

6.0105 Student Conduct and Discipline

Regulation 6.0105 requires each university to establish a student disciplinary system, including a code of conduct, that provides a written description of the rights and responsibilities of students, the standards of conduct expected by the university, the appropriate penalties and sanctions for violations of those standards, and a description of the available procedures for initiating and conducting student disciplinary proceedings. This regulation, which was a prior Board of Regents' rule, had not been updated after the establishment of the Board of Governors and university boards of trustees in 2003 and, as a result, was inconsistent with current university procedures for student disciplinary proceedings and best practices reflective in student disciplinary systems based upon an educational, as opposed to legalistic, model.

Section 7(d), Art. IX, Fla. Const.;
BOG Regulation Development Procedure dated March 23, 2006.

The comments must identify the
regulation on which you are commenting:

Vikki R. Shirley, General Counsel, Board of Governors, State University System,
325 W. Gaines Street, Suite 1614, Tallahassee, Florida 32399, (850) 245-0466
(phone), (850) 245-9685 (fax), or generalcounsel@flbog.edu.

description of those circumstances in which that time limit may be waived by university officials.

(d) The student may have, at his or her own expense and initiative, an ~~adviser of the student's choice~~ present at the student disciplinary proceeding. It is the student's responsibility to make appropriate arrangements for the advisor to attend the proceeding, and the proceedings shall not be delayed due to scheduling conflicts of the chosen advisor. The advisor may be present to advise the student but shall not speak for or present the case for the student or otherwise participate directly in the proceeding.

(e) The student and his or her adviser, if any, have the right to inspect all of the information that will be presented against the student at least 3 regular business days (excluding legal holidays) before the student disciplinary proceeding. ~~The University also has the right to review any information the student intends to use at least 3 regular business days (excluding legal holidays) before the student disciplinary proceeding.~~

(f) The student may present information on his or her own behalf at the disciplinary proceeding.

(g) ~~The student may hear and question adverse witnesses.~~ All parties to the disciplinary proceeding may arrange for witnesses to voluntarily present relevant

~~_____ 3. _____ the university's code of conduct must specify the actions that the university official may take with respect to adopting, modifying, or rejecting the recommended decision and sanctions, or remanding the matter for a rehearing. Any differences between the recommendation of the university committee, panel, or court hearing forum and the university official's final decision, and the reasons therefore, must be based on information from the student disciplinary hearing and presented to the student in writing.~~

~~(4m) The student may appeal the decision of any university committee, panel, or court, or of any university official or officials, within a period specified by the university, to the president or the president's designee. Each university code of conduct shall describe the internal appeals processes. Each university shall have at least one level of internal appeal. No person may hear or decide an appeal if he or she participated in the decision to charge the student with the violation or if he or she conducted or participated in the student~~

~~_____ (b) _____ The off-campus conduct demonstrates that the continued presence of the student on campus presents a danger to the health, safety, or welfare of the university community; is disruptive to the orderly conduct processes and functions of~~