

UNIVERSITY OF CENTRAL FLORIDA

THE
Golden Rule

2008-2009

STUDENT HANDBOOK



THE
UCF Creed

Integrity, scholarship, community, creativity, and excellence are the core values that guide our conduct, performance, and decisions.

INTEGRITY

I will practice and defend academic and personal honesty.

SCHOLARSHIP

I will cherish and honor learning as a fundamental purpose of my membership in the UCF community.

COMMUNITY

I will promote an open and supportive campus environment by respecting the rights and contributions of every individual.

CREATIVITY

I will use my talents to enrich the human experience.

EXCELLENCE

I will strive toward the highest standards of performance in any endeavor I undertake.

Introduction

To All University of Central Florida Community Members,

The Golden Rule is a compilation of various policies and procedures from ten different UCF departments and was specifically created to provide the answers to many of your questions regarding university rules and regulations. This publication attempts to define your rights and responsibilities and give you a better understanding of your role as a member of the UCF community.

UCF may change when it deems appropriate any announcements, information, policies, rules, regulations, or procedures set forth. The Golden Rule is published once a year and cannot always reflect new and modified information. When information is revised, the changes will be communicated through the *Central Florida Future*, online resources or other means of communications, at which time the revisions will supersede previous information. The Office of Student Rights and Responsibilities (OSRR) within the Division of Student Development and Enrollment Services is delegated the responsibility for assembling and providing information regarding The Golden Rule. If The Golden Rule leaves any of your questions unanswered, I hope you will contact the OSRR for clarification.

UCF values diversity in the campus community. Accordingly, discrimination on the basis of race, sex, national origin, religion, age, disability, marital status, or veteran's status is prohibited by federal and/or state law. It is our policy to treat all people with dignity and respect, without regard to race, creed, color, national origin, religion, sex, age, disability, marital status, sexual orientation, veteran status, or political opinions and affiliations.

Patricia MacKown

*Director, Office of Student Rights and Responsibilities and
 Assistant Vice President, Student Development and Enrollment Services*



1. Office of Student Rights *and* Responsibilities

A THE GOLDEN RULE REVIEW COMMITTEE (GRRC)

This committee shall be established for the purpose of responding to the changing needs of the student body with regard to The Golden Rule. It is intended to give the students a voice in determining the rules to which they shall adhere.

1. Membership

- a. Membership to the committee shall consist of seven students, four of which shall be appointed by the Student Body President and three shall be selected by the Vice President for Student Development and Enrollment Services.
- b. There shall be an application and selection process established by the Office of Student Rights and Responsibilities.

2. Ex-Officio

- a. Any student enrolled at the university shall be permitted to attend GRRC meetings.
 - i. These students shall be considered ex-officio.
 - ii. They also shall have the right to debate on any proposal, but shall not have the power to vote.
- b. No faculty, staff and/or administrator shall be considered ex-officio.

3. Advisors

- a. At least one representative from the OSRR shall maintain an advisory role in the committee and shall advise the members of the committee as well as any student in attendance.
- b. Staff members with expertise regarding particular sections of The Golden Rule should make themselves available to advise the members upon the committee's request.

4. Notification

- a. The existence of the committee shall be publicized to the student body.
 - i. At the beginning of each semester, a message shall be sent through appropriate distribution channels inviting all students to attend committee meetings.
 - ii. The committee shall maintain a Web page, which shall contain information on the meeting times, location, proposals under review and voting records, and which shall be clearly linked from the online version of The Golden Rule.

5. Powers of the Proposal Process

- a. The committee shall recommend changes to The Golden Rule to the appropriate administrative body.
- b. Any student may make a proposal to the committee.
- c. All proposals made by faculty, staff, administration, or members of the committee shall be submitted to the representative for Student Rights and Responsibilities. The proposal shall then be sent to all members of the committee via e-mail within 48 hours of receiving the proposal.
- d. All proposals which are approved by a majority vote of the student members of the committee shall be submitted by the committee in writing to the appropriate administrator.
 - i. Within one month of receiving a proposal submitted in this manner, the appropriate administrator shall notify the committee in writing of the decision regarding the proposal.



For questions regarding this section contact:
 Office of Student Rights and Responsibilities
 Ferrell Commons, Room 142
 407-823-6960
www.osrr.sdes.ucf.edu

- ii. If the appropriate administrator chooses not to incorporate the proposal into The Golden Rule, he/she shall outline the reasons for choosing not to do so in a memorandum.
- e. At no time shall a change be made to The Golden Rule that does not follow the appropriate process as outlined in Section E.
- f. When reviewing sections of The Golden Rule for which the content is mandated by another university document, the committee may propose changes to sections in such a document which are reflected in The Golden Rule through the appropriate administrative channels.

6. Presence

- a. The committee shall meet at least once each month during the fall and spring semesters.
 - i. All members of the committee shall be notified of the time and place of each meeting.
 - ii. The committee shall propose no changes to this section of The Golden Rule which can be construed to eliminate the mandate for the committee to exist.

7. Attendance Policy

- a. At the first meeting of each semester, the committee shall establish its own attendance policy.

B STUDENT RIGHTS AND RESPONSIBILITIES

1. Student Rights

Upon enrollment, students are entitled to the following freedoms and rights, provided the exercise thereof is accomplished in accordance with university procedures and does not result in disruption or disturbance as elsewhere described in the rules.

- a. Participation in the Student Government Association and its elective process.
- b. Membership in student organizations.
- c. Freedom of expression. The basic freedoms of students to hear, write, distribute and act upon a variety of thoughts and beliefs are guaranteed. Freedom of expression carries with it the responsibility for seeing that the essential order of the university is preserved.
- d. Freedom to hold public forums. The university desires to create a spirit of free inquiry and to promote the timely discussion of a wide variety of issues, provided the views expressed are stated openly and are subject to critical evaluation. Restraints on free inquiry are held to a minimum and are consistent with preserving an organized society in which peaceful, democratic means for change are available. Guest lecturers or off-campus speakers sponsored by student groups may appear on the UCF campus following arrangements with the designated university authority for such appearances.
- e. Freedom to hear, write, distribute and act upon a variety of thoughts and beliefs. This freedom is subject to the following regulations:
 - i. Written materials identified by authorship and sponsorship may be sold or distributed on campus within the guidelines of propriety and responsible journalism as established and supervised by the University Board of Publications, which is appointed by the President or designee. The distribution of such material, as is arranged by the Director of the Office of Student

Involvement, is permissible for student organizations provided steps have been taken to preserve the orderliness of the campus.

- ii. Non-university or off-campus printed materials shall not be distributed or circulated by students or student organizations without first being stamped by the Director of the Office of Student Involvement or representative.
- iii. The distribution of materials or circulation of petitions to captive audiences such as those in classrooms, at registration, in study areas or in residential units is not allowed without prior permission. Such permission may be requested from the appropriate university official.
- f. Peaceful assembly. Student gatherings must neither disrupt or interfere with the orderly educational operation of the institution, nor violate state or local laws, or university rules.
- g. Fair and impartial hearing. These matters shall include, but not be limited to:
 - i. Disciplinary proceedings involving alleged violation of academic and nonacademic rules and regulations.
 - ii. Refunds and charges. The status of a student charged with a violation of university regulations shall not be affected pending final disposition of the charges except in the case of administrative action. For specific procedures and rights of students during the student conduct process, see later section entitled "Student Conduct Review Process."
- h. Confidentiality of student records. Each university office and agency which generates, collects and disseminates information on students must follow the guidelines for confidentiality of those records in their possession. For further information, see "Student Record Guidelines."
- i. Provisions for victims/survivors of acts of violence. To ensure fairness to victims/survivors of acts of violence throughout the disciplinary process, the university has established the following policy on victims/survivors:
 - i. A victim or a survivor may have a person of his/her choice accompany him/her throughout the Student Conduct Review Process. This person will act as a support person or advisor but will not represent the victim or survivor.
 - ii. A victim or survivor may submit a list of questions related to the alleged incident, prior to the hearing, that she or he feels the charged student should be asked during the hearing process.
 - iii. A victim or survivor may not have his/her irrelevant past conduct, including sexual history, discussed during the hearing. The issue of relevancy shall be determined by the Student Hearing Panel or the hearing officer.
 - iv. A victim or a survivor may make a "victim or survivor impact statement" and suggest an appropriate sanction (to include appropriate compensations) if the charged student is found to have been in violation of the Rules of Conduct.
 - v. A victim or survivor may know the outcome of the Student Conduct Review Process after making a commitment to protect the confidentiality for all persons involved as outlined in the Family Educational Rights and Privacy Act Regulations, 99.31.13. However, where the Student Conduct Review Process is invoked for a sex offense, both the victim/survivor and the accused must be informed of the final outcome of the Student Conduct Review Process without a commitment to protect the confidentiality of the information, pursuant to the Clery Act Regulations, 668.46(b)(11). The "final outcome" means only the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

2. Student Responsibilities

The most basic responsibility of a student is to study and move forward in intellectual development, while taking advantage of the many opportunities provided in this university environment for total personal growth, development and maturation.

Students and organizations are responsible for the observation of all university policies and rules.

Rights and freedoms in any environment are protected through exercised responsibilities and maintained through an established system for justice. The ideal balance of control for liberties is strongly weighted toward understanding and observing regulations as acts of individual responsibility, not always because of agreement, but because compliance also serves the best interests of all and helps in the completion of stated individual and university objectives.

The university has compiled student-governing information in this handbook and has distributed it to help provide direction and awareness for the academic community. It is each student's responsibility to become aware of and learn its regulatory content and procedures for dealing with problems which may arise in the course of educational progress.

When university rules are judged to no longer serve the best interests of all, the consideration for change should be introduced through appropriate channels.

Within the university, emphasis is placed on the development of each individual's recognition and acceptance of personal and social responsibilities. High ethical and moral standards of conduct are a part of the university's mission and its contribution to the well-being of society.

3. University Crisis Committee

The Crisis Committee is composed of the following persons and/or their designee(s): Health Services Director, Counseling Center Director, Associate Director of Safety and Security for University Police, Director of the Office of Student Rights and Responsibilities, Office of Student Conduct Representative, Associate Dean for Academic Services and the Director of Housing and Residence Life.

The university may refer students who are viewed to be engaging in behavior that poses risk to themselves or others to the Crisis Committee for possible action. Such behaviors include, but are not limited to: suicidal behavior, self-injury, threats to harm others, disruptive behavior, disordered eating, and endangerment to the community.

Various campus units may enlist the services of the committee. These include Housing and Residence Life, Health Services, Disability Services, Counseling, Recreation and Wellness Services, Office of Fraternity and Sorority Life, Athletics, Alcohol and Other Drug Programming Office, University Police and the Office of Student Conduct. In the event that a student's behavior raises concern about risk of danger to self or others, the involved unit will contact the Director, OSRR. The Director, OSRR will then contact Crisis Committee members to convene a meeting in order to review the case and decide on the best course of action.

The role of the Health Services Director and the Counseling Center Director on the Crisis Committee will be consultative in nature. When possible, the Health Services Director and the Counseling Center Director will not confer on a case for which they are (or have been) serving in a direct provider relationship with the involved student. When the involved student has been a client at the UCF Counseling Center, the Counseling Center Director will maintain the confidentiality of the student's

clinical information and will make recommendations for action based solely upon the information provided in the Crisis Committee meeting.

