

Policies & Regulations

Subject: Student Conduct Code		
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Responsible Division/Department: Student Affairs/Student Conduct Office		

I. STATEMENT OF REGULATION

A.	Introduction	1
	Philosophy Statement	2
A.	Scope	2
B.	Authority	3
C.	Definitions	4
D.	Violations	7
E.	Conduct Procedures.....	13
F.	Student Rights in the Conduct Process	17
G.	Interim Measures.....	19
H.	Sanctions.....	19
I.	Appeals.....	21
J.	Records.....	22
K.	Student Conduct Record Forgiveness	23

A. Introduction

The University of North Florida is committed to values that promote the welfare and positive transformation of individuals, communities, and societies. We value: the pursuit of truth and knowledge carried out in the spirit of intellectual and artistic freedom; ethical conduct; community engagement; diversity; responsibility to the natural environment; and mutual respect and civility. These values serve as the foundation for the Student Code of Conduct. In order to function effectively and to provide a climate in which all members can fulfill their personal, professional, social, and academic obligations, the University has established this Code for defining behavioral rights and responsibilities within this community.

Students are responsible for knowing the information, policies and procedures outlined in this document.

The Code of Conduct is in writing in order to give students general notice of prohibited conduct. The regulations are not a criminal code; they should be read broadly and are not designed to define misconduct in exhaustive terms. By accepting the privilege of enrolling in the University, each student consents to the Student Code of Conduct.

The University reserves the right to take all necessary and appropriate action to protect the safety and well-being of the University community, and to make changes to this Code through the designated regulation revision process where the Code will be circulated for student review and comment. Once those changes are adopted by the University Board of Trustees and posted online, they are in effect. Students are encouraged to check online [www.unf.edu] for the updated versions of all policies and procedures.

Philosophy Statement

The UNF Community is committed to fostering a learning environment that is safe and conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The student conduct program is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community.

A community exists on the basis of shared values and principles. At UNF, students are expected to uphold and abide by standards of conduct that form the basis of the Student Code of Conduct, as mentioned above.

Each student of the University community is responsible for their conduct and is responsible for the behavior of their guests. When students fail to exemplify the University's values by engaging in behavior that is not consistent with University policies and regulations, campus conduct proceedings are used to assert and uphold the Student Code of Conduct.

The student conduct process at UNF is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with the University's policies and regulations. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student's behavior is in conflict with community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

The student conduct process is not the same as a criminal or civil proceeding before a Florida court. Procedures governing Florida's criminal or civil courts, including formal rules of evidence, are not applicable. Deviations from the procedures in this Code shall not invalidate a proceeding or decision, except where such deviation has clearly resulted in substantial prejudice to an accused student. Student conduct procedures are consistent with basic principles of fairness and procedural due process, which includes the right to notice of alleged charges and a meaningful opportunity to be heard before an impartial decision-maker. A student will be found responsible for an alleged violation if the relevant information shows that, more likely than not, the violation occurred. Any sanctions will be proportionate to the severity of the violation and the student's cumulative conduct history. Students may appeal their disciplinary outcomes as provided under Section "I" of this Code and Florida law. The Student Conduct process is a confidential process in accordance with the Family Educational Rights and Privacy Act (FERPA) and educational in nature.

The University's Division of Student Affairs administers this Code of Conduct.

A. Scope

The University of North Florida's jurisdiction under this Code of Conduct includes conduct that occurs on UNF premises or anywhere off-campus or the internet that (i) materially disrupts the University's learning environment, (ii) substantially interferes with another student's ability to pursue their education in a safe environment, (iii) involves substantial disorder or breaches of the peace, or (iv) invades of the rights of others.

UNF recognizes and embraces the right of all students to seek knowledge, debate ideas, form opinions and freely express their ideas consistent with this Code of Conduct. This Code applies to behavior conducted in writing, online, via email, text messaging or any other electronic medium or mode of communication, such as blogs, web postings, chats and social networking sites. The University does not regularly search for such information but may take action if and when it is brought to the attention of University officials.

This Student Code of Conduct extends to compliance with professional standards of conduct or ethics that students must adhere to as part of their studies, such as internships, placements or Transformational Learning Opportunities.

UNF's student conduct proceedings are not the same as a civil or criminal judicial proceeding. Alleged violations of state and/or federal law are separate, and may be pursued independently from alleged violations of the Student Code of Conduct.

B. Authority

1. Authority for student conduct ultimately rests with the University President. The President delegates this authority to the Provost and Vice President for Academic Affairs (or their designee). The Vice President may take direct jurisdiction of any case at any time throughout the process.
2. The Student Conduct Office will assume responsibility for coordinating the investigation of an allegation of misconduct to determine if the complaint has merit.
3. The Provost and Vice President for Academic Affairs (or their designee) has the authority to notify the person(s) listed on the student's emergency contact (or other appropriate person) in case of an emergency involving that student.
4. All fraternity and sorority conduct matters that are alleged violations of the Student Code of Conduct or University regulation will be reviewed by the Student Conduct Office, and may be addressed by the Office of Fraternity and Sorority Life in consultation with the Student Conduct Office. Organizations may be subject to further action by the Office of Fraternity and Sorority Life, and may also be referred to the organization's governing entities for appropriate action.
5. All registered and non-registered student organizations, including those reporting through Club Alliance, an agency of Student Government, are subject to the Student Code of Conduct.
6. All matters where discipline is administered under the University conduct system may be appealed to the Provost and Vice President for Academic Affairs (or their designee), whose decision is the University's final action. In their sole discretion, the Provost and Vice President for Academic Affairs may appoint a designee or panel board to hear an appeal. Final decisions will include notice to the student of the student's right to further appeal to an external judicial forum.
7. The Provost and Vice President for Academic Affairs (or their designee) has sole discretion to refer an alleged charge, other than a charge involving sexual misconduct, for mediation or other forms of appropriate conflict resolution. All parties must agree to participate in the designated conflict resolution process, and if the parties reach an agreement regarding the issues in dispute, the parties will be bound by the decision with no further right of review or appeal. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing. The Provost and Vice President for Academic Affairs (or their designee) may also suggest that complaints that do not involve a violation of the Student Code of Conduct be referred for mediation or other appropriate conflict resolution.

