

Board of Trustees

Academic and Student Affairs Committee Meeting
Thursday, June 4, 2020
9:50 am

Committee Members: Nicole Washington, Chair
Ann Marie Cavazos, Kristin Harper, David Lawrence, and Xavier McClinton

AGENDA

- | | | |
|------|---|---------------------------|
| I. | Call to Order | Trustee Nicole Washington |
| II. | Roll Call | Ms. Valeria Singleton |
| III. | Approval of Minutes for March 4, 2020 Meeting | Trustee Washington |

ACTION ITEMS

- | | | |
|-------|---|-------------------------|
| IV. | Tenure | Dr. Maurice Edington |
| V. | College of Pharmacy and Pharmaceutical Sciences
Name Change | Dr. Edington |
| VI. | Academic Calendar 2021 – 2022 | Dr. Edington |
| VII. | Sabbatical and Professional Development Leave | Dr. Edington |
| VIII. | Leave Without Pay – Dr. Carol Scarlett | Dr. Edington |
| IX. | Amendments to Student Affairs Regulations <ul style="list-style-type: none">• Regulation 2.001 Housing• Regulation 2.011 Assessment and Care Team• Regulation 2.012 Student Code of Conduct• Regulation 2.013 Due Process, Other Rights and Responsibilities• Regulation 2.026 Student Meal Plan• Regulation 2.028 Anti-Hazing | Dr. William Hudson, Jr. |

INFORMATION ITEMS

- | | | |
|------|--|-------------------------------|
| X. | Student Affairs Update <ul style="list-style-type: none">• Student Affairs Update• Anti-Hazing Update | Dr. Hudson
Mr. Bryan Smith |
| XI. | Academic Affairs Update | Dr. Edington |
| XII. | Adjournment | |



Board of Trustees

ACTION ITEM

Academic and Student Affairs Committee

Thursday, June 4, 2020

Agenda Item: III

Subject: Minutes for March 4, 2020 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.

Attachments: Yes

1. Minutes for March 4, 2020

Academic and Student Affairs Committee Minutes
Trustee Nicole Washington, Chair
March 4, 2020

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, Kristin Harper, David Lawrence, Rochard Moricette, and Nicole Washington. A quorum was established.

Trustee Cavazos moved to approve the minutes for the meeting on December 4, 2019. The motion was seconded by Trustee Harper and the motion carried.

The Committee recommended approval of the following items:

Bachelor of Science in Cybersecurity - The Department of Computer and Information Sciences (CIS) submitted a proposal to offer a Bachelor of Science in Cybersecurity (CyS) program. This program is designed to satisfy the Accreditation Board for Engineering and Technology, Inc., (ABET) criteria for Cybersecurity. The goal of the B.S. program in Cybersecurity is to prepare students to meet the cybersecurity needs of business, government, healthcare, education, and society. The program will be offered face-to-face and online.

Trustee Cavazos moved to approve the Bachelor of Science degree in Cybersecurity. The motion was seconded by Trustee Harper and the motion carried.

Master of Science in Cybersecurity - The Department of Computer and Information Sciences (CIS) submitted a proposal to offer a Master of Science in Cybersecurity (CyS) degree. The general goals of the degree program are to provide breadth in cybersecurity foundations, depth in selected areas, and balance of experiential learning and research. The program seeks to serve a range of student and professional needs, including supporting the need for cybersecurity competencies in areas such as; STEM, health care, criminal justice and social sciences.

Trustee Moricette moved to approve the Master of Science degree in Cybersecurity. The motion was seconded by Trustee Cavazos and the motion carried.

Request for Leave Without Pay for Rhoda Cato - In accordance with BOT Policy Number 2005-21, the University will consider requests for unpaid leave of absence from regular employees who have at least one year of continuous service. The University grants leave of absence for the following reasons: parental, medical, educational, military service, and personal. Professor Cato has requested leave without pay for November 12, 2019 through August 2020.

Trustee Cavazos moved to approve the request for leave without pay for Rhoda Cato from November 12, 2019 through August 2020. The motion was seconded by Trustee Moricette and the motion carried.

Tenure Upon Appointment for Idongesit Mkpog-Ruffin - *Tenure Upon Appointment* is a condition of employment that is offered to a faculty member who has previously held a tenured position. The requests for *Tenure Upon Appointment* are approved by the Provost and/or the President. As a practice, the university-wide tenure and promotion committee completed a courtesy review of the documentation. Prior to the review of the documentation by the university-wide tenure and promotion committee, the documentation was reviewed by both the school/college tenure and promotion committee.

The CV for Dr. Idongesit Mkpog-Ruffin was reviewed for evidence of highly competent teaching and research and other scholarly activities, services, and contributions to the University and to society.

Trustee Harper moved to approve the request for tenure upon appointment for Dr. Idongesit Mkpog-Ruffin. The motion was seconded by Trustee Cavazos and the motion carried.

Academic Calendar 2020-2021 - The academic calendar for 2020 - 2021 was presented to the Board of Trustees for approval, in accordance with Florida Board of Education Rule 6A-10.019. Additionally, the Board of Governors Regulation 8.001 requires each university to adopt an annual calendar which includes the beginning and ending dates for each semester, the dates for final examinations, and the dates for the issuance of diplomas.

Please note that the beginning and ending dates of each semester, the holidays, and the breaks have been agreed upon by the Calendar Committee, which includes representatives from Florida A&M University, Florida State University, and Tallahassee Community College. The Calendar Committee meets annually to coordinate the calendars of the three educational institutions in Tallahassee.

Trustee Moricette moved to approve the academic calendar for 2020-2021. The motion was seconded by Trustee Cavazos and the motion carried.

Student Affairs Updates – The following informational updates were provided:

- Updates were provided on the Southern Scholarship Foundation, Transfer Services, and Hazing Prevention Initiatives.
 - Dr. Hudson provided an update on the Southern Scholarship Foundation (SSF). SSF operates three houses on the campus of FAMU. SSF is responsible for all costs related to the maintenance and landscaping of the houses. FAMU's original lease expires in 2025, with the option to extend for two additional 10-year periods. Ms. Brianna Collins, a SSF participant, provided a student perspective of living in the scholarship house and Dr. Shawn Woodin, President and CEO of SSF, provided brief comments.
 - Ms. Teri Little-Berry provided an update on the IGNITE Transfer Program to include the new personnel hires and the recruitment efforts at the 17 partnering FCS institutions. It was also noted that many of the academic maps are now posted on FAMU's website.
 - Mr. Bryan Smith provided an update on the hazing prevention initiatives.

- This semester 18 hazing prevention workshops and individual organizational presentations were presented. In addition, 1,120 students completed the SUS sponsored Alivetek online hazing prevention course.

Academic Affairs Updates – The following informational updates were provided:

- Provost Edington provided updates on the key initiatives.
 - Ms. Beverly Barrington provided an update on the faculty workload study. The study focused on how the faculty spend their time, how we compare to other SUS institutions and peers, and the various types of faculty positions at the University. The overall purpose of the study was for us to look at ways to enhance faculty productivity in regards to teaching, research, and service.

Based on the results of the study, six recommendations were made to administration:

- Identify strategies to ensure that faculty teaching loads across the University are appropriate.
- Identify strategies to increase the time allocated for research and other scholarly/creative activities.
- Implement appropriate strategies to ensure that the distribution of research FTE with respect to gender is equitable.
- Investigate strategies to provide additional teaching assistance to faculty.
- Investigate to determine if specific strategies need to be implemented to reduce their teaching loads (assistant professor level).
- Identify strategies to address the potential for large-scale turnover in faculty (number of faculty approaching retirement age).

Some observations were made regarding the workload update:

- 1) What's the succession plan for the University to ensure that we are ready as an institution when the professors retire and what are the plans for hiring new faculty to fulfill those roles while maintaining strong programs?
- 2) What's the strategy to combat the gender difference for tenured full professors?
- 3) How does the teaching assistants factor into the faculty's workload (i.e., faculty that teach both undergraduate and graduate levels)?

A detailed plan and strategies will be presented at a future meeting.

- Dr. Charles Weatherford provided an update on the Division of Research and Development to include the research and development spending, awards received, and proposals submitted. In addition, he discussed the goals and strategies to increase the number of Ph.D. granting programs.
- Dr. Sundra Kinsey provided an update on a proposed engineering technology program. The new program—M.S. in Construction Management and Engineering Technology-- will have an impact on PBF metric #8. The proposal will be submitted for approval during the June 2020 Board of Trustees meeting.

FLORIDA **A&M** UNIVERSITY
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- Dr. Edington provided updates on the licensure pass rates for the following programs:
 - Doctor of Physical Therapy (DPT),
 - Baccalaureate Nursing (BSN),
 - Doctor of Pharmacy (PharmD), and
 - Juris Doctorate (JD).