4. Mandated Assessment Policy

In an effort to minimize risk of students with potentially unstable mental health conditions and to help protect the welfare of the UCF campus community, UCF has a procedure for reviewing incidents which have resulted in a student's involuntary examination of imminent danger to self or others via the Baker Act (Statute 394.463, Florida Mental Health Act) or Marchman Act (Chapter 397, Florida Statute). Whenever the police (UCF, Orange County, etc.) provide transportation of a UCF student to the hospital for involuntary examination, the police will file a report with the Office of Student Rights and Responsibilities (OSRR). Once the report is received, the Director, OSRR may notify and consult with a designated representative of the UCF Counseling Center or Student Health Service and/or the UCF Crisis Committee to review the severity of the student's behavior related to the involuntary examination for potential of continued risk to the campus community. A determination will be made whether a mandated interview, which includes education about resources and steps needed to help the students in their specific situations, is adequate or whether some other more stringent, protective action is appropriate to protect both the welfare of the student and the community. In either case, the Director, OSRR will contact the student in a timely manner (upon release from the hospital and return to UCF) and require an initial meeting between an OSRR representative and the student to inform the student of their rights and responsibilities regarding the incident involving imminent risk to self or others.

In cases where a mandated assessment which includes education about resources and steps needed to help the students in their specific situations is deemed adequate, the Director, OSRR will require such students to complete an interview with a licensed mental health professional. The required interview must occur within two weeks following release from the hospital. Examples of a licensed mental health professional include a UCF Health Service psychiatrist, a UCF Counseling Center counselor, or a community-based counselor or psychiatrist of the student's choice. The Director, OSRR will require proof of participation for the required interview with the licensed mental health professional. Failure to comply may result in the initiation of the UCF Involuntary Withdrawal Procedure.

In cases where more protective action is needed based on more severe behavior/conduct (e.g., behaviors/actions towards killing self, behavior endangering others, threats to harm others, behavior disruptive to community), the Director, OSRR director may initiate a 1) summary suspension followed by a student conduct review and due process, 2) involuntary withdrawal procedure, or 3) required interview with a mental health professional and counseling education.



5. Involuntary Withdrawal Policy

- a. Introduction—A student who poses a serious danger of imminent or serious physical harm to himself/herself or others on property at the university will be involuntarily withdrawn from the university by the Director of the Office of Student Rights and Responsibilities (OSRR) upon appropriate notification and consultation from the university Crisis Committee.
- b. Process
 - i. This notification is received in the form of an incident report to the Office of Student Rights and Responsibilities, or a psychiatric evaluation filed with the UCF Police Department. The student will be withdrawn if the Director of OSRR concludes, on the basis of preponderance of evidence, that the student engages or threatens to engage in behavior that:
 1. Poses a significant danger of causing harm to the student or to others, or
 2. Substantially impedes the lawful activities of other members of the campus community.
 - ii. The Director of the Office of Student Rights and Responsibilities reserves the right to impose an immediate and interim withdrawal (the equivalent of a summary suspension), prior to the review of all information, if the Director concludes that the student poses a threat to the welfare of any individual, the student body, or any part of the university or its community. In such cases, there will be a scheduling of a hearing within three calendar days to determine the status of interim withdrawal. At this hearing, the student shall be offered an opportunity to provide documentation from an appropriate health care provider of their choice who has conducted a proper assessment.
 - iii. The Director of the Office of Student Rights and Responsibilities will call a meeting of the university Crisis Committee at the earliest possible date. The student may be present at this meeting and may present information in support of his/her case. Following the student's presentation, the committee shall convene in an executive session. At the conclusion of this proceeding, the committee shall make a recommendation to the Director of the Office of Student Rights and Responsibilities whether to withdraw the student, reinstate the student, or reinstate the student with conditions.
 - iv. The Director of the Office of Student Rights and Responsibilities will make a final decision regarding the student's enrollment status and notify the student in writing within 24 hours of the Crisis Committee's recommendation.
 - v. A student subject to involuntary withdrawal is entitled to the following:
 1. Notice of intent to remove the student pursuant to this policy stating the reasons for the action.
 2. The opportunity to examine the psychiatric or other evaluations provided to the committee and to discuss them.
 3. The opportunity to present relevant information for consideration of his/her case personally, or by a health professional working with that student, if the student is not capable of self-representation.
 4. The opportunity to have an advisor of the student's own choice accompany the student.
 5. The right to appeal.
 - vi. In the event a student disagrees with the decision of the Director of the Office of Student Rights and Responsibilities, the student may appeal the finding. The appeal must be made in writing to the Vice President for Student Development and Enrollment Services, within three business days after the date of the notification to the student of the decision. The Vice President for Student Development and Enrollment Services shall, within three business days, approve, modify or reject the original decision of the Director, Office of Student Rights and Responsibilities. The Vice President's decision will be considered the final agency action.
 - vii. Upon being withdrawn, the student may no longer attend classes, may not be an active member of a registered student organization, may no longer use university facilities, must vacate university owned or affiliated housing, and may be entitled to whatever refunds of tuition, fees, and room and board charges as would be appropriate given the timing of the withdrawal.
 - viii. Students who are involuntarily withdrawn from the university shall have a hold placed on their records, which will prevent them from being readmitted or re-enrolled in the institution except as stated in this paragraph. A student may request readmission or re-enrollment at the university and provide the Director of the Office of Student Rights and Responsibilities with documentation from an appropriate health care provider of their choice who has conducted a proper assessment of the student and concluded that the student does not pose a serious threat of harm to himself/herself or others. In cases where the Director has imposed other conditions for readmission, it is the responsibility of the student to provide documentation of compliance with such conditions.
 - ix. A student who is not involuntarily withdrawn may be subject to conditions to continue enrollment at the university. In such cases, the student will be provided with a written summary of conditions and must meet all conditions in order to maintain student status. A student who fails to meet such conditions will be subject to involuntary withdrawal by the Director of the Office of Student Rights and Responsibilities, or will be subject to charges through the university's Student Conduct Review Process for failure to comply.
 - x. The current medical withdrawal process should not be used to handle withdrawals related to mental health issues where an imminent threat is evident or a violation of the Golden Rule has allegedly occurred. However, a student could choose to pursue a medical withdrawal within six months of the end of the semester. As a general principle, the regular Student Conduct Review Process and its policies and practices are preferred in serious instances of misconduct, without regard to whether there might be mental health issues present. The procedures and specifications given in this rule are to be employed in those extraordinary situations in which, in the judgment of the appropriate administrative officers, the regular Student Conduct Review Process is not applicable or cannot be applied.

2. Office of Student Conduct

A INTRODUCTION

The mission of the University of Central Florida Office of Student Conduct is to educate students on their rights and responsibilities as university community members, to facilitate an understanding of the balance between individual and community rights, and to promote a safe and inclusive atmosphere conducive to student learning and student success. Integrity, scholarship, community, creativity and excellence are the core values that guide our conduct, performance and decisions. The UCF Office of Student Conduct goals are to:

1. Educate students, faculty and staff on issues related to student conduct, community responsibilities and behavioral expectations in the Rules of Conduct in The Golden Rule student handbook.
2. Protect the rights of students and the university community.
3. Provide fair and impartial review for students charged with violating university policies.
4. Educate students who have violated university policy by assigning purposeful sanctions that foster learning, ethical development and personal integrity.
5. Encourage respect for members of the university community, The Golden Rule and the Office of Student Conduct.

B SCOPE

The UCF Rules of Conduct shall apply to all undergraduate students, graduate students, students pursuing professional studies, and student organizations of the university, including those attending its regional campuses and off-campus instructional sites, and shall be deemed a part of the terms and conditions of admission and enrollment of all students. These rules apply to all students for conduct that occurs on university premises, which includes all land, buildings, facilities and other properties in the possession of or owned, used or controlled by the university.

These rules also apply for all off-campus conduct when alleged violation(s) of the UCF Rules of Conduct are committed, regardless of location. The university reserves the right to pursue any violation of conduct when that conduct adversely affects the interest(s) of any part of the university community.

Failure to comply with duly established laws or university regulations may subject violator(s) to appropriate civil authorities.

C AUTHORITY

According to Florida Administrative Code (6C-6.0105), "In furtherance of the educational mission of the universities, each university president shall establish university rules that ensure fairness and due process in student disciplinary proceedings and that guarantee the academic integrity of the university. This rule applies to all student disciplinary proceedings conducted by a university."

Generally, authority necessary to enforce regulations is vested in the Vice President for Student Development and Enrollment Services or a designee. Selected functions of this authority are shared with faculty, staff and students. Some functions of student conduct administration are assisted through review boards or councils.



For questions regarding this section contact:

Office of Student Conduct
 Ferrell Commons, Room 142
 407-823-4638
www.osc.sdes.ucf.edu

D VIOLATIONS OF LAW AND RULE OF CONDUCT VIOLATIONS

Members of the university community who commit offenses against the laws of municipalities, states or the United States, are subject to prosecution by those authorities and may be subject to disciplinary action under university rules when their conduct violates institutional standards. Students shall not be forced to present self-incriminating evidence; however, the university is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal case.

E DEFINITIONS

- **ADVISOR** refers to the person of the charged student's or organization's choice who may assist and/or accompany the charged student throughout the Student Conduct Review Process, but shall not speak for or present the case on behalf of the charged student or organization.
- **CHARGED STUDENT** means any student that is charged with a violation of the Rules of Conduct.
- **CONTINUOUSLY ENROLLED** is defined as being enrolled in classes without a break of two or more consecutive regular semesters/terms (i.e., Fall and Spring, or Spring, Summer and Fall).
- **DIRECTOR, OSRR** refers to the Director, Office of Student Rights and Responsibilities.
- **DISCIPLINARY SANCTION REVIEW COMMITTEE** is a committee composed of an equal number of faculty/staff and students appointed by the Director, OSRR to review the disciplinary probation/suspension status of a student.
- **HOLD** refers to a service indicator placed on a student's record.
- **MEMBER OF THE UNIVERSITY COMMUNITY** refers to any person who is a student, faculty member, staff member, university official or any other person employed by the university.
- **OFF CAMPUS** refers to any location not defined as university premises.
- **OVERLAY** refers to a notification on a student's university transcript that states the student is not in good standing.
- **PREPONDERANCE OF EVIDENCE** means that evidence, considered as a whole, shows that the fact sought to be proved is more probable than not. This is the standard used in adjudicating all disciplinary cases within the Student Conduct Review Process.
- **RECORD SEALING** refers to when a student's disciplinary record cannot be examined except by a court order or designated officials.
- **SANCTION** refers to outcome(s) imposed on students found in violation of any Rules of Conduct of this university.
- **STUDENT** means any person enrolled in one or more classes at the university, either full or part time, including study abroad, pursuing undergraduate, graduate or professional studies.
- **STUDENT CONDUCT BOARD** means any person or persons authorized by the Director, OSRR or designee to determine whether a student has violated the Rules of Conduct and to recommend sanctions that may be imposed when a rules violation has been committed.
- **UNIVERSITY** means the University of Central Florida.

- **UNIVERSITY OFFICIAL** includes any person employed by the university (i.e. faculty, staff, administration and residence hall staff) acting within the scope of their job duties.
- **UNIVERSITY PREMISES** includes all land, buildings, facilities, and other properties in the possession of or owned, used or controlled by the university.
- **VP, SDES** refers to the Vice President, Student Development and Enrollment Services.

F RULES OF CONDUCT

The following defined and described actions include, but are not limited to, conduct for which disciplinary action may be taken at the University of Central Florida. Individual students and student organizations are expected to abide by these regulations and administrators are expected to enforce them. These regulations should be read broadly and are not designed to define prohibited conduct in exhaustive terms. Additional rules and regulations may be revised during the year; announcements will be made on adoption of the changes or additions.