C. Definitions

1. Administrative Hearing. The term “administrative hearing” refers to a conduct hearing wherein a respondent meets individually with a Hearing Administrator who reviews the reported charges against the student and all other relevant information to determine whether to recommend to the Provost and Vice President for Academic Affairs (or their designee) that a respondent is “responsible” or “not responsible” for the charge(s) and any appropriate sanction(s).
2. Advisor. The term “advisor” means any one person chosen by the respondent, alleged victim, or a witness to assist them throughout the disciplinary process. While an advisor may assist a student, they may not speak or present information on the student’s behalf or otherwise take an active role in the student conduct process.
3. Alleged Victim. The term “alleged victim” refers to any person who reported a material loss, harm or injury, either physically, mentally or emotionally. When the Student Conduct Office becomes aware of an allegation, the alleged victim shall be informed of various resources on campus and their rights throughout the conduct process.
4. Appeal. The term “appeal” refers to the student’s ability to have the Provost and Vice President for Academic Affairs (or designee) review the hearing body’s recommended finding of responsibility and sanction(s). The Provost and Vice President for Academic Affairs will assign a person, or a panel (for cases of Immediate Suspension Appeals), who have not heard the original case to hear the appeal.
5. Bystander. The term “bystander” refers to a person who is present at an event or incident but does not take an active role.
6. Capacity. The term “capacity” refers to soundness of mind and to an ordinarily intelligent understanding and perception of one’s actions. An individual under duress lacks the capacity to consent. Incapacity means the physical and/or mental inability to make an informed or rational judgment. States of incapacity may include, without limitation, disability, age, sleep, blackouts, and flashbacks. Where alcohol, or other drugs, have been consumed, one does not have to be intoxicated to lack the capacity to provide consent.
7. Charge. The term “charge” refers to the written notice given to a student that contains the reported violation of the Student Code of Conduct which the student will be required to answer. (Please refer to Section E, Procedures.)
8. Class Days. The term “class days” refers to the days when either classes or final exams are officially scheduled by the University, with the exception of Sundays and legal holidays.
9. Complainant. The term “complainant” refers to the party bringing the complaint, which could be an employee, a student, a visitor, or a guest of the University, and they may choose to be present and participate in the process as fully as the respondent. In specific cases, the Complainant may not be the alleged victim. Recognizing that alleged victims are provided specific rights and non-victim complainants may not have these same rights or protections, this Code will use “complainant” as a general term. The University may also act as the Complainant, but is always the convener of every action under this Code.
10. Conduct Review. The term “conduct review” refers to the initial meeting between a Respondent and the University’s Hearing Administrator where the student is advised of the charges against them as stated in the charge letter, and where the student will be advised of their rights in the student conduct process including their rights at a subsequent Administrative or Panel Hearing.

11. Consent. The term “consent” refers to the communication of an affirmative, conscious, and freely made decision by each participant to engage in agreed upon forms of contact or conduct. Consent requires an outward demonstration, through understandable words or actions, which conveys a clear willingness to engage in the contact or conduct. Consent cannot be inferred from silence, passivity, or a lack of resistance, and relying on non-verbal communication alone may result in a violation. For example, a person who does not physically resist or verbally refuse sexual contact may not necessarily be giving Consent. There is no requirement that an individual verbally or physically resist unwelcome sexual contact for there to be a violation. Consent cannot be inferred from an existing or previous dating or sexual relationship. Even in the context of a relationship, there must be mutual Consent to engage in sexual contact for each occasion and each form of sexual contact. Consent to one form of sexual contact does not constitute Consent to any other form of sexual contact, nor does Consent to sexual contact with one person constitute Consent to sexual contact with any other person. Additionally, Consent to sexual contact on one occasion is not Consent to engage in sexual contact on another occasion. Consent cannot be obtained by Coercion or Force or by taking advantage of a person’s inability to give Consent because of Incapacitation or other circumstances. A person who has given Consent to engage in sexual contact may withdraw Consent at any time. However, withdrawal of Consent requires an outward demonstration, through understandable words or actions that clearly conveys that a party is no longer willing to engage in sexual contact. Once Consent is withdrawn, the sexual contact must cease immediately. Note that generally in Florida, consent cannot legally be given by a minor under the age of 18, with certain specified statutory exceptions. Please also refer to the University’s Sexual Misconduct Regulation.
12. Disciplinary Hold. The term “disciplinary hold” refers to a restrictive hold placed on a student’s University record by the Provost and Vice President for Academic Affairs (or their designee) to ensure compliance with sanctions or pending the resolution of conduct matters. Disciplinary Holds may restrict a student from registering for or withdrawing from classes or requesting their transcript. When terms and conditions of sanctions have been satisfied and/or pending conduct matters have been resolved, the hold may be removed.
13. Guest. The term “guest” means any person visiting campus who is not affiliated with the University. Students and/or residents may be held responsible for the actions of their guests.
14. Hearing Administrator. The term “hearing administrator” refers to any individual assigned to hear conduct cases by the Provost and Vice President for Academic Affairs (or their designee). A Hearing Administrator also serves as a facilitator during panel hearings.
15. Hearing Body. The term “hearing body” means any person or persons authorized by the Provost and Vice President for Academic Affairs (or their designee) to conduct hearings to determine whether to recommend that a student has or has not violated the Student Code of Conduct. This includes individuals serving as a Hearing Administrator or individuals serving on a Hearing Panel.
16. Immediate Hearing. The term “immediate hearing” in this Code refers to a hearing that continues immediately at the conclusion of a Conduct Review meeting, at the request of the respondent. The respondent will waive certain student rights in order to proceed to an immediate hearing. The Hearing Administrator will review the reported charges against the student and all other relevant information to determine whether to recommend to the Provost and Vice President for Academic Affairs (or their designee) that a respondent is “responsible” or “not responsible” for the charge(s) and any sanction(s).
17. Investigator. The term “investigator” refers to any person or persons authorized by the Provost and Vice President for Academic Affairs (or their designee) who may, among other things, investigate alleged violations of misconduct, present findings to the Student Conduct Office and/or present the findings of their investigation to the Hearing Body.

18. Non-student Resident. The term “non-student resident” refers to an individual who resides in UNF Housing pursuant to a housing arrangement, but is not a student or guest as defined in this Code. Such individuals will not be subject to the procedures set forth in the Student Code of Conduct but instead will be required to comply with the procedures adopted by University Housing for addressing violations of its resident requirements.
19. On-Campus. The term “on-campus” refers to all land, buildings, facilities and other properties (including equipment and vehicles) in possession of or owned, used or controlled by the University, including adjacent streets, sidewalks and parking lots.
20. Immediate Suspension Panel Appeal Hearing. The term “immediate suspension panel appeal hearing” refers to a panel consisting of at least 50% student representation convened to hear an appeal of a student’s Immediate Suspension by the Provost and Vice President for Academic Affairs (or designee.) (Please refer to Section G, Interim Measures and Section I. Appeals.)
21. Panel Hearing. The term “panel hearing” refers to a conduct hearing where individuals drawn from the student conduct board, and authorized by the Provost and Vice President for Academic Affairs (or their designee), will review charges and information presented and determine whether to recommend to the Provost and Vice President for Academic Affairs (or their designee) that a student is “responsible” or “not responsible” for the charge(s) and any sanction(s). The Panel Hearing shall consist of at least 50% students.
22. Policy. The term “policy” refers to any adopted policy of the University as found on the Official UNF Website http://www.unf.edu/president/policies_regulations/.
23. Referred Student. The term “referred student” refers to a student who has been referred to the Student Conduct Office for an alleged violation of the Student Code of Conduct.
24. Regulation. The term “regulation” refers to the adopted regulations of the University as found on the Official UNF Website. http://www.unf.edu/president/policies_regulations/.
25. Reporting Person. The term “reporting person” refers to a person who reports an alleged violation of the Student Code of Conduct to the Student Conduct Office or the University Police Department.
26. Respondent. The term “respondent” refers to a student who has been named in the conduct referral process and/or formally charged by the Student Conduct Office.
27. Respondent Advisors. The term “respondent advisor” refers to an individual trained through the Student Conduct Board who does not participate in the investigation or resolution of a case, but may assist a respondent understand their rights, explain and navigate the investigation and adjudication process, and refer respondents to campus and community resources.
28. Responsible. The term “responsible” means that the information presented at any hearing shows that it is more likely than not that the student committed the alleged violation(s).
29. Sanction. The term “sanction” refers to the University’s educational response to address student behavior where a student has been found responsible for a violation of the Student Code of Conduct.
30. Student. For purposes of the Student Code of Conduct, the term “student” is defined as any person who is currently admitted and/or enrolled in any credit-bearing course or program at UNF or maintains student status based on the Continuous Enrollment Policy. UNF defines continuous enrollment as being enrolled in classes at UNF without a break of three or more consecutive semesters. This provision is intended to include within the definition of students, those persons enrolled in the spring and fall semesters who engage in misconduct during the summer and students who are first time enrollees who engage in misconduct prior to