- Dr. Edington stated that the main issue with the licensure programs are sustained excellency. The respective licensure programs are working towards long-term sustainable improvements. The Task Force plans to release their report during the month of April.

- Dr. Lewis Johnson provided an update on the efforts to improve retention rates and 4-year graduation rates.

There being no further discussion, the meeting was adjourned at 3:15 p.m.

Respectfully submitted,

Nicole Washington, Committee Chair

**Board of Trustees
ACTION ITEM**

Academic and Student Affairs Committee

Thursday, June 4, 2020

Agenda Item: IV

Subject: Tenure

Proposed Board Action: Applications for tenure were reviewed by the departments, the colleges/schools, the University Tenure and Promotion Committee, Provost Edington, 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

Applicant	College/School	Rank
Terrell Brown	CSSAH	Asst. Professor
Jenise Hudson	CSSAH	Asst. Professor
Kenya Washington Johnson	CSSAH	Asst. Professor
Jeneen Surrency	CSSAH	Asst. Professor
Zachary Showers	CSSAH	Asst. Professor
Phyllis Welch	CSSAH	Asst. Professor
Daniel Osborne	CST	Assoc. Professor
Thomas Sawicki	CST	Asst. Professor
Keerthisinghe Senevirathne	CST	Asst. Professor
James Strohaber	CST	Asst. Professor
Donald Axelrad	COPPS	Assoc. Professor
Tammie Johnson	COPPS	Assoc. Professor
John Luque	COPPS	Asst. Professor
Rajiv Dalal	SOAHS	Asst. Professor
Samique March-Dallas	SBI	Asst. Professor
Errick Farmer	SBI	Assoc. Professor
Sevilla Bronson	SON	Asst. Professor

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ACTION ITEM

Applicant	College/School	Rank
Daniel Solis	CAFS	Asst. Professor
Aavudai Anandhi Swamy	CAFS	Asst. Professor
Rebecca Blankenship	COE	Asst. Professor
Cheron Davis	COE	Asst. Professor
Alishea Rowley	COE	Asst. Professor
Nicholas Thomas	COE	Asst. Professor



Board of Trustees

ACTION ITEM

Academic and Student Affairs Committee

Thursday, June 4, 2020

Agenda Item: V

Subject: College of Pharmacy and Pharmaceutical Sciences Name Change

Proposed Board Action: The purpose of the name change is an effort by the College of Pharmacy and Pharmaceutical Sciences to include the Institute of Public Health in the name of the unit. In addition, this includes naming experiential sites to reflect the nomenclature that is relevant to academic pharmacy.

Attachment: Yes

1. Pharmacy, IPH Response to Senate Queries



Pharmacy, IPH Response to Senate Queries on Block Logo and Name Changes



Dr. Johnnie L. Early, II

Dean

2/18/2020

Pharmacy, IPH Response to Senate Queries on Block Logo and Name Changes

February 18, 2020

The College is pleased to offer a response to the Faculty Senate's request for a SWOT analysis and answers to its questions.

Executive Summary

This effort by the College is about including the Institute of Public Health in the name of the unit and naming experiential sites to reflect the nomenclature that is relevant to academic pharmacy. The narrative of the legislative funding that established the West Florida campus is the name by which this site will be known. This document reflects the will of the faculty and staff of the College.

Preamble

The College brand and standing among pharmacy schools was adversely impacted by the 2016 dip in licensure examination performance. For 25 years, the Institute of Public Health has been a unit within the College of Pharmacy and Pharmaceutical Sciences – but not pronounced. It is only one of two public health programs administratively housed in a College or School of Pharmacy.

The geographically placed PharmD site names are not reflective of the actual function of those sites. As currently labeled – instructional suggest traditional classroom teaching. Teaching does occur, but at bedside, or at the pharmacy counter.

Nearly a year ago, staff and faculty located in all buildings and Florida cities where employees reside, debated and voted approval of an inclusive block logo, and name changes for the three sites categorized as instructional. The proper

recognition of Public Health and the unit in Crestview, FL and the proper honoring of the sponsoring lawmaker are compelling arguments.

The most substantive change affected Public Health. This unit debated its own wording and block logo options with the result being approval. The block logo design is inserted in another section.

The Office of the Provost approved the submission of the proposed changes to the Faculty Senate as the first step, and then, if approved, to the Board of Trustees. Therefore, the College is now addressing the foundational segment of the approval process.

We, the staff and faculty of the College do humbly request your approval in our effort to strengthen branding.

SWOT Analysis

Strengths

A comprehensive College offering

- PharmD, the cornerstone program, as all other degree programs were made possible by its existence.
- BS in Pharmaceutical Sciences
- MS (and MS en passant) in Pharmaceutical Sciences
- Ph.D. in Pharmaceutical Sciences
- DrPH in Public Health
- Traditional and online MPH programs
- Research associate training to Ph.D. degree holders
- Summer camps for high school students
 - STEM – a collaborative effort
 - Inaugural *Emerging Pharmacists* summer camp, June 2020 for high

Weaknesses

Because of recent PharmD licensure pass rate slumps, the College must re-brand itself to reflect all its strengths and influence those who rank pharmacy and Public Health degree programs.

The record low number of direct from high school freshman cohort of just 70 pre-pharmacy students signals a need to raise our profile among those seeking the PharmD degree

Re-branding is to be in accord with FAMU practices.

The existing block logo of the College does not show Public Health. A decades-old practice has been the failure to market this fully and consistently accredited public health program and not prioritizing its subsequent growth and potential. Hiding it under a bush or hanging it on the Willow tree is not supportive of the programs, the College, or FAMU.

College sites in Jacksonville, Tampa, and Davie are named Instructional when, in fact, they are experiential learning and training sites.

In Crestview, where student pharmacists in the first through third years (P1, P2, and P3) are taught by distance education and P4 learners complete its location name by calling it the experiential training year. This action does not honor the legislator who sponsored the enabling bill.

Opportunities

To showcase IPH, a nationally ranked program.

Enhance the presence of IPH degree programs with the DrPH, which is now being counted in the Carnegie classification process.

Align the geographical instructional site names to compete with UF and USF units that also focus on experiential training and other educational modalities typical among health science degree programs. Site names will serve as a beacon for those interested in not just pharmacy or public health. Still, a portal for walk-ins and other inquires for the offerings of FAMU.

Threats

Adverse impact on enrollment, collaboration/partnerships, recognition among peers and even the potential for philanthropy.

Status of the College, and its programs

Senate Queries

Why is this name change necessary with regards to the university's and the college's strategic goals?

In keeping with the University's Strategic Plan of "*FAMU Forward*," developing a logo that is fully representative of the College's focus will illustrate FAMU and the College's strategic priorities. Embodied in the transformative logo and name change are the excerpted goals of:

- 1) *Exceptional student experiences in a College offering a wide array of degree programs in healthcare, public service, and research,*
- 2) *Attracting world renown /world class faculty who will flourish professionally and develop their talents while teaching and practicing,*
- 3) *Enhance commercialization and outreach in high impact areas of interest to the academic and public communities,*
- 4) *Engage our FAMU alumni and business partners by clearly representing the College's strengths with hopes of increasing funding and support,*
- 5) *Improving the transparency of the College's first-class business enterprise and our availability for partnerships to potential stakeholders in the pharmaceutical healthcare, research, and public health service spaces,*
- 6) *Improving the brand and represent a College offering Outstanding Experiences in Pharmacy, Pharmaceutical Sciences, and Public Health.*

The College's name should represent its composition. Experiential site names should accurately communicate functionality. This effort is all about naming and branding.

What were the other names considered? Especially those that encompass traditional linkages of missions in the academy.

- 1) Name of the College – all variations of the name change included Public Health.
- 2) The block logo emphasizes the mission of the College.

Block Logo

Public Health faculty, being the affected party, voted on the wording, as shown in the block logo. This document represents their wishes.



College Name

There could be, based on several discussions, just one way to honor Public Health by its inclusion in the name of the College – by inserting its full name.

Instructional Sites

All the names will have the prefix -

“Florida A&M University College of Pharmacy and Pharmaceutical Sciences, Institute of Public Health” as the first part of the name followed by the regional names.

- 1) Davie
 - a. South Florida Pharmacy Practice Center
- 2) Jacksonville
 - a. Northeast Florida Pharmacy Practice Center

3) Tampa/Orlando

a. Central Florida Pharmacy Practice Center

The submitted changes accurately reflect the College and its comprehensiveness. The upcoming recruitment cycle and the recent new public health program embedded in a pharmacy school speak to the need to be prompt in marketing changes. That is, while the College is still the first to include Public Health, it is now, not alone among pharmacy schools.

There is one exception. We are, once these changes are approved to only refer to the Pan Handle site by its name, as stated by the Florida legislature.