1. Academic Misconduct

- a. **Unauthorized assistance:** Using or attempting to use unauthorized materials, information or study aids in any academic exercise unless specifically authorized by the instructor of record. The unauthorized possession of examination or course-related material also constitutes cheating.
- b. **Communication to another through written, visual, electronic or oral means.** The presentation of material which has not been studied or learned, but rather was obtained through someone else's efforts and used as part of an examination, course assignment or project.
- c. **Commercial use of academic material:** Selling notes, handouts, etc., without authorization or using them for any commercial purpose without the express written permission of the university and the instructor is a violation of this rule.
- d. **Falsifying or misrepresenting your academic work.**
- e. **Plagiarism:** Whereby another's work is used or appropriated without any indication of the source, thereby attempting to convey the impression that such work is the student's own.
- f. **Any student who knowingly helps another violate academic behavior standards is also in violation of the standards.**

2. Possessing and/or Providing False and Misleading Information and/or Falsification of University Records

- a. **Withholding related information, or furnishing false or misleading information (oral or written) to university officials, university and non-university law enforcement officers, faculty or staff.**
- b. **Possession, use or attempted use of any form of fraudulent identification.**
- c. **Forgery, alteration or misuse of any university document, material, file, record or instrument of identification.**
- d. **Deliberately and purposefully providing false or misleading verbal or written information about another person.**
- e. **Falsification, distortion or misrepresentation of information during the Student Conduct Review Process, including knowingly initiating a false complaint.**

3. Disruptive Conduct

- a. An act that impairs, interferes with, or obstructs the orderly conduct, processes and functions of the university or any part thereof or the rights of other members of the university community.
- b. Any act which deliberately impedes or interferes with the normal flow of pedestrian and vehicular traffic.
- c. An act which tampers with the election(s) of any university student organization or group including violations of the SGA Election Statutes.
- d. Misuse of any university safety equipment, fire fighting equipment or fire alarms.
- e. An act which deliberately interferes with the academic freedom or the freedom of speech of any member or guest of the university community.
- f. A false report of an explosive or incendiary device, which constitutes a threat or bomb scare.
- g. Breach of peace: An act, which aids, abets or procures another person to breach the peace on the university premises or at university sponsored/related functions.
- h. Failure to comply with oral or written instruction from duly authorized university officials (i.e. faculty, staff, administration, residence hall staff) acting within the scope of their job duties or law enforcement officers acting in the performance of their duties, including failure to identify oneself to these persons when requested to do so.
- i. Failure to produce identification upon request by a university official (i.e. faculty, staff, administration, residence hall staff) acting within the scope of their job duties or law enforcement officers acting in the performance of their duties.
- j. Hindering or interfering with the Student Conduct Review Process by failing to obey the notice from a university official to appear for a student conduct meeting or hearing; and/or attempting to discourage an individual's proper participating in, or use of, the Student Conduct Review Process.

4. Harmful Behavior

- a. Physical harm or threat of physical harm to any person. This harmful behavior policy may not apply in those instances where it is found that a student is acting in self-defense.
- b. Harassment: Defined as behavior (including written or electronic communication) that could cause severe emotional distress, intimidation, or coercion to another person or could place another person in the victim's position in fear of bodily injury or death.
- c. Verbal or written abuse, threats, intimidation, coercion and/or other conduct that endangers the health, safety or well-being of others. This definition, however, shall not be interpreted to abridge the right of any member of the university community to freedom of expression protected by the First Amendment of the United States Constitution and any other applicable law.
- d. Failure to respect the privacy of other individuals.
- e. Retaliation against or harassment of complainant(s) or other person(s) alleging misconduct.

5. Sexual Misconduct

- a. Any nonconsensual sexual conduct which occurs on or off the UCF campus. Consent, to be valid, must be:
 - i. Freely and actively given.
 - ii. In mutually understandable words or actions.

- iii. Consent to one form of sexual activity can never imply consent to other forms of sexual activity.
- iv. Consent is not the lack of resistance; there is no duty to fight off a sexual aggressor.
- v. Consent can be withdrawn at any time, as long as the withdrawal is clearly communicated by the person withdrawing consent through words or actions.
- vi. A person shall not knowingly take advantage of another person who is under 18 years of age, mentally defective, under the influence of prescribed medication, alcohol or other chemical drugs, or who is not conscious or awake, and thus is not able to give consent as defined above. Further, a person shall not physically or verbally coerce another person to engage in any form of sexual conduct to the end that consent as defined above is not given.
- vii. Any attempted acts of sexual misconduct are also violations of this policy.
- b. Unwelcome sexual advances, requests for sexual favors, or conduct of a sexual nature which prevents or impairs another person's full enjoyment of the educational benefits, atmosphere or opportunities provided as part of the university.
- c. Exposure of one's body in such a manner that another party reasonably could be offended or to display sexual behavior which another person reasonably finds offensive.
- d. Sexual stimulation sought through trespass, spy or eavesdropping activities.
- e. Attempting to commit by solicitation sexual acts with a minor by oral, written or electronic means.

NOTE: UCF will use discretion in accommodating the victim as well as protecting the rights of the accused violator(s). UCF will not attempt to shelter students from federal, state and/or local laws pertaining to sexual misconduct. For further information see "Provisions for Victims/Survivors" in the Office of Student Rights and Responsibilities section under Student Rights.

6. Larceny/Property Damage

- a. Unauthorized use, possession, or services or theft of property. Such property may be personal or public.
- b. Damage or defacing of university property or the property of another person whether or not it is on university premises.

7. Hazing

- a. Any action or situation which recklessly or intentionally endangers the mental or physical health and/or safety of a student for the purpose of initiation or admission into, or affiliation with, any organization operating under registration with the university. Hazing may result in felony charges.
- b. Brutality of a physical nature such as whipping, beating, branding, forced calisthenics, exposure to the elements; forced consumption of any food, liquid, liquor, drug or other substances; or other forced elements; or other forced activity which could adversely affect the mental or physical health or safety of the individual.
- c. Any activity which could subject the individual to mental stress such as sleep deprivation, forced exclusion from social contact, forced contact which could result in embarrassment, or any other activity which could adversely affect the mental health or dignity of the individual.
- d. Forcing or requiring the violation of university policies, federal, state or local law.

- e. Any activity, as described above, upon which the initiation or admission into or affiliation with a UCF organization may be directly or indirectly conditioned, shall be presumed to be a “forced” activity, the willingness of an individual to participate in such an activity notwithstanding.

8. Unauthorized Use of Keys, and/or Entry

- a. Unauthorized possession, duplication or use of keys to any university premises.
- b. Unauthorized entry or attempted entry.

9. Misconduct at University Sponsored/Related Activities

- a. Violation of UCF Rules of Conduct at UCF sponsored/ related activities shall also be a violation of The Golden Rule.
- b. Violations of a regulation(s) of a host institution sponsored/related activity shall be a violation of The Golden Rule.

10. Unlawful Possession, Use, or Sale of Any Controlled Substance

Use, possession, sale, distribution, cultivation, manufacture or attempt to obtain any narcotic or other controlled substances, and possession and/or use of drug paraphernalia, except as expressly permitted by law.

11. Alcoholic Beverages Violation

Use, possession, sale and/or distribution of alcoholic beverages except as expressly permitted by the law and university rules, and behavior under the influence of alcoholic beverages.

12. Possession and/or Use of a Firearm and/or Dangerous Material

- a. Possession, storage or use of firearms, explosives, ammunition, other weapons or dangerous articles or substances including, but not limited to, tasers, switchblade knives and nonlethal weapons such as airsoft guns. The use of any item as a weapon.
- b. Possession or use of fireworks of any description, explosives, or chemicals which are disruptive, explosive or corrosive on university premises or at university sponsored/related activities.

13. Instigation or Participation in Group Disturbances During Demonstrations, Parades or Picketings

- a. Participation in a demonstration(s), parade(s) or picketing which invades the rights of others, which interferes with the educational function of the university, or which jeopardizes public order and safety.
- b. Leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.

14. Misuse of Computing and Telecommunications Resources

Theft or other abuse of computer facilities and resources, including but not limited to:

- a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- b. Unauthorized transfer of a file.
- c. Use of another individual's identification and/or password.
- d. Use of computing facilities and telecommunications resources to interfere with the work of another student, faculty member or university official.
- e. Use of computing facilities and telecommunications resources to send obscene or abusive messages.

- f. Use of computing facilities and telecommunications resources to interfere with normal operation of the university computing system.
- g. Use of computing facilities and telecommunications resources in violation of copyright laws.
- h. Any violation of the University of Central Florida Use of Information Technology and Resources Policy.
- i. Any violation of the University of Central Florida ResNet Acceptable Use Policy.

15. Gambling

- a. Play in an unlawful game of chance for money or for anything of value on university premises or at any affair sponsored by a student or student organization.
- b. Unlawfully sell, barter or dispose of a ticket, order, 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.
- c. Wager on a university team or organization in a competition, with a direct influence in the success of the competition.

16. University Designated Student Residence Violations

Repeated or flagrant violations of regulations governing university student residences.

17. University Wordmark Violations

Unauthorized use of the official university wordmark, Pegasus, monogram, seal or other graphic identity symbol.

18. Violation of Local, State, and/or Federal Laws

Violation of any local, state and/or federal law that may result in a felony or misdemeanor.

G STUDENT CONDUCT REVIEW PROCESS

1. Violation Reports

Alleged violations of the UCF Rules of Conduct shall be reported in writing to the Director, OSRR or designee. Violation reports can be submitted for information purposes only, for information purposes with the requirement that the student attend an ethics seminar, or to initiate the Student Conduct Review Process. Upon receiving an alleged violation of misconduct, the Director, OSRR or designee may review relevant information and consult with relevant parties regarding the incident in question. If the information warrants disciplinary action, the Office of Student Conduct will send written notification to the charged student indicating the nature of the activity in question and what university rules were allegedly violated. The written complaint of violation of the UCF Rules of Conduct shall be made no later than six months following discovery of the alleged violation.

The student is given the opportunity to meet with the Director, OSRR or designee to discuss the charges. If the student fails to attend that meeting a hold may be placed on the student's record, preventing them from registering for future classes until the matter is resolved. Students who leave the university or withdraw from a class before a disciplinary matter is resolved may be prohibited from future enrollment until such time as the matter is resolved. At the conclusion of the meeting with the Director, OSRR or designee, the Director, OSRR or designee may do any of the following listed below.