the time of enrollment. Also included in this definition are individuals who have been enrolled in classes and continue to be associated with the University because they have not completed the course or program requirements in which they were enrolled. In cases of dual enrollment, jurisdiction over a student's conduct will be determined in consultation with appropriate officials at the student's other institution. **The term "student" also means any student organization that is affiliated with the University.**

31. Student Conduct Board. The term "student conduct board" refers to active students, faculty and staff, who successfully completed annual training in student conduct regulations and procedures, and may be chosen to serve in a panel hearing. Trained faculty and staff may also serve as Respondent Advisors.
32. University Community. The term "university community" refers to any person who is a student, faculty member, University official, or any other person employed with the University or a guest of the University.
33. University Official. The term "university official" means any person employed by the University to perform assigned teaching, research, administrative, professional or other responsibilities. University Police also fall under this definition.

D. Violations

Listed below are categories of violations of the Student Code of Conduct. Within each category, behaviors or actions are described that constitute violations of the Code. The categories of violations are in writing in order to give students general notice of prohibited conduct. The regulations are not a criminal code; they should be read broadly and are not designed to define misconduct in exhaustive terms. In addition to direct violations of the Code, students who aid, abet, incite, or attempt to commit prohibited behaviors or actions described below will be considered to have violated the Student Code of Conduct.

1. Sexual Misconduct

Sexual Misconduct is unwelcome or inappropriate conduct of a sexual nature that occurs without consent. Please also refer to the University's Sexual Misconduct Regulation (1.0050R).

- 1.0 Voyeurism: to trespass, spy, eavesdrop or otherwise invade the privacy of another for the purpose of personal sexual arousal.
- 1.1 Sexual Harassment: any unwelcome sexual advance, request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature, when: (i) submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's academic work, employment, or participation in any aspect of a University program or activity; or (ii) submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, *i.e.*, it is sufficiently serious, pervasive, or persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, or social environment, under both an objective (a reasonable person's) and subjective (the alleged victim's or reporting person's) view.
- 1.2 Domestic Violence and/or Dating Violence: pattern of coercive behavior used by individuals to control their intimate partners; coercive behavior may include verbal, emotional and/or physical abuse or any threat of behavior
- 1.3 Sexual Assault: any physical contact of a sexual nature on an individual without their valid consent
- 1.4 Non-consensual sexual intercourse: unwelcome sexual intercourse or any other sexual penetration, with or without force, towards an individual without valid consent
- 1.5 Any behavior in violation of the University's Sexual Misconduct Regulation.

2. Endangerment

- 2.0 Physical violence towards another person or group.
- 2.1 The threat of physical violence towards another person or group.
- 2.2 Action(s) that endanger the health, safety, or well-being of another person or group.
- 2.3 Action(s) that endanger one's own health or safety.
- 2.4 Interference with the freedom of another person to move about in a lawful manner.

3. Harassment

- 3.0 Verbal, physical, electronic or other conduct, action(s) or statements that are severe, persistent or pervasive that threaten harm or reasonably intimidate another person causing them to fear for their safety, under both an objective (a reasonable person's) and subjective (the alleged victim's or reporting person's) view.
- 3.1 Acts that are severe, persistent or pervasive that invade the privacy of another person, under both an objective (a reasonable person's) and subjective (the alleged victim's or reporting person's) view.
- 3.2 Stalking: Repeated, unwanted attention; physical, verbal, or electronic contact; or any other course of conduct directed at an individual that is sufficiently serious to cause physical, emotional, or psychological fear or distress or to create a hostile, intimidating, or abusive environment for a reasonable person in similar circumstances and with similar identities, under both an objective (a reasonable person's) and subjective (the alleged victim's or reporting person's) view. Stalking may involve individuals who are known to one another, who have a current or previous relationship, or who are strangers. Stalking includes the concept of cyber-stalking, a particular form of stalking which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

4. Possession of Weapons and Destructive Devices

- 4.0 It is prohibited for any person covered by this Code to possess a firearm, electric weapon or device, destructive device, or other weapon including a razor blade, box cutter, dirk, knife (other than a common pocketknife, plastic knife, or blunt-bladed table knife), metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon on University property, University-controlled property or at University-sponsored events. (See Sections 790.001(6) and 790.001(13), Florida Statutes. The only exceptions to this prohibition are:
 - (a) A sworn law enforcement officer may carry a weapon on University property, University-controlled property or to University sanctioned events;
 - (b) Students may carry lawful self-defense chemical spray which is compact in nature, containing no more than two ounces of chemical, designed to be carried on or about the person solely for purposes of self-defense;
 - (c) A person 18 years of age or older may maintain a firearm or other weapon for self-defense or other lawful purpose within the interior of a private vehicle, without a license, if the firearm or other weapon is securely encased or is otherwise not readily accessible for immediate use. Additionally, the carrying of a legal firearm other than a handgun anywhere in a private vehicle when such firearm is being carried for a lawful purpose is authorized by law. (See section 790.25(5), Florida Statutes). This exception shall not be construed to authorize the carrying of a concealed firearm or other weapon on a person or outside of a vehicle on University property, University-controlled property or at University-sponsored events.

- (d) Possessing and using a razor blade and/or a box cutter for lawful and intended purposes. Specifically, razor blades may be possessed and used for personal hygiene and a box cutter may be possessed and used as a tool for University-sanctioned or University-sponsored events.

5. Hazing

Hazing is any action or activity for any group or individual which recklessly or intentionally endangers the mental or physical health or safety of a student for the purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of the University. Please also refer to the University's Prohibition Against Hazing Regulation (5.0020R). (See Section 1006.63, Florida Statutes).

- 5.0 Pressuring or coercing students into violation the University regulations, Student Code of Conduct, local, state, or federal law.
- 5.1 Activities that conflict or interfere with a student's academic performance.
- 5.2 Forced consumption or intake of food, alcohol, drug or other substance.
- 5.3 Any brutality of a physical nature such as whipping; beating; branding; forced calisthenics; exposure to the elements; or any other forced physical activity which could adversely affect the physical and/or mental health or dignity of the individual.
- 5.4 Any activity that would subject a reasonable person to experience emotional stress including deprivation of food or sleep. Forced exclusion from social contract, forced conduct that could result in extreme embarrassment or that could affect the mental health or dignity of the student. These activities include but are not limited to: kidnapping, scavenger hunts, any forced activity of a sexual nature, and personal servitude.
- 5.5 Any group or individual conduct or activity in violation of UNF's Anti-hazing Policy or the Florida Statutes prohibiting hazing.