4) Northwest Florida

Durell Peaden Jr. Rural Pharmacy Education Campus.

In this way, we honor the legislator who sponsored the enabling bill and emphasized its educational role and not the city.

What budgetary alignments will be affected to justify the change?

The impact on the budget is minimal if any.

The expense of continuing the poor marketing of the College will be measured in direct from high school headcount and on the standing among and ranking by its peers.

Are there accreditation issues (regarding both units) that may be affected? If not, where are the related correspondences indicating governing body consultations?

Public Health, once the name change is approved, will submit a formal substantive change notification to the Council on Education for Public Health.

What are the personnel considerations necessary to accommodate the name change?

Personnel headcount in neither pharmacy and pharmaceutical sciences or public health will remain the same.

When and by which administration did the original plan to develop the institute into a standalone autonomous college change?

The plan for the Institute of Public Health to become a standalone school or college of public health is still planned and delineated in the University Strategic Plan.

As previously communicated to the Associate Dean for Public Health, this change is to enhance the visibility of the Program, in a transitional manner.

Why is the proposed new name appearing on some documents of the college before Senate or BOT approval?

The website has been largely static since 2015.

The proposed College name change, revisions to instructional site names, and the block logo are displayed in this document. None have been authorized for use prior to approvals.



Board of Trustees

ACTION ITEM

Academic and Student Affairs Committee

Thursday, June 4, 2020

Agenda Item: VI

Subject: Academic Calendar 2021 - 2022

Proposed Board Action: The academic calendar for 2021-2022 are being presented to the Board of Trustees for approval, in accordance with Florida Board of Education Rule 6A-10.019. Additionally, the Board of Governors Regulation 8.001 requires each university to adopt an annual calendar which includes the beginning and ending dates for each semester, the dates for final examinations, and the dates for the issuance of diplomas.

Please note that the beginning and ending dates of each semester, the holidays, and the breaks have been agreed upon by the Calendar Committee, which includes representatives from Florida A&M University, Florida State University, and Tallahassee Community College. The Calendar Committee meets annually to coordinate the calendars of the three educational institutions in Tallahassee.

Attachments: Yes

1. Academic Calendar for 2021-2022

ACADEMIC CALENDARS: 2021 - 2022

1. Please complete academic class and finals date information below:

Semester	Beginning Date of Classes	Last Day of Classes	Finals	# of Class Instruction Days
Fall 2021	08/23/2021	12/03/2021	December 6-10, 2021	80
Spring 2022	01/05/2022	04/22/2022	April 25- 29, 2022	80
Summer 2022 – Term 1 (C)	05/09/2022	07/28/2022	July 28-29, 2022	58
Summer 2022 – Term 2 (A)	05/09/2022	06/16/2022	June 16- 17, 2022	29
Summer 2022 – Term 3 (B)	06/20/2022	07/28/2022	July 28-29, 2022	29

2. Does Fall Semester 2021 begin during the first three weekdays after August 22?
 Yes No
3. Does Spring Semester 2022 begin during the first three weekdays after January 4?
 Yes No
4. Does Summer Semester 2022 begin during the first three weekdays after May 5?
 Yes No
5. Does the year-round calendar provide 220 days of classroom instruction including examinations or 210 days of instruction excluding examinations?
 Yes No

If you answered no to question 2-4, please provide a request for exemption to Rule 6A-10.019 with your justification. Please note that you have worked with your area high schools and community colleges in order to insure smooth transition.

Note: FAMU has worked to align with area high schools, community college and Florida State University.



Board of Trustees

ACTION ITEM

Academic and Student Affairs Committee

Thursday, June 4, 2020

Agenda Item: VII

Subject: Sabbatical and Professional Development Leave

Proposed Board Action: Fourteen (14) applications for sabbatical leave were submitted for the 2020 - 2021 academic year. The Sabbatical and Professional Development Leave Committee reviewed the applications and recommended the approval of eight applications for sabbatical leave to Provost Maurice Edington and President Larry Robinson. In reviewing the applications, the committee considered the programs and activities to be followed while on leave; the expected increase in value of the employee to the university and to the employee's academic discipline; specific results anticipated from the leave; and any prior leaves that had been provided to the applicant.

Attachment: Yes

1. Sabbatical Proposal Summaries

SABBATICAL PROPOSAL SUMMARIES

Dr. Dawn Brown-Cross

School of Allied Health Sciences

Dr. Brown-Cross plans to participate in a series of professional development activities that will inform her knowledge and in-depth study in the field of oncology/lymphedema management and wound care. The sabbatical will improve her knowledge of contemporary physical therapy management of oncological and lymphedema patients, and patients with chronic wounds, allow her to achieve CLT-LANA certification, and expand her scholarly agenda in the area of lymphedema management.

Dr. Emma Waters Dawson

College of Social Sciences, Arts and Humanities

Dr. Dawson's research and book project will provide an introspective examination of the neo-slave narrative genre, its connection to African American cultural studies, black feminist theory and (New) Historicism. In her examination of Alice Walker and Edward P. Jones's literary works, she will conduct a full-length study of the Pulitzer Prize winning fiction's depiction of slavery and the authors' perception and reception as represented in various texts. This research will add to the critical discussion about the tradition of the African American neo-slave narrative in African American history.

Dr. Edward Jones

College of Science and Technology

Dr. Jones's project will include three components, which include: 1) Develop a new online course in software testing based on courseware; 2) Advance and complete manuscript for course textbook; 3) Collaborate with local industry, SUS universities and HBCUs on software testing practices in the workplace, academic courses, and research presentations. Dr. Jones's research will inform new online course information and offer revised methodology for FAMU CIS graduates who will enter the workforce.

Dr. Carl Moore

FAMU-FSU College of Engineering

Dr. Moore's sabbatical project will afford him opportunity to research new robot design ideas for high resolution reconfigurable AM and fast multi-arm coordination, and the development of a new graduate robotics course. Upon completion, this research will inform students' applied knowledge in robot-based AM applications and impact the AM research community with high resolution articulated robotic printers. Dr. Moore also intends to pursue external funding opportunities in the robotics and AM focused research areas.

Dr. Mandip Sachdeva**College of Pharmacy and Pharmaceutical Sciences**

Dr. Sachdeva will use the sabbatical leave time to teach in a third world country (India), and educate students about the various aspects of drug delivery and 3D printing. She will facilitate laboratory trainings, deliver seminars, provide instruction in 3-D culture development and grant writing. While in India, Dr. Sachdeva will also explore new collaborations with international scientists under the US-India exchange program.

Professor Omar Saleem**College of Law**

Professor Saleem's sabbatical project will involve drafting, editing, and completing a book project. This book project, *Cases and Materials on Combatting Racism in Criminal Procedure*, will address the emerging national concern for the role of race in our current American criminal justice system. His research will inform the scholarship void that has failed to fully acknowledge the presence of race in our court systems. Professor Saleem will use the sabbatical leave to complete the full manuscript.

Dr. Daaim Shabazz**School of Business and Industry**

Dr. Shabazz's sabbatical time will allow him to conduct research and planning for an International Business major within the School of Business and Industry. The development of such a program will assist in expanding study abroad opportunities, global internships and partnerships, as well as collaborative efforts with corporate and academic entities. This program will build upon and expand some of the School's current plans for international business and research.

Dr. Henry Neal Williams**School of the Environment**

Dr. Williams's research is three-fold. During his one year professional leave, he intends to: 1) Complete research and data in the area of microbial ecology with specific focus on the ecology of predatory bacteria; 2) Convert a current environmental science course to a writing intensive course that is informed by the principles of the FAMU Writing Across the Curriculum Initiative; and 3) Develop and make significant progress on a book manuscript about African American scientists.



Board of Trustees

ACTION ITEM

Academic and Student Affairs Committee

Thursday, June 4, 2020

Agenda Item: VIII

Subject: Request for Leave Without Pay – Dr. Carol Scarlett

Proposed Board Action: In accordance with BOT Policy Number 2005-21, the University will consider requests for unpaid leave of absence from regular employees who have at least one year of continuous service. The University grants leave of absence for the following reasons: parental, medical, educational, military service, and personal.

Attachments: No



Board of Trustees

ACTION ITEM

Academic and Student Affairs Committee

Thursday, June 4, 2020

Agenda Item: IX

Subject: Amendments to Student Affairs Regulations

Attachments: Yes

1. Regulation 2.001 Housing
2. Regulation 2.011 Assessment and Care Team
3. Regulation 2.012 Student Code of Conduct
4. Regulation 2.013 Due Process, Other Rights and Responsibilities
5. Regulation 2.026 Student Meal Plan
6. Regulation 2.028 Anti-Hazing

Regulation 2.001 Housing

Proposed Board Action:

This Regulation is being revised to reflect the current departmental name, building names and configurations, removes obsolete documents and includes minor grammatical corrections. The University is requesting that the Board of Trustees approve the amendment to Regulation 2.001 for notice and adoption after the expiration of the thirty (30) day notice period, provided there are no public comments, in accordance with the Florida Board of Governors' Regulation Development Procedure.