2. Options for Resolution of Disciplinary Charges

- a. **Case dismissal:** The Director, OSRR or designee may dismiss a case if it is found to not have sufficient facts or information to substantiate the claim of misconduct, the accused person is not a student or the misconduct is not a violation of the Rules of Conduct.
- b. **Interim suspension:** In unusual cases which dictate a decision for the welfare of any individual, the student body, or any part of the university or its community, the Director, OSRR or designee, upon notifying the VP, SDES, may take immediate action to resolve the situation by placing the student on interim suspension. Such action is subject to review at a hearing within three business days by the VP, SDES or designee to determine the status of the interim suspension. The outcome of an interim suspension hearing shall remain in effect until the final disposition of formal charges resulting from the circumstances of the case, unless the VP, SDES or designee shall decide otherwise.
- c. **Mediation:** Depending on the nature and severity of the alleged violation, the Director, OSRR or designee may refer the case to the Dispute Resolution Services Office for mediation as an alternative to disciplinary action. Mediation is a confidential process whereby two or more parties voluntarily 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 participants in mediation are responsible for keeping their agreement or renegotiating it, if necessary. In the event that the participants do not reach a full and final resolution, the case will be referred back to the Director, OSRR or designee for disciplinary action.
- d. **Preliminary conference meeting:** Students charged with alleged violations of the Rules of Conduct will receive notice to attend a required preliminary conference. At the preliminary conference meeting, the student will receive information regarding the Student Conduct Review Process, student's rights during the process, an opportunity to inspect and/or review the evidence known at the time charges are prepared that likely could be presented at the hearing, and notice on how to contact the Student Government Association Judicial Advisor.
- e. **Informal hearing:** At the discretion of the Director, OSRR or designee, violations found not to warrant a formal hearing may be referred to an informal hearing. At the informal hearing, the charged student has the opportunity to accept responsibility for the charges of violation of the Rules of Conduct. At the informal level, the matter will be settled by the following outcomes: punitive sanction (Disciplinary Warning or Disciplinary Probation), as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not settled informally, the case will be resolved through a formal hearing.
- f. **Formal hearing:** If an alleged violation of the Rules of Conduct is not handled through other appropriate channels, is not dismissed, or is not settled informally, then the Director, OSRR or designee shall present in writing formal charges to the student. This written notification shall include:
 - i. The student's name and address
 - ii. Date, time and location of the formal hearing
 - iii. Brief description of the alleged violation known at the time formal charges are prepared
 - iv. Names of potential witnesses known at the time formal charges are prepared
 - v. A description of any written or physical evidence known at the time charges are prepared

The charged student may request either a panel or administrative hearing. The charged student's hearing shall only be opened to the charged student, his/her advisor, the hearing body, witnesses, and a representative from the Office of Student Conduct. In cases of alleged violations of the Harmful Behavior or Sexual Misconduct policy, the student is required to have a panel hearing.

3. Student Conduct Board

The Student Conduct Board shall consist of no less than 25 persons. The Student Conduct Board shall be made up of not less than five faculty members and/or five administrative staff members representing the various administrative divisions of the university, and the remainder shall be student members, 12 of whom shall be the justices from the Student Government Association Judicial Council. All conduct board members shall be appointed by the Director, OSRR or designee, through an annual application and interview process except the justices who shall be appointed by the President, Student Government Association and approved by Student Government Association Senate. Board members appointed by the Director, OSRR or designee, shall serve annual terms beginning and ending in August of each academic year. Board members who are justices shall serve concurrent to their terms of office as outlined by the Student Body Constitution. When a vacancy occurs from a member not on the SGA Judicial Council, the Director, OSRR or designee, shall make new appointments to fill unexpired terms. Vacancies on the board from justices on the SGA Judicial Council shall be filled pursuant to the procedures outlined in the Student Government Constitution. Whenever the number of board members available to serve in a particular disciplinary hearing is reduced, the Director, OSRR or designee may appoint additional members on an ad hoc basis. All conduct board members receive training through the Office of Student Conduct.

4. Panel Hearing

A panel hearing to consider an individual case shall be randomly selected by the Director, OSRR or designee from the Student Conduct Board and shall consist of two faculty and administrative staff members combined, and two student members. Each panel shall elect from among its number an individual to conduct that hearing and to report its recommendations to the Director, OSRR or designee. At hearings conducted by a panel, an Office of Student Conduct staff member shall act as an advisor to the panel. The Director, OSRR shall receive the panel's recommendation as to "in violation" or "not in violation" of the Rules of Conduct, and consider any sanctions recommended by the panel.

The Director, OSRR or designee may accept the recommendation of "in violation" or "not in violation" or remand the case for rehearing. If the Director, OSRR or designee accepts the recommendation of "in violation," they may approve, mitigate or increase the sanctions recommended by the panel, based on standards set forth in the Disciplinary Sanctions section of the Student Conduct Review Process.

Any decision by the Director, OSRR or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

5. Administrative Hearings

Administrative hearings shall be conducted by a faculty or staff member randomly selected by the Director, OSRR or designee from the Student Conduct Board. The charged student shall be informed of the hearing officer assigned to his/her case and shall have the opportunity to challenge the impartiality of the individual within three school days of notification. The student shall state in writing the basis for such a challenge. A hearing officer so challenged will be excused; however, indiscriminate challenges shall not be permitted. In the event that a student has opted not to challenge the impartiality of a hearing officer prior to the allotted three school days, the assigned hearing officer shall remain as scheduled. Administrative hearings are not an option in cases of Harmful Behavior or Sexual Misconduct.

At hearings conducted by an administrative hearing officer, an Office of Student Conduct staff member shall act as an advisor to the panel. The Director, OSRR or designee shall receive the administrative hearing officer's recommendation as to "in violation" or "not in violation" of the Rules of Conduct, and consider any sanctions recommended by the administrative hearing officer.

The Director, OSRR or designee may accept the recommendation of "in violation" or "not in violation" or remand the case for rehearing. If the Director, OSRR or designee accepts the recommendation of "in violation," they may approve, mitigate or increase the sanctions recommended by the administrative hearing officer, based on standards set forth in the Disciplinary Sanctions section of the Student Conduct Review Process.

Any decision by the Director, OSRR or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

H CONDUCT OF FORMAL HEARINGS

The following is furnished as a guide to the sequence of events in a formal hearing:

1. Reading of charges
2. Student response of "in violation" or "not in violation"
3. Presentation of information in support of the charges
4. Opening statement by the charged student
5. Questioning of the charged student by the hearing body
6. Presentation and questioning of witnesses on behalf of the university in support of the charges
7. Presentation and questioning of witnesses by the charged student
8. Final questions of the charged student by the hearing body
9. Closing remarks by the charged student
10. Deliberation (in confidential executive session)
11. Announcement of the recommendation

I CASE RECORD FOR FORMAL HEARING

The case record shall consist of the following items:

1. A copy of the formal charges in writing
2. A recording of the formal hearing
3. All staff memoranda submitted

4. All items of physical or written evidence submitted, provided such items are not returned to a rightful owner; in that case, photographs or other facsimiles shall be made before return
5. The recommendation by the hearing panel or administrator, if any
6. The Director, OSRR's decision

J STUDENT RIGHTS DURING THE STUDENT CONDUCT REVIEW PROCESS

The following rights shall be explained to each charged student prior to the commencement of any formal disciplinary hearing:

1. The charged student shall be afforded reasonable written notice, at least five calendar days prior to the formal hearing, unless waived in writing. A letter sent to the charged student at the address listed in the Registrar's records shall constitute full and adequate notice. Written notice shall include:
 - a. The student's name and address
 - b. Date, time, location and nature of the proceeding of the formal hearing
 - c. Brief description of the alleged violation known at the time formal charges are prepared
 - d. Names of potential witnesses known at the time formal charges are prepared
 - e. A description of any written or physical documentation known at the time charges are prepared

If the university is unable to state the behavior in detail at the time notice is served, the initial statement may be limited to an explanation of the general issues involved. Thereafter, upon request by the student, a more detailed and definitive statement will be furnished prior to the commencement of any formal hearing.

2. The student may have an advisor of the student's choice present at the hearing. The Director, OSRR shall maintain a list of impartial advisors and resources available to the student for preparing his/her defense. The advisor shall assist the student in the disciplinary process but shall not speak for or present the case on behalf of the student.
3. All hearings shall be conducted on the basis that the charged student is not in violation until the preponderance of evidence proves otherwise.
4. The student may inspect any evidence presented in support of the charges. Evidence may be presented in defense of the student.
5. The student may hear and question adverse witnesses who testify at the hearing.
6. The student shall not be forced to present self-incriminating evidence; however, the university is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal case.
7. The decision of "in violation" or "not in violation" on the charges shall be based solely on the evidence presented at the hearing.
8. Should the recommendation of the hearing body be in violation, prior conduct history will then be reviewed and may affect sanctioning.
9. The results of any formal hearing shall be made available to the student within two business days following the hearing (deadline can be extended by mutual agreement of the charged student and the Director, OSRR or designee).
10. The student's enrollment status shall remain unchanged pending the university's final decision in the matter, except in cases where the VP, SDES or designee determines that the safety, health, or general welfare of the student, any individual, or any part of the university may be involved.

K SANCTIONS

The sanctions which may be imposed on students for violation(s) of any of the Rules of Conduct of this university shall include the following:

1. Disciplinary Warning

An official warning that the student's behavior is in violation of the UCF Rules of Conduct, and that if the student is subsequently found in violation of a rule while on disciplinary warning, subsequent action may be more severe.

2. Disciplinary Probation

Disciplinary probation status shall be for a specific length of time. Restrictive conditions may be imposed and vary according to the severity of the offense. Restrictive conditions may include, but may not be limited to, the following: loss of good standing, which may become a matter of record; ineligibility to receive any university award, scholarship, loan, honorary recognition, or initiation into any local or national organizations, and denial of the privilege to occupy a position of leadership or responsibility in any university student organization, publication, or activity, or ability to represent the university in an official capacity or position. Under disciplinary probation, the student may continue to attend classes and is given a chance to show capability and willingness to live in accordance with university rules. However, if the student is subsequently found in violation of a rule while on disciplinary probation, the university may suspend or expel the student from the university. While on disciplinary probation, a hold will be placed on a student's record for record keeping purposes.

3. Disciplinary Suspension

A student involved in an offense warranting consideration of action more serious than disciplinary probation or one involved in repeated misconduct may face suspension. During the period of suspension a student may not attend classes, participate in university-related activities, whether they occur on or off campus. A student under disciplinary suspension may not otherwise be present on university premises unless authorized in writing in advance under conditions approved by the Director, OSRR. In determining if and to what extent suspended students shall be authorized to be on university premises, the Director, OSRR or designee shall consider whether the suspension creates an undue hardship on the suspended student in regard to considerations that include, but are not limited to, the medical needs of the student. An overlay will be placed on a student's record during the period of suspension. Further, while on disciplinary suspension, a hold will be placed on a student's record for record keeping purposes.

4. Disciplinary Expulsion

Expulsion is a sanction which removes the student from his/her academic program and permanently separates a student from UCF without opportunity to graduate or re-enroll at the university in the future. An overlay will be permanently placed on the student's record. Further, a hold will be permanently placed on a student's record for record keeping purposes.

5. Educational Sanction(s)

In conjunction with an administrative sanction, a student found to have been in violation of any of the Rules of Conduct will be assigned educational sanctions such as, but not limited to, reflective/research papers, classes/seminars, community service, interviews, etc.

NOTE: If a student has any overdue educational sanctions at the conclusion of disciplinary probation or suspension, a student's disciplinary probation or suspension status and hold will remain in effect pending the completion of the educational sanctions.

L DISCIPLINARY SANCTION REVIEW REQUEST**1. Disciplinary Probation**

After a student has completed a semester of their disciplinary probation they have the opportunity to request a review of their probation status. A written request should be submitted to the Director, OSRR or designee. This request can only be submitted once a semester. Such a review shall allow the student the opportunity to discuss what he/she has done to proactively address his/her behavior. In considering this request a student's good behavior shall assume that the student is performing above and beyond the basic requirements of their sanction(s). Students that simply fulfill the minimum requirements of their sanction(s) will not have their probation re-evaluated. If the student decides to use this procedure they must submit a written statement to the Disciplinary Sanction Review Committee explaining why they feel their probation should end early. Such a written statement should include, but is not limited to:

- Involuntary and/or voluntary psychological testing
- Counseling
- Educational programs
- Community involvement/service
- Occupational growth

This statement will then be reviewed by the Disciplinary Sanction Review Committee. The committee will first determine whether or not the student meets criteria for review. If the committee agrees that the student's request meets the above mentioned criteria, the committee will then contact the student within 14 business days to schedule a "sanction review meeting." At this meeting, the student will have the opportunity to further discuss with the committee why his/her disciplinary probation status should be changed. After the meeting, the committee will issue a recommendation to the Director, OSRR or designee. The Director, OSRR or designee will provide a decision to the student in writing within two business days of receiving the recommendation. If the request is denied by the Director, OSRR or designee, the decision shall include a concise and explicit written statement that explains the basis for that decision. There is no appeals process for a Disciplinary Sanction Review.