6. Arson

- 6.0 Intentionally or recklessly causing a fire.

7. Misuse of Fire Safety Devices or Failure to Follow Fire Safety Directives

- 7.0 Inappropriate activation of any emergency warning equipment or the false reporting of any emergency.
- 7.1 Removal, damage, tampering or compromising the effectiveness of fire safety or any emergency warning equipment.
- 7.2 Failure to evacuate a University building or facility when a fire alarm is sounded or when directed to leave the building by an authorized University representative.

8. Possession of Illegal Drugs and/or Misuse of Medication

Please also refer to the University's Alcohol and Other Drugs Policy (14.0060P).

- 8.0 Possession or use of illegal drugs, including use of prescription drugs where the individual possessing or using the drugs is not the individual for whom the prescription drugs were lawfully prescribed.
- 8.1 Possession or use of drug paraphernalia.
- 8.2 Distribution, delivery, and/or sale of illegal drugs or prescription drugs, where the person distributing, delivering and/or selling the prescription drugs is not the person to whom the medication was lawfully prescribed.
- 8.3 Conspiracy to distribute, deliver and/or sell illegal drugs.
- 8.4 Misuse of one's own prescription medication.

8.5 Driving under the influence of illegal drugs.

9. Prohibited Use of Alcohol

Please also refer to the University's Alcohol and Other Drugs Policy (14.0060P).

- 9.0 Possession, use and/or consumption of alcohol when under the legal drinking age, as defined by law.
- 9.1 Dispensing, selling, and/or supplying alcoholic beverages to an individual who is under the legal drinking age, as defined by law.
- 9.2 Use or possession of beer kegs, party balls, and/or other common sources of mass volume alcohol on campus, with the exception of University approved functions.
- 9.3 Possession of open containers of alcohol or consuming of alcohol in non-approved public areas.
- 9.4 Public Intoxication: observable disruptive behavior resulting from excessive consumption of alcoholic beverages (to be determined by physical observation or BAC test, if available).
- 9.5 Violating other University or Housing policies while under the influence of alcohol. Students who choose to drink alcohol will be held fully responsible for their behavior while under the influence of alcohol.
- 9.6 Misrepresenting or misstating one's age or using altered identification in order to prove legal drinking age.
- 9.7 Possession or use of devices designed for the rapid consumption of alcohol, such as beer bongs and funnels.
- 9.8 Driving while under the influence of alcohol.

10. Prohibited Use of Tobacco

See also the University's Tobacco Policy (12.0040P) and Smoke-Free Campus Initiative Regulation (1.0140R).

- 10.0 Smoking or using smokeless tobacco products in any campus building (including the residence halls).

11. Gambling

- 11.0 Engaging in an unlawful game of chance for money or for anything of value on University premises (including the residence halls) or at any non-sanctioned affair sponsored by a student or student organization.
- 11.1 Placing an unlawful wager on a University or non-University team or organization in a competition, with a direct influence in the success of the competition.

12. Misuse of Technology

Please also refer to the University's Network Acceptable Use Policy (6.0050P).

- 12.0 Theft or other misuse of computer resources.
- 12.1 Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- 12.2 Unauthorized transfer or download of a file.
- 12.3 Unauthorized use of another individual's identity or password.
- 12.4 Use of computing facilities to interfere with the work of another student, faculty, or staff member of the University.
- 12.5 Use of computing facilities or technology to send or receive data deemed to be unlawful, such as child pornography or other illegal material.
- 12.6 Use of computing facilities or services which interferes with the normal operation of the University system.

- 12.7 Altering, destroying, disclosing, or taking information resource property (including data, programs, and supporting documents) as well as modifying equipment or supplies without proper authorization.
- 12.8 Using the UNF computing system/services for any illegal activity.

13. Misuse of Vehicles and Transportation Devices

Please also refer to the University's Prohibited Uses of Non-Motorized Vehicles Regulation (10.0040R).

- 13.0 Riding skateboards, roller-skates, roller-blades, bicycling, and other similar transportation devices in prohibited areas (including, but not limited to, covered walkways, parking garages, and interior building spaces).

14. Disruptive Behavior

- 14.0 Failure to comply with an instruction from a University official or with the lawful order of any law enforcement official.
- 14.1 Violations that occur by a guest. Students hosting guests are responsible for their guests while they are visiting the university community, and may be held accountable for the actions of their guests.
- 14.2 Commercial solicitation on campus without prior approval from University designated officials.
- 14.3 Acts that disrupt the University disciplinary process, including attempting to coerce or influence a person in order to discourage their participation in any disciplinary proceeding.
- 14.4 Any act that deliberately causes a responsible person false alarm.
- 14.5 Conduct that is meant to be done in humor or in jest, but results in a loss, inconvenience, or otherwise damages the property or well-being of another.
- 14.6 Lewd or other unlawful conduct.
- 14.7 Material disruption of University operations such as obstruction of teaching, research, administration, other University activities, and/or other authorized non-University activities.
- 14.8 Knowingly disrupting or interfering with the University's administration, educational processes, learning environment, functions or activities under both an objective (a reasonable person's) and subjective (the Reporting Party's) view, or advising, counseling, instructing or conspiring with any person to engage in such disruption or interference.

15. Identification/Falsification

- 15.0 Possession or use of falsified or altered identification.
- 15.1 Permitting another person to use their identification.
- 15.2 Inappropriate use of another person's identification.
- 15.3 Failure to show proper identification to a University official (Students are required to carry their student identification card while on campus. Refer to the Student Handbook).
- 15.4 Forgery and/or alteration of identification.
- 15.5 The furnishing of false or misleading information to a University official or others, and/or withholding required information from University officials or others.
- 15.6 Misuse, alteration, or forgery of any documents, parking permits/tickets, records, keys, or property.
- 15.7 Impersonation or misrepresentation. Acting on behalf of another person, group, or the University without authorization or prior consent.

16. Vandalism or Theft

- 16.0 Damage or destruction of public or private property.
- 16.1 Attempted Damage, destruction, or theft of public or private property.

- 16.2 Theft: knowingly and without authorization removes or uses the property or services of the University or of another person, company or organization.
- 16.3 Possession or sale of property or services that are known to have been stolen.
- 16.4 Improper disposal of garbage, trash, waste, or any behavior considered to be littering.

17. Bystander Participation

- 17.0 Involvement in any violation as outlined by the Student Code of Conduct or University regulations. This includes failure to remove oneself, from the incident or area where the violation is being committed or failure of any student to properly address known or obvious violations.

18. Disregard for the Conduct System

- 18.0 Failure to obey a Hearing Body directive(s) or order(s).
- 18.1 Improper actions during a conduct hearing.
- 18.2 Failure to respond to a request to appear before a Hearing Body when notified to do so.
- 18.3 Knowingly withholding, falsifying, or misrepresenting information before a hearing body.
- 18.4 Violation of the terms of the Hearing Decision.

19. Unauthorized Entry or Use of University Facilities

- 19.0 Unauthorized use of any University facility or equipment.

20. Conspiracy

- 20.0 Planning with others to commit violations of the Student Code of Conduct.

