set forth in paragraph (8), the accused student and the adviser, if any, have the right to inspect all known information related to the allegations at least five (5) business days (excluding legal holidays) before the disciplinary proceeding. The university also has the right to review any information the accused student intends to use at least five (5) business days (excluding legal holidays) before the disciplinary proceeding. The information must include all known witnesses and all known information that is related to the allegations, both inculpatory and exculpatory.
- (e) The accused student may present information at the disciplinary proceeding that is relevant to the proceeding.
- (f) Upon request by the accused student, the complaining party, or other participants, the university may permit the individual to provide relevant information during the disciplinary proceeding in a manner that avoids direct contact with the accused student, the complaining party, or other participants.
- (g) All parties to the disciplinary proceeding may arrange for witnesses to voluntarily present relevant information during the disciplinary proceeding. The questioning of witnesses shall be facilitated by the person or body conducting the disciplinary proceeding. Each university shall have a procedure for the questioning of witnesses. Pertinent records, reports, exhibits, and written statements may be accepted as information for consideration in the disciplinary proceeding.
- (h) The accused student may not be forced to present t(t)-3 t(t)-3 t(t)-3 t(t)-3 t(t)-3 ny9i write

(j) An accused student found responsible for a violation of the univers

- i. Correct any record of the change in enrollment status in the accused student's permanent records and reports in a manner compliant with state and federal laws; and
- ii. Refund to the accused student a pro rata portion of any charges for tuition and out-of-state fees, as appropriate, if the temporary revocation or suspension of ability to attend classes lasts for more than ten (10) school days.

to the complainant and respondent and must include a live hearing for purposes of determining whether the respondent is responsible or not responsible for the alleged conduct. Each than Title IX Sexual Harassment in accordance with either paragraph (4) or paragraph (8) of this regulation. If a university elects to use the procedures in paragraph (4), then paragraph (4)(b) shall not apply. Instead, the accused student shall be entitled to a disciplinary proceeding within the timelines established by each university and the disciplinary

university official or designee; or a committee or panel comprised of only university officials or designees; or a committee or panel where students comprise at least one-half of the membership of such committee or panel.

(10) Each university shall establish a committee, which shall include student representation, for the periodic evaluation of its student disciplinary system.

Authority: Section 7(d), Art. IX, Fla. Const., History--Formerly 6C-6.105, New