2. Disciplinary Suspension

After a student has completed half of their disciplinary suspension they have the opportunity to request a review of their suspension status. A written request should be submitted to the Director, OSRR or designee. This request can only be submitted once a semester. Such a review shall allow the student the opportunity to discuss what he/she has done to proactively address their behavior. In considering this request a student's good behavior shall assume that the student is performing above and beyond the basic requirements of their sanction(s). Students that simply fulfill the minimum requirements of their sanction(s) will not have their suspension re-evaluated. If the student decides to use this procedure they must submit a written statement to the Disciplinary Sanction Review Committee explaining why they feel their suspension should end early. Such a written statement should include, but is not limited to:

- Involuntary and/or voluntary psychological testing
- Counseling
- Educational programs
- Community involvement/service
- Occupational growth

This statement will then be reviewed by the Disciplinary Sanction Review Committee. The committee will first determine whether or not the student meets criteria for review. If the committee agrees that the student's request meets the above mentioned criteria, the committee will then contact the student within 14 business days to schedule a "sanction review meeting." At this meeting, the student will have the opportunity to further discuss with the committee why his/her disciplinary suspension status should be changed. After the meeting, the committee will issue a recommendation to the Director, OSRR or designee. The Director, OSRR will provide a decision to the student in writing within two business days of receiving the recommendation. If the request is denied by the Director, OSRR or designee the decision shall include a concise and explicit written statement that explains the basis for that decision. There is no appeals process for a Disciplinary Sanction Review.

M APPEALS WITHIN THE STUDENT CONDUCT REVIEW PROCESS

1. Requests

Students found in violation as a result of a hearing may appeal that finding and sanction(s) imposed. The appeal must be made in writing to the appellate officer (VP, SDES or designee) within seven calendar days after the date the student was notified of the decision by the Director, OSRR.

2. Criteria

Students may appeal the finding and sanction(s) imposed on the basis of one or more of the following:

- Irregularities in fairness and stated procedures of the hearing that could have affected the outcome of the hearing.
- Discovery of new and significant evidence that could have affected the outcome of the hearing and that was not known or could not reasonably have been discovered and/or presented at the time of the initial hearing.
- The sanctions are extraordinarily disproportionate to the violation(s).

On the appeal form, the student must state the reason(s) for appeal, the supporting facts, and the recommended solution. This is not a re-hearing of the conduct case. An appeal cannot be filed simply because a student is dissatisfied with the decision. Failure to describe the nature of the evidence in full detail in the appeal letter will result in the denial of an appeal.

3. Review

The appellate officer (VP, SDES or designee) shall first determine if sufficient grounds for appeal exist and then, if so, may either deny the appeal, thus sustaining the initial decision and sanction(s), or do one of the following:

- If the student alleges that the sanction was inappropriate and the appellate officer (VP, SDES or designee) finds the sanction to be inappropriate, the appellate officer (VP, SDES or designee) may reduce the sanction.
- If the student alleges that there was a defect in procedure or new evidence is presented and the appellate officer (VP, SDES or designee) finds that there was

a defect in the procedure or new evidence was presented which was sufficiently substantial to have affected the outcome, the appellate officer (VP, SDES or designee) will order a new hearing.

4. Decision

The student shall receive a written decision to the appeal. There is no definitive timeline for receiving an appeal response. It depends on many factors including the complexity of the case and the information mentioned in the appeal, as well as the appeal officer's appeal load at that particular time. Decisions of the VP, SDES or designee reflect final agency action.

NOTE: For Disciplinary Suspension or Disciplinary Expulsion, OSC will not place an overlay on a student's record until an appeal decision is rendered, unless a student chooses not to appeal. At such time, if appropriate, a hold and/or overlay is placed on the student's record. If the appellate officer (VP, SDES or designee) upholds the original findings, the effective date of any disciplinary sanction(s) imposed will revert back to the date of the Director, OSRR's final decision letter.

N STUDENT CONDUCT RECORDS

1. Maintenance of Records

A student's conduct case record will be maintained in the Office of Student Conduct. The case record of students found responsible for charges against them, with sanctions less than suspension or expulsion, will generally be maintained in the Office of Student Conduct for seven years from the calendar year of record, after which they are destroyed. The case record of a student who has been placed on Disciplinary Suspension or Expulsion will be permanently maintained as official records by the Office of Student Conduct.

2. Sealing

A student's conduct record is eligible to be sealed if the incident(s) in question are minor and do not result in suspension or expulsion and where further violations would not likely result in suspension or expulsion from the university. A student conduct record may be sealed upon the successful submission and review of appropriate paperwork to the Office of Student Conduct. The factors influencing the decision by the Director, OSRR for sealing are the severity of the violation, effect of the violation on the university community, sanctions applied, completion of sanctions, and ethical development demonstrated by the student. There is no appeals process regarding student conduct record sealing.

3. Release of Records

The release of student disciplinary records will be governed by applicable federal and state laws regarding the privacy of educational records.

O EVALUATION OF STUDENT CONDUCT REVIEW PROCESS

The Student Conduct Review Process will be evaluated not less than every three calendar years by a university committee composed of three student members appointed by the Student Body President to the Vice President for Student Development and Enrollment Services and three faculty and/or staff members appointed by the Vice President for Student Development and Enrollment Services, one of who shall be an attorney within the General Counsel's Office.

P PARENTAL NOTIFICATION POLICY

1. In the fall of 2000, the Board of Regents of the State University System of Florida instructed each university to include provisions for parental notification of dependent students under the age of 21 if the student is found to be in violation of university policies regarding alcohol and other drugs. The purpose of the Parental Notification Policy at UCF is to comply with the Board of Regents' instructions and to promote the health and well-being of students. This policy will provide parents an opportunity to partner with their student and the university to address behaviors that could place students at risk of harming themselves or others.

UCF will notify parents or guardians of dependent students, defined in F.S. 228.093 under the age of 21, when the student is found responsible for violating university alcohol or other drug policies as found in the student handbook, The Golden Rule.

2. Parents will be notified if:
 - a. The student has been found for the second or more time(s) in violation of the university policy regarding the use, possession, sale or distribution of alcoholic beverages.
 - b. The student has been found for the second or more time(s) in violation of the university policy regarding public intoxication.
 - c. The student has been found in violation of the university policy that prohibits driving a vehicle while under the influence of alcoholic beverages or a narcotic or other controlled substance not expressly permitted by law.
 - d. The student has been found in violation of the university policy regarding belligerent and/or aggressive behavior while under the influence of alcoholic beverages or a narcotic or other controlled substance not expressly permitted by law.
 - e. The student has been found in violation of the university policy regarding the attempt to obtain or the use, possession, sale, or distribution of any narcotic or other controlled substance not prescribed by law.
 - f. The student has required professional treatment in a medical facility for a condition associated with the use of alcoholic beverages or a narcotic or other controlled substance not expressly permitted by law.

These guidelines do not preclude the university contacting parents or guardians for other policy violations that may endanger the health and well-being of a student or other individuals in the community.

3. Parents or guardians will be notified in writing by the Office of Student Rights and Responsibilities and, whenever possible, students will be informed in advance that their parents or guardians will be notified.

C CONDUCT REGULATIONS FOR STUDENT ORGANIZATIONS

These conduct regulations shall apply to all student organizations of the university and its regional campuses and shall be deemed a part of the terms and conditions of admission and enrollment of all students and student organization registration.

The following defined and described actions include, but are not limited to, conduct for which disciplinary action may be taken. These regulations apply to all student organizations for conduct that occurs against students or nonstudents on university premises, while participating in university sponsored or related activities, during school sessions, during holidays and during periods of continuous enrollment or off campus when that conduct is determined to adversely affect the interest(s) of any part of the university.

1. Theft, Disregard for Property

- a. Malicious or unwarranted damage or destruction of another's property is prohibited.
- b. No student organization shall take, attempt to take, or keep in its possession property or services not belonging to their organization. Misuse or mishandling of organizational funds by any officer, member or other individual is prohibited.

2. Disorderly Conduct

No student organization shall:

- a. Act in a manner which can reasonably be expected to disturb the academic pursuits or infringe upon the privacy, rights, privileges, health, or safety of students or the university community or local community.
- b. Obstruct the free movement of other students around the campus, interfere with the use of university facilities, or prevent the normal operation of the university.
- c. Condone or encourage such acts of physical assault, including sexual assault.
- d. Engage in obscene or indecent conduct.
- e. Fail to comply with the administrative policies as enacted by the university.
- f. Fail to comply with the directions of university officials or authorized agents acting in the performance of their duties. Student organization officers and members shall comply with all directions or requests of university officials, university police officers or authorized agents in a timely manner.

3. Alcohol Related Misconduct

Florida law prohibits possession or consumption of alcoholic beverages by those under the legal drinking age and prohibits making alcoholic beverages available to persons under the legal drinking age (see Alcohol Policy section for more information).

- a. No organization shall furnish or cause to be furnished any alcoholic beverage to any person under the legal drinking age.
- b. The sale of alcohol is prohibited.
- c. No organization shall furnish or cause to be furnished any alcoholic beverage to any person in a state of noticeable intoxication.
- d. Each student organization shall take all necessary steps to see that no person under the legal drinking age possesses alcoholic beverages at functions it sponsors as well as within any property or transportation it owns, operates and/or rents.



4. Drug Related Misconduct

The unlawful possession, use, sale and/or distribution of controlled substances is prohibited. Each organization shall take all necessary steps to see that this regulation is not violated at functions it sponsors as well as any property it owns, operates and/or rents.

5. Unauthorized Entry

Unauthorized entry, attempted entry, or remaining in private or restricted areas of the university, Greek Park or community facilities is prohibited.

6. Gambling

Student organizations are prohibited from the following:

- a. Play or sponsor of an unlawful game of chance for money or for anything of value on university premises or at any affair sponsored by a student organization.
- b. Unlawfully sell, barter, or dispose of a ticket, order, or any interest in a scheme of chance by whatever name on university premises or at any affair sponsored by a student organization.
- c. Wage on a university team or organization in a competition, with or without an intent to have a direct influence in the success of the competition.

7. Hazing

The university does not condone hazing in any form and defines hazing to include, but is not limited to:

- a. Any action or situation which recklessly or intentionally endangers the mental or physical health and/or safety of a student for the purpose of initiation or admission into, or association with, any organization. Hazing may result in felony charges.
- b. Brutality of a physical nature such as whipping, beating, branding, forced calisthenics, exposure to the elements; forced consumption of any food, liquor, liquid, drug, or other substances; or other forced elements; or other forced activity which could adversely affect the mental or physical health or safety of the individual.
- c. Any activity that could subject the individual to mental or physical stress such as sleep deprivation, forced exclusion from social contact, forced contact which could result in embarrassment, or any other activity that could adversely affect the mental or physical health or dignity of the individual.
- d. Forcing or requiring the violation of university policies, or federal, state or local law.
- e. Any activity, as described above, upon which the initiation or admission into or association with a student organization may be directly or indirectly conditioned, shall be presumed to be a "forced" activity, the willingness of an individual to participate in such an activity notwithstanding.