21. Discrimination

- 21.0 Any act or failure to act that is based upon an individual or group's actual or perceived status (sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation, or other protected status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the University/College's educational program or activities.

22. Retaliation

- 22.0 To take any action against any person making a complaint, cooperating in an investigation, and/or participating in the conduct process of prohibited conduct.

23. Violations of UNF Regulations, Policies, Rules, Guidelines or Related Requirements.

This section includes, but not limited to, requirements for student behavior contained in the Student Handbook or official regulations and policies which can be located on the University Board of Trustees and/or President's webpage.

- 23.0 Violation of the Residential Housing rules, guidelines or requirements.
- 23.1 Violation of the rules, guidelines or requirements established for fraternities and sororities as administered by the Office of Fraternity and Sorority Life.
- 23.2 Violation of the UNF Student Club & Advisor Handbook rules, guidelines or requirements.
- 23.3 Violation of Information Technology Services Policies and Procedures.
- 23.4 Violation of the UNF Student-Athlete Handbook.
- 23.5 Violation of any University regulation, policy, rule, guideline or requirement.

24. Violation of Criminal Law

- 24.0 Violation of federal or state law or local ordinance. Any student who is charged and/or convicted with a criminal offense, other than a minor traffic offense, may be subject to disciplinary action under the Student Code of Conduct separately from any legally-imposed fine, penalty or prison sentence.
- 24.1 Duty to self-report a criminal offense. Any student who is charged and/or convicted with a criminal offense, other than a misdemeanor traffic offense, has a duty to self-report the situation, in writing, to the Provost and Vice President for Academic Affairs within 30 days of being charged with the crime. The Provost and Vice President for Academic Affairs (or designee) will review the alleged criminal conduct with the student to determine whether they should be exempt from further sanctions under the Student Code of Conduct. Note: Failure for a student to self-report being convicted and/or charged with a criminal offense, other than a minor traffic offense, after 30 days of being charged with a criminal offense constitutes grounds for immediate suspension or expulsion from the University.

E. Conduct Procedures

The procedures implemented by this code will be consistent with all appropriate rights accorded to students in university disciplinary decisions. Students may also request reasonable accommodations with the Student Conduct Office to ensure equitable participation, along with a full and fair understanding of the process. Requests may be verified with the Disability Resource Center and/or through review of documentation of disability.

1. University as Convener

The University is the convener of every action under this code. Within that action, there are several roles, including, but not limited to the respondent, complainant, reporting person(s), witness(es) and investigator(s). The respondent is the person who is alleged to have violated the code. The complainant is the party bringing the complaint, who may be the University, an employee, a student, a visitor, or a guest, and may choose to be present and participate in the process as fully as the respondent. A witness(es), may offer information regarding the allegation, and shall also be included in the Conduct Process. Additionally, the University may utilize an investigator(s), whose role is to present the allegations and share the evidence that the University obtained regarding the allegations.

2. Initiation of Conduct Process

Any member of the University community, visitor or guest may report alleged violation(s) by any student for misconduct under this code. Reports of alleged violations should be submitted to either the Student Conduct Office or University Police Department within a reasonable timeframe after the discovery of a possible violation of the Student Code of Conduct, except in exceptional circumstances as determined in the University's sole discretion.

3. Investigations

Receipt of a report may result in an investigation of the incident. The investigator(s) will identify an initial list of all charges that may have been violated, review the history of the parties, context of the incident(s), and any potential patterns and nature of the alleged violation. Where appropriate, the investigator will develop an investigation plan, including a witness list, evidence list, and anticipated timeline. Investigations are expected to take 30-45 class days, except in exceptional circumstances. Upon completion of an investigation, a final report will be presented to the Hearing Administrator to determine if a student may be charged and proceed through the student conduct process. The standard for determining whether to issue a charge letter to a student is whether there is reasonable cause to believe that the student violated the Student Code of Conduct. Not every conduct report will require a formal conduct investigation, as determined in the University's sole discretion.

4. Charge Letter

Upon receipt of the allegation and/or investigation, when appropriate, a determination will be made on whether reasonable grounds exist for any charges, and if so, a written charge letter will be issued to the referred student. A Charge Letter is commonly issued within 1-5 class days, but may take 30-45 class days after the initial referral when a case undergoes an investigation. In extenuating circumstances, it may take longer for a Charge Letter to be issued. Charge letters are sent to students via their University of North Florida email account. Charge letters will include a summary of the charges and sources of information. The charge letter will instruct the student to contact the Student Conduct Office within 5 class days of receipt of the letter to schedule a Conduct Review. Failure to contact the office within 5 class days will result in waiver of the Conduct Review.

5. Group Violations

A student group or organization and its officers and membership may be held collectively and individually responsible when violations of this code by the organization or its member(s):

- Take place at events, whether participation or sponsorship is formal or informal;
- Have received the consent or encouragement of the organization or the organization's leaders or officers;
- Were known or should have been known to the membership or its officers.

Hearings for student groups or organizations follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization.

6. Conduct Review

The purpose of the Conduct Review is to provide the respondent with the opportunity to discuss the allegations and review the reports and materials supporting the referral. The Hearing Administrator will explain the rights and options available, as well as describe a range of potential sanctions for the violation in question.

The respondent may be accompanied during the Conduct Review by an advisor of their choice, which is further addressed below under Section F. Student Rights.

If a student elects to forgo a Conduct Review or fails to timely schedule or attend a Conduct Review, and 5 class days have expired since the date of the notice, the student waives their right to a Conduct Review. At that time, a formal hearing (either Administrative or Panel) may be scheduled in the student's absence at the sole discretion of the Hearing Administrator. The student will be notified of the date and time of the formal hearing. If the student fails to appear at the scheduled formal hearing, and failed to provide advance notice to this effect to the Hearing Administrator, the hearing will be held in the student's absence and they may be charged with additional violations of the Code.

At the conclusion of the Conduct Review, the respondent may have the opportunity to request the forum in which the case will be heard, either an Immediate Hearing, Administrative Hearing or Panel Hearing. If the respondent elects to continue the conduct process with an Immediate Hearing, the Conduct Review meeting will then transition into the hearing. Choosing to move forward with an Immediate Hearing requires the respondent to waive the 3 class day notice period, and other student rights.

If the respondent elects to continue the conduct process with an Administrative or Panel Hearing, the respondent and Hearing Officer will work to schedule the hearing for a mutually agreeable date and time. Respondents have the right to a 3 class day notice period, along with other rights described below under Section F. Student Rights.

However, the Hearing Administrator may determine that it is in the best interest of both the student and the University that a case proceed to a Panel Hearing based on the seriousness of the violation or in the interest of

fairness. The hearing will be scheduled no sooner than 3 class days after the conduct review and generally no later than 14 class days after the Conduct Review, at the sole discretion of the Hearing Administrator.

At least 3 class days before the Administrative or Panel Hearing, the student and their advisor, if any, have the right to review all of the information that will be presented against the student. The University also has the right to review all information the respondent intends to rely on at the hearing at least 3 class days before the hearing. This information includes: documentary evidence, physical evidence, and a list of witnesses that intend to be called by either party. The University cannot compel the attendance of any witness(es) at the hearing on the student's behalf.