**Regulations of
Florida A&M University**



2.001 Housing

(1) Eligibility for ~~University Housing~~ Residency in University Housing

(a) Single student facilities: Applicants must meet University admission requirements and be enrolled during the period of occupancy. Applicants are issued a ~~Student Housing Application and a Housing and Board Agreement, and Terms and Conditions of Occupancy for completion and information.~~ FAMU Student Housing Agreement and Student Housing Agreement Confirmation Form that details the terms and conditions of occupancy. Applicants may complete and submit the FAMU Student Housing Agreement ~~on-line~~online to expedite the room assignment process.

~~(b) Family student facilities: Applicants must meet University admission requirements, be enrolled during period of occupancy, except for the summer period, and be married, divorced, widowed or a single parent living with his/her child(ren). Applicants are issued a Family Student Housing Application, Housing and Board Agreement and Terms and Conditions of Occupancy for completion and information. Applicants may complete and submit the Housing Agreement on line to expedite the housing assignment process.~~

~~(be)~~ Other (non-FAMU) students: Applicant must be enrolled in programs sanctioned or approved by the University. Non-FAMU students are considered for room assignments ~~University housing~~ on a space available basis for limited periods of time.

~~(cd)~~ Non-student University-related groups participating in special programs (seminars, workshops, camps, etc.) may ~~be able to~~ reside in University housing residential facilities on a space available basis for limited periods of time.

(2) On-Campus Residency Requirement

(a) All First Time In College (FTIC) students shall reside in a University

owned or leased [housingresidential](#) facility, based on space availability, for the first academic year of enrollment unless approved for an exception.

i. A FTIC student is defined as a student under the age of twenty-one (21) prior to the first day of classes with fewer than thirty (30) semester hours recognized by Florida A&M University and has resided in University [housingresidential facilities](#) for less than two (2) semesters.

ii. College credits earned during high school completion through accelerated mechanisms such as Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment courses, career academy courses, national industry certification courses, as well as course offerings through virtual instruction, will not be counted towards an exemption from the On-Campus Residency Requirement.

(b) All student athletes shall reside on campus during the first two (2) academic years of enrollment.

(c) All full University scholarship recipients shall reside on campus during the first two (2) academic years of enrollment. Full University scholarship recipients are students ~~that-who~~ receive the Life Gets Better Scholarship, Distinguished Scholars Award, and Adopted High School Scholarship.

(d) Access Summer Bridge Program and CeDAR ART Program participants shall live in ~~on-campus~~ [housingUniversity residential facilities](#) for the first two (2) academic years of enrollment.

(e) For purposes of this section, the following are ~~on-campus~~ [University residential facilities](#): ~~Cropper Hall, Diamond Hall, FAMU Polkinghorne Village FAMU Towers, Gibbs Hall, McGuinn Hall, Paddyfote Complex,~~ Palmetto North Apartments, Palmetto South Apartments, Phase III Apartments, Sampson Hall, ~~Truth Hall, Wheatley Hall,~~ and Young Hall.←

~~(f) A student that is not approved for an exemption from the On-Campus Residency Requirement prior to residing off-campus will be billed rent for two (2) semesters at the lowest facility rate during the fall and spring semesters of the current academic year.~~

(3) Exemptionemptions from the On-Campus Residency Requirement

An exemption from the On-Campus Residency Requirement may be granted for:

- (a) Students who graduated from a high school within thirty-five (35) miles of the University's Tallahassee campus;
- (b) Married students;
- (c) Students with a dependent child or children;
- (d) Students twenty-one (21) years of age or older prior to the first day of classes;
- (e) Students who are military veterans that served on active duty for at least twelve (12) months or students currently serving on active military duty;
- (f) Students, on a case-by-case basis, exempted by the President or President's designee provided there is good cause shown by the student.
- (g) To request an exemption, students must complete and submit an exemption request form available on the Housing website or located in the Housing main office. ~~in Gibbs Hall, Lower Level.~~

(4) Assistance Animals in Residential Facilities

(a) Florida A&M University recognizes the need ~~effor~~ assistance animals in facilitating the independence of some individuals with certain disabilities. This subsection outlines how a request for assistance animals as a reasonable accommodation from the no-animal policy applicable to University ~~on-campus~~ residential facilities is submitted and the expectations thereof.

i. This process does not apply to "service animals" as defined by Title II of the American Disabilities Act (ADA) which are allowed in other non-residential facilities. Requests for accommodations for "service animals" should be directed to the Center for Disability Access Resources (CeDAR).

(b) Assistance Animals

i. In accordance with the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA), an assistance animal is defined as any animal that works, provides assistance, or performs tasks for the benefit of a person with a disability,

or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability.

ii. Assistance animals perform many disability-related functions including, but not limited to, guiding a person who is visually impaired or blind, alerting a person who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting a person who is having a seizure, retrieving objects, or providing emotional support to persons with disabilities who have a disability-related need for such support.

(d) Requests for Assistance Animals

i. All requests for an assistance animal must be submitted in writing to the Center for Disability Access Resources (CeDAR) located at ~~667 Ardellia Court~~640 Gamble Street, Tallahassee, FL 32307, telephone number ~~is~~ (850) 599-3180, to register as a student with a documented disability. All supporting documentation must be submitted to CeDAR before a reasonable accommodation requested is reviewed in accordance with the below schedule.

1. Fall semester – ~~August~~July 15
2. Spring Semester – November 15
3. Summer Semester – April 15

ii. CeDAR will review each request to determine if an assistance animal is reasonable. This determination is made on an individualized basis considering whether:

1. The person has a documented disability; and
2. The person making the request has a disability related need for an assistance animal

iii. A basis for denial is:

1. The person does not have a documented disability;
2. The person making the request does not have a disability related need for an assistance animal;
3. The specific assistance animal in question poses a direct threat

to the health or safety of others that cannot be eliminated or reduced by another reasonable accommodation; or

4. The specific assistance animal would cause substantial physical damage to the property of other that cannot be reduced or eliminated by another reasonable accommodation.

iv. CeDAR will inform the student and the ~~Housing Department~~ Office of University Housing of its determination in writing to the student's University issued email address or permanent address as listed in iRattler.

1. If the student's request is denied, the decision may be appealed using the Non-Discrimination Policy and Complaint Procedure found in University Regulation 10.103.

2. If the student's request is granted, the ~~Housing Department~~ Office of University Housing and CeDAR will jointly determine how to provide accommodations in accordance thereof. The student is required to sign the Agreement to Possess an Assistance Animal in ~~On-Campus housing~~ University residential facilities prior to moving into ~~Housing~~ the facilities.

(e) Expectations of Assistance Animals

Students with assistance animals are fully responsible for their animal at all times. Failure to abide by these expectations may result in the removal of the assistance animal. Expectations include, but are not limited to:

i. ~~The student must B~~ being in full control of the assistance animal. Assistance animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls;

ii. ~~i~~—Assistance animals must be licensed and vaccinated in accordance with local and state authority and, if appropriate, wear a valid vaccination tag;

- iii. ~~iii.~~ The student must Ensure the assistance animal is clean and housebroken, and the sanitary disposal of animal wastes;
- ~~iv.~~ The student is Responsible responsible for any property damage caused by the assistance animal; and
- ~~iv.v.~~ v. The student is Responsible responsible for the appropriate management of the assistance animal in all University facilities. Disruptive and/or aggressive behavior on the part of the animal may result in removal of the animal from the University Housing residential facility.

(5) Rent Collections

All rent for housing facilities is due and payable in accordance with University Regulation 3.009 ~~titled~~ Payment of Fees.

(6) HouseResidence Life Rules

HouseResidence Life rules are listed in the ~~Residence Life~~ Office of University Housing University Housing Handbook. The handbook and rules peculiar to specific areas are issued to residents upon occupancy and may be obtained from the Housing Website. Residents may assist in the development of other rules as necessary.

(7) Guests and Visitation

Visitation is permitted in University ~~owned or leased~~ housing residential facilities in specific areas and in accordance with the restrictions below.

- (a) Residents and guests shall abide by all Housing and University regulations and rules and city, county, state and federal laws. Residents are to immediately notify the Housing Staff and/or ~~Campus Police~~ Department of Campus Safety and Security in the event of violations of Housing and University regulations and rules and/or city, county, state or federal laws.
- (b) All residents in the housing University residential facilities are responsible for and may be held accountable for the behavior of their guest(s). It is the resident's responsibility to inform his/her/their guest(s) of the applicable Housing and University regulations and rules.
- (c) Overnight guests and co-habitation are strictly prohibited.
- (d) The privilege of visitation may be revoked for individuals or residence

units where housing regulations and/or rules are violated.

