

SUMMARY OF PROPOSED AMENDMENTS TO UNIVERSITY REGULATION

FSU-3.004 STUDENT CONDUCT CODE

FSU-3.0041 STUDENT ORGANIZATION CONDUCT CODE:

These amendments are primarily intended so as to comply with the recently enacted Federal Regulations relating to Title IX Sexual Misconduct cases.

1. FSU-3.004 Student Conduct Code

Summary

The following are significant changes to the Student Conduct Code:

- changes definition of “Advisors” to allow proposing questions in disciplinary proceedings and clarifies definition of “disciplinary” hearings; clarifies participation and questioning by advisor at hearing
- clarifies definition substantive offense of “invasion of privacy” to exclude legal recording as allowed by s. 1004.097, F.S.
- clarifies definition of substantive offense of “Disruption and Obstruction” to include submission of false or misleading information.
- expands definitions of “advisor” to include “advocate or legal representative” and provides for university referral to available advisors but not provision of same except in non-Title IX cases.
- specifically requires university disclose of all witnesses, evidence to be used and any inculpatory or exculpatory evidence in its possession
- changes timing of notice of hearing and disclosure of rights, information and charges
- clarifies hearing record and right to party review
- Updated definitions to coincide with revisions to the Sexual Discrimination and Sexual Misconduct Policy 2-2
- Updated violation language to coincide with revisions to the Sexual Discrimination and Sexual Misconduct Policy 2-2
- Clarified separation of procedural standards for matters falling within and outside of the jurisdiction of federal Title IX Regulations
- Added a “revocation by operation of law” clause to the amendment section.

2. FSU-3.0041 Student Organization Conduct

- All the revisions made in the Student Conduct Code where relevant to Student Organizations

- Refer Sexual Misconduct and Title IX matters to the appropriate policies 2-2 and 2-2a for definitions and violations
- Added a “revocation by operation of law” clause to the amendment section.

AUTHORITY FOR THE PROPOSED UNIVERSITY REGULATION: The authority for the proposed regulation is as follows: Florida Board of Governors Regulations 1.001, 6.0105; Florida BOG Regulation Development Procedure for State University Boards of Trustees

UNIVERSITY OFFICIAL INITIATING THE REGULATION: Amy Hecht, Vice President for Student Affairs

PROCEDURE FOR PROVIDING COMMENTS ON THE PROPOSED UNIVERSITY REGULATION: Any person may submit written comments concerning the proposed regulation within 14 days of the date of this notice to:

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