NOTE: Holds. The Student Conduct Office may place a disciplinary hold on the records and registration of any student who fails to respond to a notice. Any pending disciplinary matters must be resolved prior to the awarding of any degree or certificate. Disciplinary notices will be sent to students electronically, using their Osprey e-mail account. If correspondence needs to be sent to an alternative address, the student's permanent address as contained in the University's Student Records will be used.

7. Types of Hearings

The purpose of a hearing is to provide an impartial forum for the party bringing charges against a student and the respondent to present all of their information regarding the alleged misconduct. A determination of responsibility is based on the preponderance of the information presented; that is, if the information provided at the hearing, as a whole, shows that it is more likely than not that the student committed the violation.

If a respondent waived a Conduct Review, either voluntarily or involuntarily, the Hearing Administrator will provide the respondent with a brief overview of the hearing and general conduct process before the hearing.

Hearings will be scheduled no sooner than three class days from the Conduct Review, unless otherwise requested by the respondent, and no later than fourteen class days, or at the sole discretion of the Hearing Administrator. If either the complainant or respondent requires additional time to prepare for a hearing, the Hearing Administrator may review the situation to determine appropriateness and fairness to all parties. Requests for additional time must be submitted in writing and supporting documentation is strongly encouraged. If it is determined an undue burden will be placed on a party, than an extension will be granted.

There are three types of hearings, Immediate, Administrative and Panel. In most cases, respondents may choose their hearing type. However, the Hearing Administrator may determine in their sole discretion that it is in the best interest of both the student and the University that a case proceed to a Panel hearing based on the seriousness of the violation or in the interest of fairness. Any charges based on an alleged Title IX violation will proceed to a Panel Hearing.

When two or more respondents are charged with violations stemming from the same incident, those cases may be heard jointly if the respondents waive their right to individual hearings. In these situations, sanctions (if any) will be communicated separately. Charges from multiple incidents may be addressed in a single hearing.

Immediate Hearing

The respondent chooses to continue their Conduct Review meeting and immediately proceed to a Hearing. The respondent will waive certain rights in order to continue immediately. The Hearing Administrator will review the reported charges against the student and all other relevant information to determine whether to recommend to the Provost and Vice President for Academic Affairs (or their designee) that the respondent is "responsible" or "not responsible" for the charge(s) and any appropriate sanctions.

Administrative Hearing

The respondent meets individually with a Hearing Administrator who reviews the reported charges against the student and all other relevant information to determine whether to recommend to the Provost and Vice President

for Academic Affairs (or their designee) that the respondent is “responsible” or “not responsible” for the charge(s) and any appropriate sanctions.

Panel Hearing

The respondent meets with the Student Conduct Board, a panel comprised of students, faculty and staff, with a minimum of 50% student representation. The panel will review information and determine whether to recommend to the Provost and Vice President for Academic Affairs (or their designee) that a student is “responsible” or “not responsible” for the charge(s) and any appropriate sanctions.

A Hearing Administrator is present at each Panel Hearing to ensure that the Student Code of Conduct procedures are followed. The Hearing Administrator will answer procedural questions asked by the panel, the complainant, or the respondent. The Hearing Administrator will also keep the proceedings focused on issues relevant to the specific allegations. The Hearing Administrator will not participate in the determination of a recommended finding or sanction. The Panel Hearing members may ask the Hearing Administrator questions regarding the judicial process.

Cases involving alleged Title IX violations will be heard through a Panel Hearing. Student Conduct Board members must undergo annual Title IX training, in addition to the annual Conduct Panel Board training, in order to be selected on a panel for these cases.

8. Hearing Procedures

- a. The Hearing Administrator will explain each party’s rights and options and assure that fairness and procedural due process are observed throughout the hearing.
- b. All Student Conduct hearings will be closed to the public and may include the person(s) bringing allegations against a student(s), the respondent(s), advisor(s), alleged victim(s), the reporting person(s), Investigator(s), Hearing Administrator(s), and any witnesses who may offer relevant information regarding the allegation. Witnesses may only be present during the time they are testifying.
- c. A student charged with violation(s) of the Code of Conduct will have the opportunity to present information on their behalf, including presenting witnesses, if available, and/or signed written statements from witnesses, and other documentary evidence. The respondent has the opportunity to review and respond to written statements and may offer evidence to rebut witness statements and other evidence presented at the hearing. Witness statements are entitled to be given the same consideration by the hearing body as live witness testimony. Witness statements need not be sworn or in affidavit form.
- d. The respondent, complainant, and any witnesses may be accompanied during the hearing by an advisor of their choice, which is further addressed below under Section F. Student Rights.
- e. Witnesses may be called by the University, the complainant, and the respondent. The Hearing Body, complainant, and the respondent will have the privilege of questioning all present witnesses and questioning all present parties (directly or indirectly through the Hearing Administrator, at the sole discretion of the Hearing Administrator). Witnesses appear at hearings on a voluntary basis and cannot be compelled to attend a hearing.
- f. A student may choose not to answer any and all questions posed by a Hearing Body.
- g. The Hearing Administrator may determine a recess of the hearing is in the best interest of the parties when additional information may provide clarification to the case.
- h. The University is not required to postpone disciplinary proceedings pending the outcome on any criminal prosecution. If a student chooses not to participate or answer questions during the conduct review or hearing, the Hearing Body may proceed with a hearing and base its decision on all available information.

- i. The respondent does not have the burden of proof regarding the charges that have been brought against them. A determination of responsibility is based on preponderance of the information presented; that is, if the information provided at the hearing, as a whole, shows that it is more likely than not that the student committed the violation.
- j. In cases involving multiple students charged, information provided at one hearing may be used in the related case(s).
- k. Information obtained during a hearing may result in the adjustment of the original charge(s).
- l. If the respondent fails to appear at the scheduled hearing after proper notice, the hearing may be held in the respondent's absence.
- m. Prior records of disciplinary action, past criminal convictions, impact statements and character witness statements are considered by the hearing body only in the sanctioning phase of deliberations.
- n. The Hearing Body's recommended finding of "responsible" or "not responsible" will be based on the information presented at the hearing.
- o. After the hearing is concluded, the Hearing Body will provide to the Provost and Vice President for Academic Affairs (or their designee) a recommended finding of "responsible" or "not responsible" on all charges, and any sanctions. The Hearing Body's recommendations will be communicated in writing to the respondent within 14 class days from the conclusion of the hearing.
- p. The Provost and Vice President for Academic Affairs (or their designee) will review the Hearing Body's recommendations regarding responsibility and sanctions, and make the University's official decision, which may adopt, modify or reject the Hearing Body's recommendations, in whole or in part, or remand for a rehearing. The official decision will be communicated to the student in writing within 14 class days, and it will include the finding of "responsible" or "not responsible" on all charges, the imposed sanction(s), an explanation of any differences between the Hearing Body's recommendations and the official decision, and notice of the student's ability to appeal the official decision to the University President (or their designee). This time limit may be extended in the sole discretion of the Provost and Vice President for Academic Affairs (or their designee) where additional consideration of evidence or deliberation is required. The student will be informed (by phone, email, mail or in person) of the estimated duration of this extended time period. If the student does not appeal the official decision to the University President (or their designee), the official decision will constitute the University's final action.
- q. All hearings will be audio recorded, except for the deliberation phase. This recording will serve as the official record of the proceedings. All hearings are considered confidential in accordance with FERPA and will be maintained in the Student Conduct Office.