(e) The disposition and ~~penalties/sanctions~~ arising from violations of this regulation shall be governed by the applicable provisions set forth in University Regulation 2.012 Student Code of Conduct and the ~~Residence Hall Disciplinary System as provided in the~~ Office of University Housing and Residence Life Handbook.

(8) The ~~University Housing~~ FAMU Student Housing and Board Agreement, Student Housing Agreement Confirmation Form, and Residence Life Office of University Housing Handbook, Terms and Conditions of Occupancy and Eviction Procedures are incorporated herein by this reference. A copy of these materials may be obtained from the Office of University Housing Office and the Housing ~~W~~website.

(9) Any deviations from the procedures as noted in the above sections must be approved by the Vice President for Student Affairs.

(10) The President or President's designee may appoint a committee to review and recommend revisions to the ~~housing~~ Residence Life rules as necessary.

(11) The Director of Housing may institute additional guidelines and/or procedures governing the operations of University Housing provided the guidelines and/or procedures are in writing and have been approved by the Vice President for Student Affairs or his/her designee. All students must be properly notified in writing prior to the implementation of any new procedures and/or guidelines. Publications shall be made through the ~~Residence Life~~ Office of University Housing Handbook, which shall be updated on an annual basis by a committee appointed by the Vice President for Student Affairs or his/her designee.

Specific Authority: Article IX, Section 7(c), Florida Constitution, BOG Regulation 1.001.

History: New June 29, 2006; Amended May 12, 2011; Amended May 13, 2013; Amended March 6, 2014; Amended October 28, 2014, Amended, 2020.

Regulation 2.011 Assessment and Care Team

Proposed Board Action:

The Assessment and Care Team is responsible for reviewing, assessing, and making recommendations and/or referrals regarding any University student who may be in significant distress, especially those who may be of harm to self, others, or their behavior is significantly disruptive to the educational environment. Students, faculty, staff, stakeholders or other individuals with direct knowledge of the behavior in question may make a referral. Decisions/recommendations of ACT are not disciplinary action but rather remedial action taken to assist and protect individuals. This Regulation is being revised to reflect the current departmental names as well as minor grammatical corrections. The University is requesting that the Board of Trustees approve the amendment to Regulation 2.011 for notice and adoption after the expiration of the thirty (30) day notice period, provided there are no public comments, in accordance with the Florida Board of Governors' Regulation Development Procedure.

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 be of~~ harm to self, others, or their behavior is significantly disruptive to the educational 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., [Judicial Affairs Student Conduct and Conflict Resolution](#), [Public-Campus Safety and Security](#), [Office of Counseling Center Services](#), Student Health Services, Dean of Students, Ombudsman, etc.),
 - (e) Referral to appropriate community resources,
 - (f) ~~Recommend~~ 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. 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.

Specific Authority: Article IX, section 7(c), Florida Constitution, Board of Governors Regulation 1.001; History: New April 29, 2015, [Amended -2020](#).

Regulation 2.012 Student Code of Conduct

Proposed Board Action:

The Student Code of Conduct provides for review on a biennial basis. This Regulation is being revised to extend jurisdiction to student behavior that occurs in virtual/online platforms; include provisions for Gender-Based Harassment, lawful order or reasonable request of University officials, law enforcement officials and first responders, and violations of federal or state law, local ordinances and Board of Governors Regulations. The revised Regulation also clarifies provisions throughout the document; updates the appeal process to include the specific grounds for an appeal and the appellate officer's resolution options; notifies all participants how to request reasonable accommodations; and includes a description of the general student conduct process as required by Florida Board of Governors Regulation 6.0105. The University is requesting that the Board of Trustees approve the amendment to Regulation 2.012 for notice and adoption after the expiration of the thirty (30) day notice period, provided there are no public comments, in accordance with the Florida Board of Governors' Regulation Development Procedure.

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. 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 them, 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 a violation of any provisions of the Code, as well as [the Anti-Hazing-University Regulation 2.028](#) [Anti-Hazing](#) and [Alcoholic Beverages-University Regulation 3.021](#) [Alcoholic Beverages](#). “Zero tolerance” means that given the factual circumstances of the purported violation, the charged student may be removed from University Housing and receive a ~~penalty-sanction including, without limitation, up to~~ suspension or expulsion from the University.

- (4) Due process protections, in accordance with University Regulation 2.013, will be appropriately accorded the charged student.
- (5) Information Briefing. If the University Conduct Officer or ~~his/her~~ their designee believes after a review of the purported violations that the information has merit, the student will be issued, in writing, an Administrative Request to Appear at an ~~Information~~ Briefing before the University Conduct Officer or ~~his/her~~ their designee. At the information briefing, the University Conduct Officer or ~~his/her~~ their designee will explain to the student the alleged violations and the elements of due process that will be afforded.
 - (a) UniversityStudent 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 student's interest made by a 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 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) The UniversityStudent 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 eCampus;
- (b) University owned or controlled property;
- (c) University premises, including, but not limited to, fraternities, sororities, and organizations' property;
- (d) Activities sponsored by the University wherever they may occur;
- (e) Activities officially approved by the University that are conducted by University ~~certified~~recognized organizations wherever they may occur; ~~or~~
- (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 ~~certification~~recognition. The term “club or organization” also will refer to student.
- (d) Complainant - An individual who reportedly experienced 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 deprived of his/her/their opportunity to re-~~enter~~enroll at the University. The student is permanently separated from the University.
- (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 body - Any person or persons who have been authorized by the University to determine whether a student has violated the Code and to ~~recommend~~determine sanctions that ~~may~~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 partiesstudents 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 participantsstudents 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 actionproceedings. 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 Responsible or did not accept Responsibility for the alleged violation(s) of a provision(s) of the Code.
- (m) Preponderance of EvidenceInformation - 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, ~~band~~ participation in student clubs/organizations. Special privileges means 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, he/shethey must vacate the office for the term of probation. The penalty-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 ~~may be written or oral~~.
- (q) Respondent – A student who is reported to have engaged in 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, ~~or the Complainant or Reporter is a student.~~

- (r) Responsible - The charged student has been found Responsible or 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 ~~penalty-sanction~~ imposed upon a student after the student has admitted that ~~he/she is~~ they are Responsible or has been determined Responsible by the Conduct Officer or a hearing body 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 ~~he/she/they~~ has/ve not completed a course or program. The term “student” will also refer to 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.
- (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 eCampus~~ 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.

(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, ~~or~~ 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, failure of the student to use 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.

3.4. A student who is knowledgeable about any academic dishonesty violation is encouraged to report said violation.

4.5. 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.

~~5.6. In addition to the sanctions listed in Section (10) below, the penalties 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; ~~probation; suspension; or expulsion. In addition to any other penalties that may be imposed,~~ (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 FAMUniversity 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 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 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, use, sale or distribution of prescription medication not issued to the student.
- (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.
- (l) 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 consists of a voluntary, clear and unambiguous agreement expressed in mutually understandable words and/or actions to engage in a particular activity. Consent must be voluntarily given and may not be valid if a person is being subjected to actions or behaviors that elicit emotional or psychological pressure, intimidation or fear.
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.
3. The lack of resistance is not consent as there is no duty to fight off an individual.
4. Consent can be withdrawn by any party at any time.
5. Consent cannot be given by a person who is incapacitated. Incapacitation means that a person lacks the physical and/or mental ability to make informed, rational judgments. This may have a variety of causes, including, but not limited to, being asleep or unconscious, having consumed alcohol, drugs or other substances.
6. 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 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 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 ~~having consensual sex~~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.](#)

e)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](#) Regulation 10.103, Non-Discrimination Policy and Discrimination and Harassment Complaint Procedures;

~~ii. Intimidation: Implied threats or acts that cause an unreasonable fear of harm;~~

iii. Hazing: Refer to [University](#) Regulation 2.028, Anti-hazing;

~~iiiv.~~ Retaliation in connection with allegations of gender-based misconduct; and

iv. Stalking: Refer to subsection (8) (w) below.

7. **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 issue a violation to the Respondent for the misconduct, or to address the needs of the Complainant;

- b) A Complainant also has the right to file a report and request confidentiality. However, 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. 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 ~~an~~one (1) advisor or support person of their choice present throughout the conduct proceedings. The University provides a ~~v~~Victim Advocate to assist and support Complainants during the conduct process. The advisor may be a victim advocate, attorney, friend, faculty member or family member. The advisor is not permitted to speak or participate directly in any student conduct proceeding. 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/support person 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 potential 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) The Complainant may submit a written impact statement to be considered by the hearing panel if the Respondent is found Responsible but before determining sanctions. 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).
- k)l) Please refer to 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 or support person of their choice present throughout the conduct proceedings. 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/support person at least three (3) business days prior to the meeting or hearing date.