8. Outstanding Debt

All student organizations are responsible for ensuring that all bills are paid to both on and off campus vendors in a timely manner. Groups shall not knowingly enter into purchase or rental agreements that are beyond the resources of the organization's ability to pay. The university will not cover outstanding debts of student organizations.

9. Use of Facilities

Student organizations planning events in university facilities are responsible for knowing any applicable policies and are expected to be in full compliance with them. Those individuals acting on behalf of an organization that reserve facilities should check with the university department or office responsible for the facility to guarantee that all procedures have been followed.

10. Fire Safety and Sanitation

- a. Tampering with or damage to fire safety equipment is prohibited. Causing, condoning, or encouraging the creation of any situation involving incendiary or other chemicals or substances, explosives, or fire that reasonably may result in danger to another's person or property is prohibited.
- b. Possession or use of illegal fireworks, incendiary devices or dangerous explosives is prohibited.
- c. Failure to properly maintain a student organization's facilities or property (or surrounding property) so as to create a potential danger to the health and safety of the occupants or members of the university and surrounding community is prohibited.

11. Advertising

- a. Origination or circulation of any advertising media that contains matter that violates federal, state and/or local laws is prohibited.
- b. Origination or circulation of any advertising media containing false or misleading information or obscene language or patently offensive material is prohibited.

12. Falsification of Information

- a. Causing, condoning, or encouraging the alteration or creation of any official university record, document or form to include incorrect or misleading information is prohibited.
- b. Reporting or providing false, misleading, incomplete or incorrect information to any official is prohibited.

13. Social Events

- a. Allowing crowd size that exceeds such limits so as to infringe upon the rights and/or property of others and/or endanger those in attendance is prohibited. Student organizations should refer to other national parent organizations or university policies for specific information on crowd size.
- b. Failing to provide adequate parking so that vehicles are impeding the normal flow of traffic, parked illegally or parked on private property without proper authorization is prohibited.
- c. Failure to provide adequate security personnel or other security measures in order to ensure the safety of those in attendance at an organization-sponsored event is prohibited.
- d. Conducting any event that interferes with the normal progress of academic events on campus is prohibited.
- e. Failure to register any potentially hazardous event with the Office of Student Involvement and/or Office of Fraternity and Sorority Life 15 days before the event is prohibited and may result in penalty through the Office of Student Involvement and Office of Fraternity and Sorority Life.
- f. Failure to adhere to specific time limits and other restrictions required of all outdoor events involving bands or other forms of amplified music is prohibited.

- g. Outdoor events must cease by the time determined by the Office of Administration and Finance. Outdoor events taking place on property not owned by the university must end at the time determined by the governing agency for that property.

14. Solicitation and Fundraising

All student organizations shall conduct any solicitation and fundraising activities in a manner that does not violate or is contrary to the policies of the university or its Office of Student Involvement, the Student Union, and/or federal, state and/or local law.

15. Misuse or Infringement of University's Names or Marks etc.

Student Organizations are prohibited from the unauthorized use of the university's name, abbreviation, trademarks or wordmarks, including the Pegasus, monograms, seal, or other graphic identity symbols. The phrases "UCF" or "University of Central Florida" (or some form thereof) cannot precede the title of the organization. This section refers to, but is not limited to, the student organization's: domain name, web address, promotional materials, and uniforms/shirts.

R STUDENT ORGANIZATION CONDUCT REVIEW PROCESS

1. Violation Reports

Alleged violations of the UCF Rules of Conduct shall be reported in writing to the Director, OSRR or designee. The written complaint of violation of the Student Organization Guidelines shall be made no later than one year following discovery of the alleged violation. After hearing a case involving individual students, a student hearing panel deems that the offense was an organizational offense in nature and not just the actions of an individual member, then the case will be handled as such. The Director, OSRR or designee shall make appropriate inquiries into the circumstances of the case to determine one of the following dispositions:

- a. Case dismissal
- b. Administrative action
- c. Mediation
- d. Informal disposition
- e. Formal disposition

The chief officer of the student organization or another student member designated by a majority of the voting members of the organization is the sole representative of an organization when the organization is charged with a violation. This student member will be sent all notices and will appear at all hearings to represent the organization. A lawyer cannot be designated as the organization's representative for purposes of these guidelines. A lawyer can only be an advisor to the organization or its representatives.

- a. **Case dismissal:** The Director, OSRR or designee may dismiss a case if it is found to not have sufficient facts or evidence to substantiate the claim of misconduct or the misconduct is not a violation of the conduct regulations.
- b. **Administrative action organizational suspension:** In unusual cases, which dictate a decision for the welfare of any individual, the student body, or any part of the university or its community, the Director, OSRR or designee may take immediate and summary action to resolve the situation. This summary action may include any of the disciplinary sanctions (warning, restrictions, probation, suspension, or removal) or any lesser sanction that the Director, OSRR or

designee determines necessary to protect the interests of any or all concerned. Such action is subject to review within 10 business days by the VP, SDES or designee. In the instance of organizational suspension or removal, there will be a scheduling of a hearing within 10 business days to determine the status of the organizational suspension or removal. Sanctions taken through administrative action shall remain in effect until the final disposition of formal charges resulting from the circumstances of the case, unless the Vice President for Student Development and Enrollment Services or designee shall decide otherwise.

- c. **Mediation:** Depending on the nature and severity of the alleged violation, the Director, OSRR or designee may refer the case to the Dispute Resolution Services Office for mediation as an alternative to disciplinary action. Mediation is a confidential process whereby two or more parties voluntarily 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 organizational participants in mediation are responsible for keeping their agreement or renegotiating it, if necessary. In the event that the organizations do not reach a full and final resolution, the case will be referred back to the Director, OSRR or designee for disciplinary action.
- d. **Informal disposition:** At the discretion of the Director, OSRR or designee, violations found not to warrant formal disposition may be referred to an appropriate forum for proper disposition and/or settled by one or more of the following outcomes: warning, probation, restitution, community service or other educational sanctions.
- e. **Formal disposition:** If an alleged violation of the Student Organization Regulations and/or Rules of Conduct is not handled through other appropriate channels, is not dismissed, or is not settled informally, the Director, OSRR or designee shall present in writing formal charges to the student organization. This written notification shall include:
 - i. The name of the organization, the chief student officer name and organization's address, if applicable.
 - ii. Brief description of the alleged violation including date(s), time(s) and place(s) known at the time formal charges are prepared.
 - iii. Names of potential witnesses known at the time formal charges are prepared.
 - iv. A description of any written or physical evidence known at the time charges are prepared.
 - v. An invitation to attend an information session during which the organization's representatives will receive instructions regarding the conduct review process and the organization's rights; confirmation of the forum in which the case will be heard; and an opportunity to inspect and/or copy the evidence known at the time charges are prepared that likely could be presented at the hearing.

The charged student organization may request a hearing either before a panel of the Student Organization Conduct Board or before an Administrative Hearing Officer appointed by the VP, SDES or designee.

- f. **Student Organization Hearing Board:** The Student Organization Hearing Board shall consist of no less than 25 persons appointed by the Office of Student Rights and Responsibilities. The Student Organization Hearing Board shall consist of not less than five faculty members and/or five administrative staff members representing the various administrative divisions of the university, and 10 student members. Board members shall serve annual terms beginning and ending in August of each academic year. When a vacancy occurs, the Director, OSRR or designee shall make new appointments to fill unexpired terms. Whenever the number of board members available to serve in a particular disciplinary hearing is reduced, the Director, OSRR or designee may appoint additional members on an ad hoc basis.
- g. **Student Organization Hearing Panel:** A student organization hearing panel to consider individual cases shall be randomly selected by the Director, OSRR or designee from the Student Organizational Hearing Board and shall consist of two faculty or administrative staff members combined, and two student members. Each panel shall elect from among its number an individual to conduct that hearing and to report its decisions to the Director, OSRR or designee. At hearings conducted by a student organization hearing panel, the Director, OSRR or designee shall act as an advisor to the panel, receive the panel's recommendation as to "in violation" or "not in violation" of the Rules of Conduct and/or Student Organization Guidelines, and consider any sanctions recommended by the panel. The Director, OSRR or designee may accept the recommendation of "in violation" or "not in violation" or remand the case for rehearing. If the Director, OSRR or designee accepts the recommendation of "in violation," they may approve, mitigate or increase the sanctions recommended by the panel, based on standards set forth in the Sanctions for Student Organizations section of the Student Conduct Review Process.
- h. **Administrative Hearings:** Administrative hearings shall be conducted by a faculty or staff member randomly selected by the Director, OSRR or designee. The charged student organization shall be informed of the hearing officer assigned to the case and shall have the opportunity to challenge the impartiality of the individual within three business days of notification. The organization shall state in writing the basis for such challenge. A hearing officer so challenged will be excused; however, indiscriminate challenges shall not be permitted. The Director, OSRR or designee may accept the recommendation of "in violation" or "not in violation" or remand the case for rehearing. If the Director, OSRR or designee accepts the recommendation of "in violation," they may approve, mitigate or increase the sanctions recommended by the panel, based on standards set forth in the Sanctions for Student Organizations section of the Student Conduct Review Process. Any decision by the Director, OSRR or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

2. Conduct of Hearings

The following is furnished as a guide to the sequence of events in a hearing:

- a. Reading of charges.
- b. Organization plea of "in violation" or "not in violation."
- c. Presentation of evidence against the charged student organization.
- d. Presentation of evidence in defense of the charged student organization.
- e. Presentation of witnesses by the hearing body.
- f. Presentation of witnesses by the charged student organization.
- g. Deliberation (in executive session).
- h. Announcement of the recommendation.

3. Case Record

The case record shall consist of the following items:

- a. A copy of the formal charges in writing.
- b. A recording of the hearing.
- c. All staff memoranda and/or data submitted.
- d. All items of physical evidence submitted, provided such items are not returned to a rightful owner. In that case, photographs or other facsimiles shall be made before return.
- e. The recommendation by the hearing body, if any.
- f. The Director, OSRR's decision.



S Student Organization Rights During the Conduct Review Process

The following rights shall be explained to each charged student organization before the commencement of any formal disciplinary hearing:

1. All parties shall be afforded reasonable written notice, at least five calendar days before the hearing. A letter sent to the chief student officer of the charged student organization at the address listed in the Registrar's records shall constitute full and adequate notice. Provided, however, that the required notice stated above has been given to the group along with its representative(s) but a representative failed to attend a scheduled hearing without providing a satisfactory reason for the absence, the group will be placed on immediate social probation until such time the group appears before a hearing. Social probation includes, but is not limited to, the prohibition of the following: any on or off campus fundraisers, socials, intramural competitions, receptions, service projects, conferences, retreats, etc. Groups under social probation may gather at regularly scheduled business meetings. The organization will also not be able to update its registration until such time that it appears before a hearing. Written notice shall include:
 - a. A statement of the time, place and nature of the proceeding hearing.
 - b. A statement of the nature of the case and of the forum under which it is to be heard.
 - c. A brief statement of the behavior of the accused organization that serves as the basis for the violation(s) being charged. If the university is unable to state the behavior in detail at the time notice is served, the initial statement may be limited to an explanation of the general issues involved. Thereafter, upon request by the student organization, a more detailed and definitive statement will be furnished prior to the commencement of any formal hearing.
2. The student organization may have an advisor of the group's choice present at the hearing. The Director, OSRR shall maintain a list of impartial advisors and resources available to the student organization for preparing the defense. The advisor shall assist the organization in the disciplinary process, but shall not speak for or present the case on behalf of the student.
3. All hearings shall be conducted on the basis that the charged student organization is not in violation until the preponderance of evidence proves otherwise.
4. The organization's member representative(s) may inspect any evidence presented in support of the charges. Evidence may be presented in defense of the group.
5. The organization's member representative(s) may hear and question witnesses upon request if those witnesses are available. The representative(s) may hear and question witnesses testifying at a hearing.
6. The organization shall not be forced to present self-incriminating evidence; however, the university is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal prosecution.
7. The decision of "in violation" or "not in violation" on the charges shall be based solely on the evidence presented at the hearing.
8. The results of any formal hearing shall be furnished in writing to the student organization within two working days following the hearing (the deadline can be extended by mutual agreement of the charged student organization and the Director, OSRR or designee).