F. Student Rights in the Conduct Process

Students involved with the conduct process, regardless if complainant, alleged victim, witness, or respondent, have the following rights. In certain types of cases (Sexual Misconduct, Endangerment, Harassment, Hazing, Disruptive Behavior and Vandalism or Theft) the alleged victim will be afforded various accommodations given the sensitive nature and circumstances.

1. Students have the right to have the University complete an adequate investigation and take action to remediate any findings from violations listed within Section D. Violations within 60 days of the initial report, except under unusual circumstances.

2. Students have the right to Confidentiality. The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student's educational records. Records will be maintained in accordance with FERPA. Student Conduct Record maintenance is described in greater detail below under Section J. Records.
3. Students have the right to review incident reports and documentation related to the conduct case.
4. Students have the right to an Advisor throughout the conduct process. The respondent, complainant, and any witnesses may be accompanied during the conduct process by an advisor of their choice.
 - a. It is the respective party's responsibility to make appropriate arrangements for their advisor to attend a review or hearing, which shall not be delayed due to scheduling conflicts of the chosen advisor.
 - b. Respondents, complainants, and witnesses are required to address the hearing body in person, on their own behalf, although they may consult with their advisor during the hearing. This consultation must take place in a manner that does not disrupt the proceedings. The advisor shall not speak on behalf of their party unless expressly authorized to do so by the hearing body.
 - c. The respondent, complainant, and any witnesses shall provide the advisor's name in writing to the Student Conduct Office two class days prior to the hearing. If an advisor is an attorney, the respective party must notify the Hearing Administrator assigned to the case of an attorney's name and address at least two class days prior to a review or hearing.
 - d. In the Hearing Officer's sole discretion, an advisor may be removed from the hearing if it is determined that their presence is disruptive. The advisor may not serve as a witness.
5. Alleged victims have the right to submit a victim impact statement to the Hearing Body. If the respondent is found responsible for the charge(s), this information would be used only in the sanctioning phase of deliberations. If the respondent appeals the decision on the basis of severity of the sanction imposed, they will have the right to view the victim impact statement upon written request.
6. Respondents have the right to submit character statements to the Hearing Body. If the respondent is found responsible for the charge(s), this information would be used only in the sanctioning phase of deliberations. If the alleged victim appeals the decision on the basis of severity of the sanction imposed, they will have the right to view the character statement upon written request.
7. Students have the right for unrelated past behavior to be excluded from a hearing. In their sole discretion, the Hearing Administrator will decide if such information is unrelated. Previous disciplinary history or criminal charges may be considered during the sanctioning phase of the conduct process. The past sexual history of the alleged victim is not considered relevant.
8. Students have the right to be present throughout the hearing, or portions thereof, except for the deliberation phase.
9. Students have the right to question any participating parties in attendance. Students will have the ability to question parties indirectly, at the sole discretion of the Hearing Administrator, by submitting their questions in advance for the Hearing Administrator to facilitate. Alleged victims may request to present their side of the alleged conduct violation in a separate room from the respondent or any witnesses. The Hearing Administrator may grant this request as long as the process does not substantially prejudice the respondent's right to question the witness.
10. Students have the right to be notified of the outcome in writing, including both the decision and the sanctions of the disciplinary process. Alleged Victims will be notified of the outcome in writing at the same time notification is made to the accused student, except in extraordinary circumstances.

11. Students have the right to have any legal personal property returned to them if in the current possession of the University. The determination of when this property is to be returned is left to the sole discretion of the Hearing Administrator.
12. Upon request, the University will disclose the results of any disciplinary proceeding by the University against the student who has been accused of any crime of violence or a non-forcible sex offense to the next of kin, if the alleged victim is deceased.

G. Interim Measures

1. Interim Measures

In certain circumstances involving a student's action that may affect the safety, health, or general welfare of the student or University community (including, but not limited to violations of drug possession and/or intent to distribute, sexual misconduct, endangerment, harassment and weapons possession), the Provost and Vice President for Academic Affairs (or their designee) may impose interim measures prior to the student's hearing with a hearing body, including, but not limited to, an Immediate University Suspension and/or No Contact Order.

- a) Immediate Suspension means a student cannot be on University property, cannot attend classes, and cannot use University facilities. An Immediate Suspension may be appealed, See Section I. Appeals for additional information.
- b) No Contact Order means a student is prohibited from being in physical, oral and written or electronic contact, including indirect communication, with a named person. No Contact Orders will be issued when the safety and/or well-being of an alleged victim is in question.
- c) Trespass Order means a student cannot be on University campus or cannot enter specified University buildings/facilities.
- d) Academic Reassignment means a student may be reassigned to a new course section.
- e) Housing Reassignment means a student may be relocated within the Residential space.

2. Removal from University Housing

A student resident may be immediately removed from their University Housing assignment, have their housing contract cancelled and be prohibited from visiting the housing areas prior to the student's conduct hearing with a hearing body. The Provost and Vice President for Academic Affairs (or designee) must approve any such removal of a student as described in this section.

H. Sanctions

1. Sanctions

A sanction is the University's educational response to address student behavior when a student has been found responsible for violations of the Student Code of Conduct. Sanctions will be determined by the Provost and Vice President for Academic Affairs (or designee) after their review of the Hearing Body's decision that a student is responsible for the reported conduct charges.

In light of the facts and circumstances of each case, the following sanctions, or combination of sanctions (with or without appropriate modifications) may be imposed upon any student found to have violated the Student Code of Conduct:

- a. Reprimand. A written statement placed in a student's disciplinary file regarding a violation of the Student Code of Conduct.
- b. Restorative Service. Assignment to perform tasks or services under the supervision of a University department or community service agency.

- c. Reflective Learning. Attendance at educational programs, interviews with appropriate officials, planning and implementing educational programs, writing research papers, or other educational activities.
- d. Counseling Assessment and Compliance. Referral for assessment (at the student's expense) to a licensed mental health professional or counseling center for general mental health or other counseling issues. Students found responsible for alcohol and/or drug violations will normally be referred to the UNF Office of the Dean of Students for alcohol and/or drug education and assessment, but may be referred to an outside agency or counselor based on the seriousness of the violation. Students must comply with all recommendations established as a result of any assessment.
- e. Restitution. Payment of actual damages or loss of services to the University or alleged victim.
- f. Disciplinary Probation. A period of time during which any further violation of the Student Code of Conduct puts the student's status with the University in jeopardy. If the student is found "responsible" for another violation of the Code during the period of disciplinary probation, serious consideration will be given to imposing a sanction or suspension or expulsion from the University.
- g. Restrictions. Some of the restrictions that may be placed on a student include, but are not limited to:
 - 1. Participation in student clubs, groups, activities, or events.
 - 2. Representation of the University on an athletic team.
 - 3. Holding leadership positions (e.g. Student Government or Resident Assistant).
 - 4. Entrance to University Housing areas or any other areas on campus.
 - 5. Contact with another specified person(s).
 - 6. Change in University Housing assignment.
- h. Administratively Removed from class(es).
- i. Exclusion from University Housing (either temporary or permanent).*
- j. Suspension. Separation from the University for a specified period of time.*
- k. Expulsion. Separation from the University without the possibility of readmission.*
- l. Withholding of registration, diplomas, transcripts or other records.
- m. Transcript Notations. A written notation indicating that disciplinary action was taken.