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

- a) The student conduct proceeding shall be conducted by a University official or panel of university officials, except a University may provide for a committee or panel where students comprise at least one-half of the membership if such committee or panel is requested by the Respondent and no objection is raised by the Complainant.
- 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 order, 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\(25\) 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.](#)

- (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 ~~as noted~~ in [FAMUniversity 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 him/herself/hemselves.
 2. 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 his/hert heir 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 ~~penalties~~ sanction 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's 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;
 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 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.
- (r) Misuse of Safety Equipment and Other Safety Violations: Vandalizing or misusing emergency equipment for non-emergency events, which includes but is not specifically-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 ~~his/her/their~~ job duties, ~~or the use of contemptuous words toward the University official.~~

- (t) Obstruction of the Student Conduct System, including but not limited to:
1. Failure to obey ~~the~~a notice from the University Conduct Officer to appear for an ~~i~~Information ~~b~~Briefing or hearing as part of the student conduct system;
 2. Falsification, distortion, or misrepresentation of information before a hearing body, 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 ~~h~~Hearing ~~b~~Body prior to, during, and/or after an administrative hearing;
 6. Harassment, verbal or physical, and/or intimidation of a member of the ~~h~~Hearing ~~b~~Body, ~~h~~Hearing ~~o~~fficer, Student Conduct and Conflict Resolution staff, ~~r~~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) 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](#).

- (w) 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.
- (x) Unauthorized Use of Facilities and Grounds: Unauthorized access, ~~or~~ 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 ~~sets~~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.
- (y) 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.
- (z) Violation of Residence Hall Policies: Violation(s) of any Department of Housing and Residential Life policy, rule, or regulation.
- (~~z~~aa) 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.
- (~~a~~abb) 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.
- (~~b~~bcc) 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.
- (~~e~~edd) 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 ~~his or her~~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 ~~alcohol/drug dependence~~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 body 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 permanently deprived of ~~his/her~~their opportunity to continue at the University in any status.
- (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. Mediation shall not be offered as an alternative in instances to include, but not specifically limited to: gender-based misconduct, loss of life, serious bodily injuries, use of weapons, hazing and the cultivation, distribution, or sale of drugs.
- (g) No Contact Order. 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 Order 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 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 ~~his/her~~their behavior did not meet University standards. ~~There shall be a written record of the reprimand may be oral or written.~~
- (j) Restitution for the loss or damage to University property.
- (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 which may also include restricted access to campus and/or other specified activities. The student must comply with all conditions imposed by the hearing body or University official prior to re-enrolling. 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.
 - (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.
 - (o) Any combination of the foregoing that the majority of the hearing body, 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 briefing with the charged student, by no less than five (5) 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 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.** The time limit for issuing a violation against a student should be done within six (6) months from the date the violation was committed or discovered, whichever is later. The University Conduct Officer may exercise professional discretion when applying the time limit for issuing a violation against 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) **Administrative Request to Appear.** A student who fails to respond to an Administrative Request to Appear within ~~four~~five (45) business days shall be placed on judicial hold and/or prohibited from attending classes and participating in extra-curricular activities until compliance with the Administrative Request to Appear is effected.
- (14) **Information.** A charged student may request an opportunity to provide information to the 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 Conduct Officer. Under this provision, the student waives his/her 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 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 body or the 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 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 Conduct Officer or ~~his/her~~ 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 body 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 body and a hearing is held. The student shall be informed whether ~~he/she/they~~ would be placed on probation or would be suspended or expelled prior to ~~his/her~~ making a decision to postpone the hearing.
- (19) **Summary Suspension/Expulsion.** The University may summarily suspend or expel any student or group of students, pending a hearing at a later date if requested, under the following circumstances:
- (a) 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.
 - (b) The continued presence of the student on campus is likely to endanger the health, safety, morals, welfare or property of the University community.
 - (c) 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.
- (20) **Summary Suspension/Expulsion for Criminal Conviction.** The Vice President for

Student Affairs may summarily suspend or expel any student, pending a hearing at a later date if requested, who is convicted of or pleaded 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, morals, welfare or property of the members of the academic community.

(21) **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 morals of the University community are in imminent and apparent danger.

(22) **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, the subject matter of [subsections](#) (19) and (20) 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 body (panel) and chaired by a staff member of the Office of Student Conduct and Conflict Resolution.

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 summary suspension/expulsion](#) at which the student may show cause why ~~his or~~ [her/their](#) continued presence on the University campus is not a threat pursuant to [subsections](#) (19) and/or (20) 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 22(b) below, Administrative (non-emergency) hearings), the [University](#) Conduct Officer, at ~~his/her~~ [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 ~~the~~ [Section \(23\)](#) 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(22)(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 suspension or expulsion, the student will have waived the opportunity to the emergency hearing; therefore, the student shall remain suspended or expelled until ~~he or she~~[they](#) requests 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(22)(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 ~~him or her~~[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 written request from the student for a regular (non-emergency) hearing on the merits of the case must also comply with the specified time period for requesting an administrative (non-emergency)

hearing which is 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 ~~him or her~~them. The University shall then adopt the allegations as the findings, find the student responsible for the alleged violations, and administer sanctions appropriately.

(23) **Informal Disposition.** In the event a student charged with an offense wishes to waive, in writing, ~~his/her~~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 ~~him/her~~them and of ~~his/her~~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, ~~his/her~~the waiver and request a hearing. In the absence of a rescission of waiver, the student shall be informed in writing of the decision ~~of his/her case~~ within fourteen (14) business days from the date of the waiver. Should the student elect to proceed under this provision and fails 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.

(24) **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 Residence Life Handbook shall carry either an arrest for trespassing, suspension or probation, and removal from residing in University housing facilities.
- (b) Matters involving incidents arising in University Housing and Residential Life 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. Appeal Committee members may include the Director, Associate and Assistant Directors [of Housing](#) or designees.

- (c) Matters involving a club and/or organization may be referred to the Clubs and Organization Review Board by the Dean of Students or Director of Student Conduct and Conflict Resolution.
 - (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 ~~penalty~~[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 body, the University Conduct Officer shall determine which primary hearing body shall hear the violation.
- (25) **Appeals.** Decisions of the Student Supreme Court pursuant to ~~sub~~[Section](#) (24)(d) above, Residence Life conduct boards, Clubs and Organizations Review Board, University Conduct Officer and administrative hearing panels are appealed to the Dean of Students or other designated University official. [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 University official, shall be final, and the student's conduct matter shall be disposed 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 body to ~~make his/her~~ [submit an](#) appeal in writing and file same with the Office of the Dean of Students. [Deference is given to the original hearing body's outcome: thus, the burden is on the student filing an appeal to demonstrate cause to alter the decision of the hearing body.](#)
 - (b) The written appeal must specify reason(s) why consideration should be granted and ~~should only deal with matters of record, procedure, and/or information presented during the hearing~~ [are 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 University official may uphold the decision and/or sanction(s); modify the decision and/or sanction(s); remand the case to the original hearing body 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 body.
- (d) No student's final **penaltysanction** shall begin to run until all University appeals are exhausted or denied, except as specified under **subs**Sections (19) and (20) above.
- (26) **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 his/her/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.
- (27) The hearing body, ad hoc committee or University Conduct Officer shall afford the charged

student with due process as, provided by [FAMU University Regulation 2.013](#), and/or Board of Governors Regulation 6.0105(c). 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.”

(28) **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 to attend a mandatory Information Briefing. During the Information Briefing, 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 hearing options; and answer any questions. The student will also be given an opportunity to accept responsibility or not accept responsibility and select their hearing 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 Briefing. 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 the Administrative Hearing Panel, at least one-half of which must be students. However, Gender-Based Misconduct cases shall be heard before a panel of University officials (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 that will be presented against the student. The inspection must occur at least three (3) 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 hearing before 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 that will be presented against the student. The inspection must occur at least three (3) business days before the hearing and the student is responsible for submitting a timely request. The charged student will have an opportunity to respond to the information presented 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). The University Conduct Officer shall not accept jurisdiction for any Gender-Based Misconduct cases and said cases shall only be resolved by an Administrative Hearing Panel. Refer also to Section (23) 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 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 University official as provided in Section (25) above.

(i) Decisions of any committee, hearing body, 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 body or designated University official becomes the final outcome.