9. The organization's registration status shall remain unchanged pending the university's final decision in the matter except in cases where the VP, SDES or designee determines that the safety, health, or general welfare of any individual, or any part of the university may be involved.

T SANCTIONS FOR STUDENT ORGANIZATIONS

The following sanctions may be imposed against a student organization for the violation of a UCF conduct regulation. This list is neither exhaustive nor in order of severity and may be enlarged upon or modified to meet the particular circumstances of any given situation.

1. Recommendation for Charter Revocation

An official request to a national office that the local chapter's charter be revoked.

2. Revocation of UCF Registration

Permanent severance of the organization's relationship with UCF.

3. Suspension of UCF Registration

Temporary severance of the organization's relationship with UCF for a specific period of time. The period of time and any requirements that must be satisfied before re-registration must be specified in the recommendation of the hearing body.

4. Probation

Temporary restrictions of certain activities on the part of the organization as defined by the hearing body and/or an officially sanctioned status of the organization whereas further violations of UCF policy could result in suspension, revocation of registration, etc.

5. Warning

An official warning that the organization's behavior is in violation of UCF policies and that if the organization is subsequently found in violation of this policy, subsequent action may be more severe.

6. Restitution

Reimbursement for a loss caused by the organization's actions.

7. Community Service

Assignment to work a specific number of hours at a community service agency or project.

8. Mediation

Official mediation between the organization and any offended parties.

9. Restrictions

Restriction of some or all of the organization's activities or privileges including, but not limited to, social activities, intramural competition, organizational competition, Homecoming, etc.

10. Organizational Suspension

Suspension of all organization activities with the exception of regular business meetings.

11. Required Educational Programs

Alcohol awareness programs, risk management programs, etc., for a specified percentage of organizational membership.

U APPEALS WITHIN THE STUDENT ORGANIZATION CONDUCT REVIEW PROCESS

1. Requests

Student Organizations found in violation as a result of a hearing may appeal that finding and sanction(s) imposed. The appeal must be made in writing to the appellate officer (VP, SDES or designee) within seven calendar days after the date the student was notified of the decision by the Director, OSRR.

2. Criteria

Student Organizations may appeal the finding and sanction(s) imposed on the basis of one or more of the following:

- d. Irregularities in fairness and stated procedures of the hearing that could have affected the outcome of the hearing.
- e. Discovery of new and significant evidence that could have affected the outcome of the hearing and that was not known or could not reasonably have been discovered and/or presented at the time of the initial hearing.
- f. The sanctions are extraordinarily disproportionate to the violation(s).

On the appeal form, the student organization must state the reason(s) for appeal, the supporting facts and the recommended solution. This is not a re-hearing of the conduct case. An appeal cannot be filed simply because a student organization is dissatisfied with the decision. Failure to describe the nature of the evidence in full detail in the appeal letter will result in the denial of an appeal.

3. Review

The appellate officer (VP, SDES or designee) shall first determine if sufficient grounds for appeal exist and then, if so, may either deny the appeal, thus sustaining the initial decision and sanction(s) or do one of the following:

- a. If the student organization alleges that the sanction was inappropriate and the appellate officer (VP, SDES or designee) finds the sanction to be inappropriate, the appellate officer (VP, SDES or designee) may reduce the sanction.
- b. If the student organization alleges that there was a defect in procedure or new evidence is presented and the appellate officer (VP, SDES or designee) finds that there was a defect in the procedure or new evidence was presented, which was sufficiently substantial to have affected the outcome, the appellate officer (VP, SDES or designee) will order a new hearing..

4. Decision

The student organization shall receive a written decision to the appeal. There is no definitive timeline for receiving an appeal response. It depends on many factors including the complexity of the case and the information mentioned in the appeal, as well as the appeal officer's appeal load at that particular time. Decisions of the VP, SDES or designee reflect final agency action.

NOTE: If the appellate officer (VP, SDES or designee) upholds the original findings, the effective date of any disciplinary sanction(s) imposed will revert back to the date of the Director, OSRR's final decision letter.

V SPECIAL STUDENT HEARING PANELS

Certain other Special Student Hearing Panels function to hear specified charges of misconduct as defined below. The Director, OSRR or designee may refer cases to the appropriate hearing panel after consideration of the facts. The Director, OSRR or designee serves as a general advisor to these boards. Designated advisors may be assigned to each of these boards as well.

1. Student Organizational Rules of Conduct Violations

For violations of the Rules of Conduct on the part of a student organization, please see the section regarding Student Activities and Organizations.

2. Greek-Letter Hearing Panels

There are several hearing panels for social, Greek-Letter organizations. These panels deal specifically with and are limited to constitutional violations of their respective governance councils, which include the following:

- a. Diversified Greek Council Judicial Board
- b. Interfraternity Council Judicial Board
- c. National Pan-Hellenic Council Judicial Board
- d. National Panhellenic Council Judicial Board
- e. GAMMA Council

Any hearing panels organized and administered by the OSRR to deal with issues of organizational misconduct will supersede any actions, recommendations and decisions produced by the aforementioned boards. These Greek hearing panels do not fall under the supervision of the Office of Student Rights and Responsibilities.

3. Student Government Judicial Council

The Student Government Judicial Council hears cases involving interpretation of the Constitution of the Student Body of UCF and other powers as specified in the Student Government Association Statutes. The Judicial Council, when acting under the scope of the Student Body Constitution does not fall under the supervision of the Office of Student Rights and Responsibilities.



3. Office of Undergraduate Studies

A STUDENT ACADEMIC BEHAVIOR

1. Academic Behavior Standards

UCF is committed to a policy of honesty in academic affairs. Conduct that comprises a breach of this policy may result in academic action and/or disciplinary action. Academic action affects student assignments, examinations or grades. Disciplinary action affects student enrollment status.

- a. Violations of student academic behavior standards on the undergraduate and graduate level include, but are not limited to, the following:
 - i. Cheating whereby non-permissible written, visual, electronic or oral assistance including that obtained from another student or another source is utilized on examinations, course assignments or projects. The unauthorized possession or use of examination or course-related material shall also constitute cheating.
 - ii. Plagiarism whereby another's work is used or appropriated without any indication of the source, thereby attempting to convey the impression that such work is the student's own.
 - iii. A student who has assisted another in any of the aforementioned breach of standards shall be considered equally culpable.
 - iv. Commercial Use of Academic Material: Selling notes, handouts, etc., without authorization or using them for any commercial purpose without the express written permission of the university and the instructor.
 - v. The actions described here do not apply to alleged violations arriving from the production of theses or dissertations. Such alleged violations are handled by the College of Graduate Studies.
- b. Academic Action by the Instructor:
 - i. When an instructor becomes aware of an alleged violation of student academic behavior standards and before any academic action is taken, the instructor shall inform the student of the violation, citing the information on which the allegation is based. The instructor shall give the student the opportunity to respond in defense. If the instructor continues to believe a violation of academic behavior has occurred, the instructor, in consultation with the unit head, shall duly inform the student in writing of the academic action being taken and the reason for such action. Reports of the initial violation and the final academic action report shall also be sent to the Director, OSRR or designee. Report forms are available at www.goldenrule.sdes.ucf.edu/cgiform.html.
 - ii. In response to an alleged violation of the student academic behavior standards, the instructor, along with the unit head, shall take appropriate measures ranging from counseling to an academic action (loss of credit in a specific assignment, examination or project; failure of the course) to a recommendation for disciplinary action forwarded to the Director, OSRR or designee. If a student is found to have multiple infractions, OSRR may recommend additional action.
 - iii. Should an alleged violation of academic behavior standards arise before the withdrawal deadline in a term, the instructor shall notify the unit head, who will notify the Registrar, that the student shall not be withdrawn from the course in question. Only a written release from the instructor, or the authorized party deciding a student appeal, will permit withdrawal. However, if the student appeals the academic action and desires to withdraw from the course,

For questions regarding this section contact:

Office of Undergraduate Studies
 Millican Hall, Room 210
 407-823-2373
www.undergrad.ucf.edu

the withdrawal must be initiated prior to the withdrawal deadline, but will be held in abeyance until a ruling on an appeal is obtained. If resolved in favor of the student, the withdrawal request will be processed at the time. The individual empowered to rule on the student appeal shall appropriately notify both the Registrar and the Director, OSRR or designee of the outcome. Should the student withdraw after an alleged incident, the withdrawal will be reversed pending the resolution of the above process.

c. Coordination of Academic and Disciplinary Action

- i. When an instructor initiates academic action as the result of the student's alleged violation of academic behavior standards, the academic action will be processed before any disciplinary action is sought. At the time of the final academic action report, the instructor can recommend, through the unit head and college dean or designee to the Director, OSRR or designee, that disciplinary action should be pursued by means of the Student Conduct Review Process. Please note: If a student has decided to initiate the grade appeal process, the Office of Student Conduct will wait until the grade appeal process is complete before concluding the Student Conduct Review Process (see section 2. Student Academic Appeals for information regarding the appeals process).
- ii. When information concerning an alleged violation of academic standards is received by the Director, OSRR or designee from somewhere other than instructional sources (e.g. other students, University Police, etc.), the Director or designee shall inform the dean or designee of the college in which the violation allegedly took place. The college dean or designee shall inform the unit head, who in turn will notify any affected instructor. The instructor, in consultation with the unit head, will then determine if an academic action is appropriate. At the time of the final academic action report, the instructor can recommend through the unit head and college dean or designee to the Director, OSRR or designee, that disciplinary action should be pursued by means of the Student Conduct Review Process.
- iii. In the case of multiple or aggravated violations of academic behavior standards, the Director, OSRR or designee shall initiate disciplinary action based on information contained in university records upon consultation with the college dean or designee.