*NOTE: Students will normally forfeit tuition, Housing rent and fees, and other University fees if found responsible for a Student Code of Conduct violation resulting in suspension or expulsion. A student may also forfeit academic credit accordingly and must see their professor to determine the impact on grades based on the withdrawal.

Any sanction that separates a student from the University will be noted on that student's academic transcript. A lesser sanction may not be noted on the transcript.

Any student who fails to complete sanctions will have a disciplinary hold placed on their records and may receive additional charges.

2. Sanctions for Groups

The following sanctions may be imposed upon groups or organizations found to have violated the Student Code of Conduct:

- a. Sanctions listed in H. Sanctions above. Suspension or Expulsion of student organizations includes temporary or permanent loss of recognized status with the University.
 - a. An immediate suspension of a student organization means all activities, programs, social events, funding requests, and budget expenditures are suspended.
- b. Additional sanctions specific to student organizations are found in the Office of Fraternity and Sorority Life; Student Government; Club Alliance, an agency of Student Government's policies; Housing and Residence Life and the Athletic Department, which are hereby incorporated by reference.

3. Parental Notification

In accordance with the University Alcohol and Other Drug Policy, the University may notify parents/guardians of all dependent students involved in any drug violation(s). The University may also notify parents/guardians of all dependent students, who are under the age of 21, and involved in an alcohol violation(s).

I. Appeals

1. Appeal Requests

A student has the ability to request an appeal of the official decision of the Provost and Vice President for Academic Affairs (or their designee) to the University's President (or their designee). A student choosing to request an appeal must do so in writing to the Student Conduct Office within five class days of the date on the official decision letter. Supporting documentation shall accompany all appeal requests. An appeal request must be based on one or more of the following grounds:

- a. Errors in the hearing proceedings that substantially affected the outcome of the hearing;
- b. The sanction(s) is (are) extraordinarily disproportionate to the violation committed; or
- c. New information that was not available at the time of the original hearing that substantially affected the outcome of the hearing.

Should the student's appeal request be granted, the University's President (or their designee) will assign a person or a hearing panel (consisting of individuals not involved in the student's hearing) to determine the appeal.

2. Appeal Hearings

- a. If granted, the student will be contacted within ten class days of receiving the written request for appeal to schedule their requested appeal hearing.
- b. The student has five class days to contact the Provost and Vice President for Academic Affairs (or designee) to schedule their appeal hearing. If a student fails to contact the office, the appeal hearing may be scheduled and proceed without the student.
- c. The necessity for an Appeal Hearing will be at the sole discretion of the University's President (or their designee).
- d. The student may bring an advisor to the appeal hearing.
- e. On appeal, the student has the burden to clearly establish one or more of the grounds listed in Section I(1)(a)-(c).

3. Appeal Decisions

The University President (or their designee) may affirm, modify, reverse the official decision, or order a rehearing.

The appeal decision will be communicated to the student within 20 class days of the appeal hearing unless notification is given that additional time is necessary for consideration of the record on appeal.

Except in the case of an immediate suspension, the student's status will remain unchanged during the appeal process.

The appeal decision constitutes the University's final action and therefore cannot be appealed further within the University, and will notify the student of their ability to further appeal the University's final action to an outside judicial forum.

4. Immediate Suspension Appeals

An Immediate Suspension means a student cannot be on University property, cannot attend classes, and cannot use University facilities. For more information, please see Section G. Interim Measures.

A student has the opportunity to appeal the immediate suspension. Request for an appeal of an immediate suspension must be submitted in writing to the Student Conduct Office within 3 class days of the student's receipt of the Notice of Immediate Suspension. The date of the immediate suspension appeal will be scheduled within five class days of the appeal request, and may be extended beyond five class days if both parties agree that the suspension appeal should be held at a later date.

Immediate Suspension Appeals are conducted in the form of a Panel Appeal Hearing. The panel may be comprised of any number of individuals from the Student Conduct Board, so long as it maintains at least 50% representation from the student population. The panel will determine whether the immediate suspension will remain in effect until a regular hearing is held on the alleged violations of the Code of Conduct.

An Immediate Suspension Appeal must be based on one or both of the following grounds:

1. An egregious error pertaining to the student's involvement; or
2. Information showing that the violation, even if proven, does not pose a threat to the safety, health, or general welfare of the University community and this does not warrant a suspension.

The panel will recommend to the University President (or their designee) that the immediate suspension should be upheld or overturned based on information presented at the panel appeal hearing. The University President (or their designee) will make a final determination based on the panel's recommendation, which will be communicated to the student in writing within 3 class days.

J. Records

1. Records of all disciplinary cases will be maintained in the Division of Student Affairs in accordance with FERPA and the State of Florida's record retention schedule.
2. Records of expulsion will be maintained in a permanent file in the Student Conduct Office. The Office of the Registrar will be notified of the expulsion and place a notation of disciplinary expulsion on the student's permanent academic record.
3. Suspensions will be noted on a student's academic record only during the period of suspension.
4. Records which result in a finding of not responsible or result in a sanction less severe than a suspension shall be maintained in compliance with Florida Public Records law. Expulsion records will be permanently retained as official records. Any records kept beyond these limits for statistical purposes will not be considered or released as official student conduct records.

5. A student's prior disciplinary record will be considered only during the sanctioning phase of deliberations, not to determine whether or not to find a student "responsible" or "not responsible" for the alleged violations.
6. The release of student disciplinary records will be governed by applicable Federal and State laws regarding the privacy of educational records.

K. Student Conduct Record Forgiveness

1. A student's conduct record is eligible to be reviewed and forgiven if the incident(s) in question occurred during the student's first few semesters on campus, are minor in nature, and did not result in suspension or expulsion and where further violations would not likely result in suspension or expulsion from the University. Students with senior status (90 credits or above) may submit a request to have their records forgiven.
2. A student conduct record may be forgiven upon submission and review of appropriate documentation to the Student Conduct Office. Requests should be submitted to the Conduct Officer in writing, who will verify that the record forgiveness request is in compliance with subsection (1). Request should include a written statement discussing what students have learned and how they have grown as a member of the UNF community, including information showing what the student has done to go above and beyond the basic requirements of their sanctions. Letters of recommendation and character references from members of the faculty, staff or from employers will also be accepted in support of the request.
3. The Records Review Committee, appointed by the Provost and Vice President for Academic Affairs (or designee), and comprised of faculty, staff, and students will review and make a recommendation to the Provost and Vice President for Academic Affairs (or designee).
4. The Records Review Committee's decision will be based on the following factors: severity of the violation, effect of the violation on the University community, sanctions applied and completion of sanctions, elapsed time between violation and request, and ethical development demonstrated by the student.
5. The Provost and Vice President for Academic Affairs (or designee) will provide a decision to the student, in writing, 15 class days of receipt of the request.
6. There is no appeal process for Record Forgiveness.
7. Any additional violations committed after a student's record has been reviewed and forgiven will reinstate the original record.

Authority: BOG Regulations 1.001 and 6.0105; New – Approved by the Board of Trustees 10/11/18.