(29) 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 his/her/their advisor, 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 his- or- her/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 anone (1) advisor they choose, at their own expense and initiative. The advisor may be an attorney. The charged student is responsible for presenting his or her own information, therefore advisors are not permitted to speak or participate directly in any hearing before a conduct hearing body. An advisor may not serve as a witness. A student should select an advisor 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. The student must provide, in writing, to the University Conduct Officer or the chairperson of the hearing body, the name, mailing or email address, and phone number of his/her/their advisor 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 body. 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 three (3) business days prior to the conduct hearing. Witnesses will provide relevant information to and answer questions from the hearing body and the charged student. No witness may be compelled to provide self-incriminating information. Witness statements may be provided to the hearing body and are entitled to be given the same weight by the hearing body 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 body 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 body. Also refer to Obstruction of the Student Conduct System, Section 8.(u).
- (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 his/her- 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 body are not met.
- (j) If any member of the hearing body feels that he or shethey had previous contact with the case or with the students involved so that a fair judgment cannot be rendered, the member must request that he or shethey not serve for the hearing. The charged

student may request that any member of the hearing body be excused whenever the student can show a bias on the part of the member. The chairperson of the hearing body will decide on such challenges and, if appropriate, ask the member to excuse him or herself. If the chairperson of the hearing body is challenged by the student, the hearing body will decide by a majority vote whether or not the chairperson should be requested to excuse ~~him or herself~~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 body.
- (m) All procedural questions are subject to the final decision of the chairperson of the hearing body.
- (n) After the portion of the conduct hearing concludes in which all pertinent information has been received, the hearing body 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 body cannot vote. Prior records of student conduct action and impact statements are considered by the hearing body 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 not used in conduct hearings.
- (p) The burden of proof in all conduct hearings shall be on the University. A “preponderance of ~~evidence~~information” shall constitute the standard of proof standard in all conduct hearings.
- (q) The University Conduct Officer and/or the chairperson of the hearing body ~~under extraordinary circumstances~~, 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 conduct hearing body 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 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 his/her 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.

~~(2930)~~ 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.

~~(301)~~ **Review of Code.** The Student Code of Conduct shall be reviewed on a biennial basis under the direction of the Director of Student Conduct and Conflict Resolution 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 _____, 2020.

Regulation 2.013 Due Process, Other Rights and Responsibilities

Proposed Board Action:

Regulation 2.013 is reviewed on a biennial basis in conjunction with the Student Code of Conduct. This Regulation is being revised to clarify the types of hearings; provides that a student may have one advisor during the conduct proceedings and must notify the University of the advisor's participation at least three business days prior to the meeting or proceeding; and requires the University to provide notice to the alleged victim of their rights as required by Florida Board of Governors Regulation 6.0105. The revised Regulation also specifies that the decision of the hearing body or University official constitutes official action and not a recommendation as required by Florida Board of Governors Regulation 6.0105. The University is requesting that the Board of Trustees approve the amendment to Regulation 2.013 for notice and adoption after the expiration of the thirty (30) day notice period, provided there are no public comments, in accordance with the Florida Board of Governors' Regulation Development Procedure.

**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. Due process as applied by the University and its schools, institutes, and colleges shall include, as a minimum, the following:

(a) **Notice.** The student shall be provided with written notice of the violations against [him/her/them](#) in sufficient detail and in sufficient time to prepare for a hearing or meeting before an appropriate committee, hearing body, or designated University official. This notice shall be presented no less than five (5) 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 committee or hearing body, 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 summary suspension/expulsion](#) at which the student may show cause why ~~his or her~~[their](#) continued presence on the University eCampus is not a threat pursuant to [University Regulation 2.012\(19\)](#) and/or (20). 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\(22\)\(b\)](#), when a student has been summarily suspended or expelled, 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 summary suspension/expulsion](#) and administrative (non-emergency) [hearing on the merits of the case](#) (see [University Regulation 2.012\(22\)\(b\)](#), Administrative (non-emergency) hearings), the [University](#) Conduct Officer, at ~~his/her~~[their](#) discretion, may combine the hearings into one proceeding. If the hearings are combined, the timeframes for an emergency hearing shall govern.
4. **Administrative Request to Appear.** If the [University](#) Conduct Officer or ~~his/her~~[their](#) designee believes after a review of the purported violations that the information has merit, the student will be issued ~~in writing an~~ [written](#)

Administrative Request to Appear at an information briefing before the University Conduct Officer or ~~his/her~~ their designee. The student is provided ~~four~~ive (45) business days from the date of the Administrative Request to Appear to schedule an information briefing with the University Conduct Officer. At the information briefing, the University Conduct Officer or ~~his /her~~their designee will explain to the student the allegations and elements of due process that will be afforded. The student will be provided with the opportunity to request an administrative hearing or informal disposition of the case, except in cases involving alleged Gender-Based Misconduct.

5. Exceptions to ~~the~~ scheduling ~~of~~ the hearing within the specified ~~numbered of~~ days may occur due to outside factors such as the availability of witnesses or the student conduct panel members. It is the responsibility of the student to ensure that ~~his or her~~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 official designated by the University. This opportunity will be provided to the student at~~during~~ the ~~administrative request to appear~~Information Briefing. Please refer to University Regulation 2.012(23).

(d) **Disclosure of Information.**

1. In Emergency Hearings and upon the student's written request, the student shall have the opportunity to inspect all of the information that will be presented against the student at least one (1) business day prior to the hearing. The University shall also have the right to inspect any information 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 shall have the opportunity to inspect all of the information that will be presented against the student. Inspection of the information shall occur at least three (3) business days before the student conduct hearing or meeting. Failure of the student to timely request inspection of the information waives the three (3) 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 the student intends to use at least three (3) business days before the student conduct hearing or meeting.

3. If the student fails to notify the University, within the above-allotted times before the hearing, that ~~he or she~~they ~~has~~ have information the student plans ~~on to~~ presenting, and/or fails to allow the University to inspect the information that the student intends to use at the hearing ~~within the allotted times stated above before the hearing~~, it may be considered a waiver by the student, ~~and as~~ a result, the student might not be able to present ~~his/her~~the information at the hearing.

(e) **Hearing/Meeting Procedures.** The student may present relevant information on his/her/their own behalf during the student conduct hearing or meeting. The student may hear and question adverse witnesses who testify at the hearing or meeting. The student shall not be forced to present testimony, which would be self-incriminating.

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 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.

(f) **Advisor.** The student may, at his/her/their own expense and initiative, have one (1) advisor of the student's choice present during the student conduct process who may be an attorney. The student must provide, in writing, the name, mailing or email address, and phone number of their advisor 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 to attend the student conduct proceedings and the proceedings will not be delayed due to scheduling conflicts of the chosen advisor. The student shall coordinate the scheduling of the hearing and not the advisor.

1. The student is responsible for presenting his or her/their own information. Advisors are not permitted to speak or participate directly in any proceeding. An advisor may not act as a witness. An advisor's attempt to participate in a proceeding by speaking, presenting information, or otherwise intervening in the proceeding is grounds for the advisor being required to leave. In such event, the proceeding will continue without the advisor present, and the advisor's absence shall not require a delay or affect the validity of the proceedings.

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

(h) The decisions of any committee, hearing body, 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 proceeding.

(i) **Appeal.**

1. The student may appeal ~~in writing~~ the decision of any committee, hearing body, 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 University official, as appropriate, unless otherwise proscribed.
 2. At the conclusion of the appeals process regarding violations of the Student Code of Conduct, the decision of the Dean of Students or other designated University official shall be final and the student's conduct matter shall be disposed 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 and engage in University activities may be revoked.

(k) If a student's privileges are temporarily revoked as described in [paragraph \(1\)\(j\)2](#), the above [paragraph](#), 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(22)(a), a student is provided five (5) business days from the date of the notice of suspension or expulsion to request in writing an emergency hearing regarding ~~his or her~~ [the student's](#) continued presence on the University's eCampus. 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 or expelled until ~~he or she~~ [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(22)(b), when a student has been summarily suspended or expelled, 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 summarily suspended or expelled and fails to timely request, in writing, an Administrative (non-emergency) hearing on the merits of the case, the University Conduct Officer in his/her/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(23).) 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 of the purported victim's choice accompany him/her/them when presenting information to the hearing body and to any other relevant meetings held

throughout the student conduct process;

- (b) To submit an impact statement to the hearing body. 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, he/she/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 body will decide if such information is unrelated;
 - (d) To submit questions to the ~~Office of Student Conduct and Conflict Resolution~~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 ~~to him/her~~ if in the current possession of the University. The determination of when this property may be returned is ~~left to~~ within the discretion of the University Conduct Officer and/or University Department of Campus Safety and Security;
 - (f) For Complaints of a ~~g~~Gender-Based ~~M~~misconduct violation(s), please refer to additional rights noted in University Regulation 2.012(8)(H).
- (6) **Basic Rights.** All students enrolled at the University shall be accorded 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 [him/her/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 [rightability](#) 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 _____, 2020.

