

SUMMARY OF PROPOSED AMENDMENT TO UNIVERSITY REGULATION

FSU-3.004 Student Conduct Code

The revisions seek to clarify terminology and procedures in the Student Conduct Code. Particular significant changes are as follows:

- Definitions:
 - Advisor – can only serve in advisor role and not have other roles (witness, etc.); Availability of Advisors also cannot unreasonably delay hearings
 - Student – expanded to say suspended students are still considered students during suspension period; individuals who leave can be prohibited from future enrollment or accessing records until conduct issue is resolved; students who fulfill academic requirements for degree before conduct issue is resolved may have no change in degree status until conduct issues is resolved
 - Added definition of Student Conduct Board
 - Added definitions for Student Conduct Board and University Housing Conduct Board
- Scope:
 - Stated University’s ability to adjudicate alleged violations regardless of location
 - Added University can choose to not pursue conduct as appropriate (medical amnesty, alleged victims)
- Violations:
 - Rationales – stated that unfamiliarity with Code, intent of individual, and impairment from intoxication are all not justifications for violations
 - Sexual misconduct – changed language about age of consent to be “legal age of location of sexual contact”; added solicitation; updated relationship/dating violence language to include a single instance or a pattern can constitute a finding of responsibility; expanded exploitation to state distribution of images without consent is a violation regardless if image was obtained with consent
 - Animals – added harm to animals, animals that disrupt the University, and animals that cause harm to others as violations
 - Hazing – added former members and alumni to those who could be connected to the organization; more potential hazing behaviors: undue financial hardships, forced/coerced inclusion or exclusion from events, unreasonable monitoring or invasion of privacy
 - Fire Safety – updated to read as setting an unauthorized fire; added obstructing egress
 - Alcohol – updated “driving under the influence” to “operation of a wheeled conveyance under the influence”
 - Disruption – added behavior that materially disrupts previously reserved or scheduled activities on campus
- Due Process Rights: added list of rights from the info session sheet
- Hearing Procedures:
 - Stated that conduct action can happen prior to, simultaneously with, or following the conclusion of any criminal or civil process
 - Notice – identifies University email as official notification method
- Hearing Bodies and Authority: Administrative Hearing Panels – now composed of 2 faculty or staff and 2 Student Conduct Board members
- Hearing Procedures:

- Stated hearings are scheduled at earliest availability of responding student based on appropriate academic requirements
- Updated language on written statements to not give them undue weight in a hearing
- Updated language on impact statements – will take impact statements as appropriate
- Criminal convictions in a court of competent jurisdiction can be used for a finding of responsibility and the hearing focused on outcomes
- Hearing Decisions:
 - Outcomes of separation must be affirmed or modified by Dean of Students or designee
 - Outcome of University Housing contract cancellation must be affirmed or modified by Executive Director of University Housing or designee
- Outcomes:
 - changed name from “sanctions” to “outcomes” and added restrictions on access to and usage of University-related facilities or equipment as an outcome
 - Dismissal definition updated – is an indefinite separation for minimum of 2 years with readmission possible but not guaranteed and is noted on transcript – mirrors the Academic Honor Policy
- Appeals:
 - Added the University can deny appellate request after full review of request if basis of appeal has no merit
 - Stated file reviews will be default appellate process
 - Updated language on appeals involving reporting and responding parties
 - Deleted language about not being able to reverse findings of not responsible
- Records: Added the University can choose to retain records outside of designated time periods as appropriate

AUTHORITY FOR THE PROPOSED UNIVERSITY REGULATION

The authority for the proposed regulation is as follows: Board of Governors Regulations 1.001(3) (j), (7) (g).

UNIVERSITY OFFICIAL INITIATING THE REGULATION

Proposed adoption of Regulation FSU-3.004 has been initiated by Dr. 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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