2. Student Academic Appeals

a. Scope

- i. This rule shall apply to undergraduate and graduate student appeals of grades (typically limited to final grades) resulting from an instructor's:
 - a. Alleged deviation from established and announced grading policy
 - b. Alleged errors in application of grading procedures
 - c. Alleged lowering of grades for non-academic reasons, including discrimination
- ii. The professional judgment exercised by an instructor in assigning a specific grade or in conducting a class is excluded from the provisions of this rule except as noted above.
- iii. This rule also applies to actions taken by an instructor pursuant to the provisions of the UCF policy on "Student Academic Behavior."

iv. Appeals of graduate programs actions or decisions by a faculty member, program, or college, including termination from an academic program, are discussed in the following section.

b. General Policy—The following assumptions are adopted:

- i. Students are entitled to a fair, prompt and open resolution of complaints.
- ii. Faculty members and administrators are entitled to a fair, prompt, and open forum in defense of their action.
- iii. Students have access to published materials and student government representatives to help them become familiar with and understand procedures for handling complaints.
- iv. Faculty members and administrators have access to published materials and university staff to help them be aware of and understand procedures through which charges against them will be addressed.
- v. Resolution of student appeals should be made as speedily and informally as possible.
- vi. The university as an institution and its faculty are entitled to procedures that ensure the maintenance of academic standards.
- vii. The appropriate forum for discussion or alteration of academic matters is the academic unit responsible for these matters.

c. Resolution of Student Appeals at Informal Level

- i. STEP 1: All student academic appeals of allegedly wrongful academic action(s) by an instructor or administrator shall first be brought to the attention of the instructor of the course or administrator perpetuating the action. This action must be initiated within one semester of the alleged wrongful action or grade, or as soon thereafter as the student becomes aware of such action. The parties should attempt to resolve the problem in an expedient and satisfactory manner. If dissatisfied with the decision of the person whose action is being appealed, or if that person is not available, the student must first continue to pursue an informal solution with the unit head, usually the chair or director, in which the action occurred.
- ii. STEP 2: The unit head or supervisor, in consultation with the instructor or administrator, should make every effort to communicate with the student and resolve the problem. When classes are in session, this communication shall normally take place within 10 school days of the complaint being brought to the unit head or supervisor. Between semesters and during the summer term, this communication may be extended 10 days into the new semester. The unit head or supervisor will provide the student with a written decision that includes reference to this section of The Golden Rule in case the student chooses to appeal.
 - a. When the instructor or university official is not available to discuss the problem, if at all possible, the resolution should wait until such time as the person whose action is being appealed can return to the campus, typically one semester.
 - b. If the unit head or college dean or designee determines that an emergency exists requiring that the problem be solved prior to the availability of the instructor or official (e.g. in a case of probable delayed graduation), the unit head or dean or designee shall make every reasonable effort to inform the instructor or administrator of the situation. The person whose action

is being appealed may elect to submit a written statement and/or to designate a replacement to aid in solving the problem.

- c. If that person cannot be reached or does not designate a replacement, and the complaint must be dealt with promptly, then the unit head or dean or designee shall act on behalf of the instructor or administrator.
- d. Resolution of Student Academic Appeals at the College Level
 - i. STEP 3: If not satisfied with the resolution of the complaint proposed by the unit head or supervisor, the student should consult with the Student Government Association's judicial advisor or designee, who shall furnish advice to the student's rights and responsibilities with respect to this policy.
 - ii. STEP 4: Within 10 school days of receipt of the unit head's or supervisor's decision, if the student wishes to file a formal appeal, the student must contact the dean's office of the college in which the action occurred and schedule an appointment with the dean or a designee. That individual will informally review the student's concerns, counsel the student on his/her options, and explain the formal student academic appeals process.
 - iii. STEP 5: If the student is not satisfied with the outcome of the consultation with the administrator, within 10 days of their meeting or conversation, the student may appeal in writing to the Student Academic Appeals Committee. This committee will determine the legitimacy of the awarded grade and, if appropriate, suggest a resolution. The student's written appeal shall include the basis of the original complaint, the dates when the instructor, unit head, administrator or supervisor discussed the problem with the student, and the suggested resolution at that time.
 - iv. Composition of the Student Academic Appeals Committee
 - a. Each college shall establish a Student Academic Appeals Committee whenever required.
 - b. The committee shall be made up of at least three and no more than five tenure-earning or tenured faculty members and an equal number of students.
 - c. Student members shall be selected by the dean of the college or designee from a panel of no less than 30 students. This panel shall be appointed by the Vice President of Student Development and Enrollment Services from a list furnished for this purpose by the Student Body President.
 - d. Any member may be challenged for cause by either party. The validity of such challenges shall be decided by the Office of Student Rights and Responsibilities. If a challenge is upheld, the college dean or designee shall appoint a replacement from the college's tenured and tenure-earning faculty or the student panel.
 - v. The college dean or designee shall assemble the Student Academic Appeals Committee to conduct a formal review of the student appeal.
 - vi. In conducting a formal review, the Student Academic Appeals Committee shall adhere to the following guidelines:
 - a. The time limits specified in the following review procedure may be extended by mutual agreement of the parties.

- b. The committee shall not be officially convened to review the appeal until the faculty member involved, or replacement, has received a copy of the appeal or complaint and has had at least five school days to submit, if desired, a response or additional information. The student will be provided with a copy of any material submitted by the instructor at least five school days before the committee meets to review the case.
- c. The committee should make every reasonable effort to meet for review of the case within 20 school days after receipt of the student's written appeal and any information provided by the faculty member and/or unit head.
- d. The committee will function as an objective, fact-finding body when examining all available and relevant information concerning the student's appeal of academic action by the instructor. Such information shall include the student's written appeal, written and/or oral information provided by the instructor, statements made by both parties before the committee, and any other information the committee may deem relevant.
- e. The college dean or designee will convene the committee, establish procedural rules for conducting the meeting, serve as its chair, and will vote in the case of a tie. The meeting is not covered by Sunshine laws and is thus closed to outside parties.
- f. The student and faculty member shall be invited to meet with the committee. Each shall be allowed adequate time to respond to the appeal and material as submitted, to answer any questions from committee members, and to present additional information needed to clarify the issues involved.
- g. After meeting with both parties, the committee shall vote on the validity of the student's appeal and, if appropriate, develop its recommendations. The committee chair will ensure that the committee's majority opinion is recorded and forwarded to the college dean.
- vii. The college dean shall render a decision within 10 school days of the conclusion of the committee hearing. Copies of the committee's recommendations and the dean's decision shall be made available to both parties concerned, to the provost, and all other involved parties and departments.
- e. Final Appeal
 - i. STEP 6: If dissatisfied with the college dean's decision, the student may, within 10 school days, file a written request for review with the dean of undergraduate studies or the dean of graduate studies (depending upon the classification of the student) stating the basis for review and the resolution sought by the student.
 - ii. Acting as the university president's representative, the dean of undergraduate studies or the dean of graduate studies shall make a final decision on the matter within 10 school days of receipt of the student's request for review. Copies of the dean's written decision shall be sent to the student, the college dean, the chair, the Director, OSRR, the instructor involved (if any), and other involved parties.

4. College of Graduate Studies

A APPEALS OF GRADUATE PROGRAM ACTIONS OR DECISIONS

1. Review of Academic Performance

The primary responsibility for monitoring academic performance standards rests with the degree program. However, the college and university may monitor a student's progress and may revert any student to non-degree status if performance standards as specified by the program, college or university are not maintained. Satisfactory academic performance in a program also involves maintaining the standards of academic and professional integrity expected in a particular discipline or program. Failure to maintain these standards may result in termination of the student from the program.

A degree program may revert any graduate student to non-degree status at any time, when, in its judgment, the individual is deemed incapable of successfully performing at required standards of excellence. Once reversion to non-degree status has occurred, a student will not be allowed to enroll in graduate courses in that major and will be removed from courses currently being taken. If a student is reverted to non-degree status, reinstatement to graduate student status can occur only through a formal grievance process (see Academic Grievance Procedure in following section).

2. Academic Grievance Procedure

The College of Graduate Studies follows the procedures for academic grievances as outlined below. Academic matters are those involving graduate instruction, graduate research, or decisions involving graduate instruction or affecting academic freedom of graduate students.

The Appeals Subcommittee of the Graduate Council is the committee that has jurisdiction for issues involving graduate students enrolled for graduate credit, with the exclusion of the following:

- a. Grade appeals for individual courses (not thesis or dissertation requirements)
- b. Non-academic issues of a disciplinary nature

Both of the above items (2a. and 2b.) are handled by The Golden Rule process for all students at UCF (see the appropriate sections above).

3. The Academic Grievance Procedure is designed to provide a fair means of dealing with graduate student complaints regarding a specific action or decision by a faculty member, program or college, including termination from an academic program. Academic misconduct complaints associated with sponsored research will invoke procedures determined by the Office of Research.



For questions regarding this section contact:

College of Graduate Studies
Millican Hall, Room 230
407-823-2766
www.graduate.ucf.edu



4. Students who believe they have been treated unfairly, with the previous exceptions, may initiate a grievance. The procedure provides several levels of review, and at each level of review the participants are further removed and have a broader outlook than where the grievance originated.
 - a. The graduate student should discuss the matter within the academic unit of the grievance and attempt to resolve the grievance informally.
 - b. If an informal resolution fails, the procedure is as follows:
 - i. The graduate student requesting consideration of a grievance must state the nature of the grievance in writing to the graduate program coordinator within one year of the date of the occurrence of the grievance. The statement should include a brief narrative of the grievance, the parties involved, and a statement of what remedy is requested.
 - ii. The graduate program coordinator may ask the unit graduate committee responsible for hearing graduate student grievances to examine the necessary information. The unit graduate committee may invite the grievant, as well as others who may provide useful information, to a scheduled meeting to present arguments for the grievance. The unit graduate committee will recommend a response to the grievance to the graduate program coordinator.
 - iii. The graduate program coordinator will consider the input of the unit graduate committee and make a recommendation to the unit head about the grievance. The unit head will then make a final unit decision about the grievance at that level.
 - iv. Should the graduate student wish to appeal the decision of the unit head, the student or unit head may request in writing to the college graduate coordinator (if this is the next most appropriate unit) or the College of Graduate Studies (if this is the next most appropriate unit) that the grievance be considered at this level. The college graduate coordinator may ask the college graduate committee to examine the information and consider the grievance at a scheduled meeting. The college graduate committee may request that the graduate student attend and present information and arguments about the grievance and invite others who may provide useful information to do the same. The college graduate committee will recommend a response to the grievance to the college graduate coordinator.
 - v. The college graduate coordinator will consider the input of the college graduate committee and make a recommendation to the college dean about the grievance. The college dean will then make a final decision about the grievance at that level.
 - vi. Should the graduate student wish to appeal the decision of the college or unit (whichever is appropriate), the student may request in writing to the Vice Provost and Dean of Graduate Studies that the grievance be considered at the university level. The Vice Provost and Dean may ask the Appeals Subcommittee of the Graduate Council of the Faculty Senate to examine the information and consider the grievance at a scheduled meeting. The Appeals Subcommittee may request that the graduate student attend and present information and arguments about the grievance and invite others who may provide useful information to do the same. Graduate students who would like to invite advisors or others to the committee meeting may do so, but the advisor is only there to provide consultation with the student and not to participate in the committee meeting. The Appeals Subcommittee solicits information and then

dismisses any invited parties to consider the recommendation that it will make, either at a continuation of the meeting or at a future meeting.

- vii. The Vice Provost and Dean of Graduate Studies will consider the input of the Appeals Subcommittee of the Graduate Council and make a final decision about the grievance for the university.

For information pertaining to the following portions of The Golden Rule, please see The Golden Rule Student Handbook online at www.goldenrule.sdes.ucf.edu.

5. Office of the General Counsel
6. University Registrar
7. Alcohol and Other Drug Prevention Programming
8. Office of Student Involvement
9. Physical Plant
10. Student Union







Stands For Opportunity

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OFFICE OF STUDENT RIGHTS AND RESPONSIBILITIES
FERRELL COMMONS, ROOM 142**

**PHONE 407.823.6960
FAX 407.823.4544**

www.osrr.sdes.ucf.edu

**MAILING ADDRESS:
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P.O. BOX 163650
ORLANDO, FLORIDA 32816-3650**

Division of Student Development and Enrollment Services