Regulation 2.026 Student Meal Plan

Proposed Board Action:

This Regulation is being revised to reflect the current building names, configurations as well as minor grammatical corrections. The University is requesting that the Board of Trustees approve the amendment to Regulation 2.026 for notice and adoption after the expiration of the thirty (30) day notice period, provided there are no public comments, in accordance with the Florida Board of Governors' Regulation Development Procedure.

Regulations of Florida A&M University



2.026 Student Meal Plan

- (1) All students residing in traditional University residence halls shall participate in a Mandatory student meal plan. Traditional residence halls are ~~Cropper, Diamond, FAMU Towers, Gibbs Hall, McGuinn, Paddyfoote, Polkinghorne Village~~, Sampson, ~~Truth, Wheatley~~ and Young Halls, ~~and the 800-bed housing facility yet to be named~~. Each student requesting housing in a traditional residence hall must select a Mandatory Meal Plan option by the second week of class during the Fall, Spring, and Summer semesters. If a student fails to select a Mandatory Meal Plan, he/she will be automatically enrolled in a Mandatory Meal Plan Option. Mandatory Meal Plan Agreements are an annual commitment for the Fall and Spring semesters. Students enrolled during the Summer semesters that reside in a traditional University residence hall are also required to sign an meal plan agreement for this term. Each meal plan offers a variety of meal options satisfying varied dietary requirements, personal ~~tastestastes~~, and individual schedules. Meal plan options and costs are available for review online at <http://www.famudining.com/plans.html>. The information is also available in the Rattler Card Office located in the Student Services Center.
- (2) If a student is assigned to a traditional University residence hall which requires a meal plan, but transfers to a residence hall that does not require a meal plan, the student is obligated to pay for the meal plan based upon a pro-rated amount

according to the number of days she/he resided in the traditional University residence hall. If the student has been approved for a cancellation in accordance with the Housing Agreement Terms and Conditions, a pro-rated refund for the portion of the meal plan not used by the student may be provided.

- (3) On-Campus apartment-style residents and non-residential students may also participate in both the Mandatory or the Commuter Meal Plans, which is available for review on-line at <http://www.famudining.com/plans.html>.
- (4) Each diner must present his/her current Rattler Card to access dining services.
- (5) All meal plans, including flex dollars, expire at the end of the semester.

Specific Authority- Article IX, Section 7(c), Florida Constitution, BOG Regulation 1.001. History- New 7-17-78, Formerly 6C3-2.26, Amended June 29, 2006, Amended September 12, 2013, Amended, 2020.

Regulation 2.028 “Anti-Hazing”

Proposed Board Action: This Regulation is being revised to reflect the incorporation of FS 1006.63 subsections (11)(a)(b) and (12), which provide immunity from prosecution to persons who meet specified requirements.

The University is requesting that the Board of Trustees approve the amendment to Regulation 2.028 for notice and adoption after the expiration of the thirty (30) day notice period, provided there are no public comments, in accordance with the Florida Board of Governors’ Regulation Development Procedure.

**Regulations of
Florida A&M University**



2.028 Anti-hazing.

- (1) Florida Agricultural and Mechanical University (“University”) strictly prohibits any student(s), group(s) of students, or student organization(s) affiliated with the University from engaging in any form(s) of hazing activities. The University also has zero tolerance for violation of any provisions of this Anti-hazing Regulation 2.028. “Zero tolerance” means that given the factual circumstances of the alleged violation, the charged student may be removed from University Housing and receive a sanction including, without limitation, suspension or expulsion from the University.
 - (a) Due process protections in accordance with University Regulation 2.013 will be appropriately accorded the charged student.
 - (b) “Student” is given the same meaning herein as it is defined in the Student Code of Conduct, Regulation 2.012.
 - (c) “Engaging” is defined herein and prohibited by this Regulation as anyone who (i) perpetrates hazing activities by planning and/or executing the hazing activities; (ii) is the object of or consents to hazing activities; or (iii) observes or has knowledge of hazing activities and fails to report the incident within twenty-four (24) hours as required.
 - (d) This Regulation is incorporated into University Regulation 2.012.
- (2) The term hazing shall include, but not be limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as striking in any manner, whipping, beating, branding,

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exposure to the elements, forced consumption of food, liquor, drugs, or other substances, or other forced physical activities that would adversely affect the health or safety of the student and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contacts, forced conduct that would be demeaning or results in extreme embarrassment or any other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. For purposes of this section, any activity as described above, or any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to, initiation or admission into or affiliation with a University sanctioned organization, shall be presumed to be hazing and a “forced activity.”

(a) It shall not be a defense that the consent of the victim to participate was obtained, the conduct or activity was not part of an official University organizational event or was not otherwise sanctioned or approved by the University organization, or the conduct or activity was not done as a condition of membership to a University organization.

(3) A student may not be charged with a violation of the Student Code of Conduct under this section if they establish all of the following:

(a) That the student was present at an event where, as a result of hazing, a person appeared to be in need of immediate medical assistance.

(b) That the student was the first person to call 911 or campus security to report the need for immediate medical assistance.

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- (c) That the _____ student provided their own name, the address where immediate medical assistance was needed, and a description of the medical issue to the 911 operator or campus security at the time of the call.
- (d) That the student remained at the scene with the person in need of immediate medical assistance until such medical assistance, law enforcement, or campus security arrived and that they cooperated with such personnel on the scene.
- (4) Notwithstanding subsection (3), a student is immune from the Student Code of Conduct charges and/or violations under this section if the student establishes that, before medical assistance, law enforcement, or campus security arrived on the scene of a hazing event, the student rendered aid to the hazing victim. For purposes of this subsection, “aid” includes, but is not limited to, rendering cardiopulmonary resuscitation to the victim, clearing an airway for the victim to breathe, using a defibrillator to assist the victim, or rendering any other assistance to the victim which the student intended in good faith to stabilize or improve the victim’s condition while waiting for medical assistance, law enforcement, or campus security to arrive.
- (5) Any student found in violation of this Regulation resulting from conduct occurring on-campus or off-campus will be subject to appropriate sanctions by the University, which may include but is not limited to: the imposition of fines; withholding of grade(s), transcripts and/or diplomas pending payment of fines or compliance with the Student Code of Conduct, Regulation 2.012; the imposition of counseling, probation, suspension, or

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expulsion of said person(s) or organization(s), the rescission of certification for the University organization(s); and/or removal from University Housing.

- (6) All penalties imposed by the University do not absolve the student(s), group(s) of students, or student organization(s) from any penalty imposed for violation of the criminal laws of the State of Florida, including but not limited to such criminal penalties prescribed in section 1006.63, Florida Statutes, for penalties imposed in civil proceedings or for violation of any other University Regulation(s) to which the charged student(s) may be subject.
- (7) All University certified organizations are required to include in their by-laws an anti-hazing section fully incorporating this Regulation. A copy of the by-laws shall be kept on file in the Office of Student Activities. Advisors and each member of a University certified organization must attend one Fall semester and one Spring semester hazing workshop each academic year.
- (8) Any person, including trustees, administrators, faculty, staff, students, members of direct support organizations, vendors, guests and volunteers having knowledge of or receiving information regarding any activity which may constitute hazing or a violation of this regulation must contact the FAMU Department of Public Safety at (850) 599-3256 or www.stophazingatfamu.com within twenty-four (24) hours of gaining such

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knowledge or receiving information. Any person who fails to report any activity of hazing shall be in direct violation of this regulation.

(9) It shall be expressly prohibited for any person, including trustees, administrators, faculty, staff, students, members of direct support organizations, vendors, guests and volunteers, to retaliate against a person because that person has been a victim of hazing, reported hazing, refused to

(10) participate in hazing, assisted in the investigation of hazing, or participated in the prosecution of any alleged hazing.

(11) Any person who has experienced retaliation for reporting any activity, which may constitute hazing or a violation of this regulation, shall have the right to file a retaliation complaint with the Division of Audit and Compliance within twenty-four (24) hours of becoming aware of the act of retaliation at (866) 445-4968.

Specific Authority: Article IX, Section 7(c), Florida Constitution . Law Implemented 1006.60, 1006.61, 1006.62, 1006.63 FS. History—New 4-3-83, Formerly Rule 6C3-2.028, Amended 1-26-04, 5-9-12. Amended 7-15-13, Amended _____, 2020.



**Board of Trustees
INFORMATION ITEM**

Academic and Student Affairs Committee

Thursday, June 4, 2020

Agenda Item: X

Subject: Student Affairs Update

Background Information and Summary: An update on the following items will be provided:

- Student Affairs Update
- Anti-Hazing Update



**Board of Trustees
INFORMATION ITEM**

Academic and Student Affairs Committee

Thursday, June 4, 2020

Agenda Item: XI

Subject: Academic Affairs Update

Background Information and Summary: An update on the following items will be provided:

- Licensure Pass Rate Task Force Report