

## CONTENTS

<b>UCF-5.006 Student Rights and Responsibilities.....</b>	<b>4</b>
<b>UCF-5.0065 Involuntary Withdrawal Procedures; Mandated Assessment .....</b>	<b>12</b>
<b>UCF-5.007 Student Conduct and Academic Integrity; Scope; Student Conduct Records; Medical Emergencies (Alcohol &amp; Drug).....</b>	<b>17</b>
<b>UCF-5.008 Code of Conduct .....</b>	<b>20</b>
<b>UCF-5.009 Student Conduct Review Process; Sanctions .....</b>	<b>28</b>
<b>UCF-5.010 Student Conduct Appeals .....</b>	<b>37</b>
<b>UCF-5.011 Scope; Authority; Principles of Student Group Responsibility; Violations of Law and Organizational Code of Conduct Violations; Conduct Records; Medical Emergencies (Alcohol &amp; Drugs).....</b>	<b>41</b>
<b>UCF-5.012 Organizational Code of Conduct.....</b>	<b>44</b>
<b>UCF-5.013 Organization Conduct Review Process; Sanctions; Appeals.....</b>	<b>50</b>
<b>UCF-5.015 Student Academic Misconduct Review Process.....</b>	<b>60</b>
<b>UCF-5.016 Student Academic Appeals .....</b>	<b>65</b>
<b>UCF-5.017 Appeals of Graduate Program Actions or Decisions.....</b>	<b>73</b>
<b>University Registrar.....</b>	<b>77</b>
<b>Student Health Services.....</b>	<b>80</b>
<b>Office of Student Involvement .....</b>	<b>82</b>
<b>Student Union.....</b>	<b>90</b>
<b>Office of Institutional Equity .....</b>	<b>93</b>

The University of Central Florida is a community brought together by the tenets of the UCF Creed: Integrity, Scholarship, Community, Creativity, and Excellence. These are the values that guide our conduct, performance, and decisions. To be successful at UCF, there is an expectation that we embrace and promote these core values in everything we do as a sign of our membership in the UCF community.

Whether you are a new or continuing undergraduate, graduate or professional student at UCF, there are certain responsibilities that students must uphold as members of our community. **The Golden Rule** is a compilation of policies and procedures from different university areas intended to define the rights and responsibilities afforded to students and provide a better understanding of each student's role as a member of the UCF community.

**The Golden Rule** is published online annually but can be revised at any time to reflect new and modified information deemed critical by the university. Changes will be communicated through online resources and by other means, at which time the revisions will supersede previously published information.

The Office of Student Rights and Responsibilities (OSRR) within the Division of Student Success and Well-Being (SSWB) is delegated the responsibility for reviewing, assembling, and communicating information included in **The Golden Rule**. Students are given the opportunity to periodically influence the rules that they are expected to adhere to through the Golden Rule Review Committee.

UCF values diversity, equity, and the inclusion of all in our community. Accordingly, The University shall not discriminate in offering access to its educational programs and activities on the basis of race, color, ethnicity, national origin, religion, non-religion, age, genetic information, sex (including pregnancy and parental status), gender identity or expression, sexual orientation, marital status, physical or mental disability (including learning disabilities, intellectual disabilities, and past or present history of mental illness), political affiliations, veteran status (as protected under the Vietnam Era Veterans' Readjustment Assistance Act), or membership in any other protected classes as set forth in state or federal law. It is our policy to treat all people with dignity and respect.

For more information or further clarification, please contact OSRR at 407-823-4638, visit their website, <http://osrr.sdes.ucf.edu> for the most current version of **The Golden Rule** or email them at [osrr@ucf.edu](mailto:osrr@ucf.edu).

## **UCF-5.006 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 Regulations.

- (a) Participation in Student Government and its elective process.
- (b) Membership in Registered 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:
  - 1. Written materials identified by authorship and sponsorship may be sold or distributed on campus within the guidelines of propriety and responsible journalism. The distribution of such material, as is arranged by the Director of Office of Student Involvement, is permissible for registered student organizations provided steps have been taken to preserve the orderliness of the campus.
  - 2. Solicitation, whether printed materials or otherwise, on campus is prohibited except as provided in University Regulation UCF-4.010.
  - 3. 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 operation of the institution, nor violate federal, state, or local laws, or University policies and regulations.
- (g) Fair and impartial proceeding. These matters shall include, but not be limited to:
  - 1. Disciplinary proceedings involving an alleged violation of academic and nonacademic rules.
  - 2. Refunds and charges. The status of a student charged with a violation of University rules shall not be affected pending final disposition of the charges except in the case of administrative action (also known as an interim action). For specific procedures and rights of students during the Student Conduct Review 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) Students with disabilities may be entitled to accommodations. For those students, please contact Student Accessibility Services.

**(2) Student Responsibilities.** A student at the University is deemed to have given their consent to the policies of the University and the Florida Board of Governors and to the laws of the State of Florida. Each student is responsible for reviewing the rules and regulations of the University and for abiding by them.

**(3) Definitions.**

- (a) The term “Academic Misconduct Panel” is comprised of one faculty and one staff/faculty member, and two students selected from the Student Conduct Board.
- (b) The term “Advisor” or “Support Person” refers to any individual who provides support, guidance or advice to a party involved in a Student Conduct Review Process and includes advocates and/or legal representatives. The Advisor or Support Person of the involved party’s choice may assist and/or accompany the party throughout the Student Conduct Review Process. This person may be present to advise the party involved in a Student Conduct Review Process and may participate in all aspects of the proceeding but shall not testify for the party. The Advisor or Support Person may not serve in any other role, including as a witness, an investigator, decider of fact, hearing officer, or member of a committee or panel convened to hear or decide the charge or any appeal. The term “Advisor” does not include an advisor as defined under 34 CFR 106.45; refer to University Policy 2-012 for information about “Advisor” under the University’s Title IX Grievance Policy.
- (c) The term “Class Lecture” is defined as a formal or methodical oral presentation as part of a university course intended to present information or teach enrolled students about a particular subject. A class lecture will occur most often in a course identified by the university as a lecture type course, whether online or in-person, as opposed to a lab course or a course section identified as a discussion section. “Class lecture” does not include lab sessions, student presentations (whether individually or as part of a group), class discussion (except when incidental to and incorporated within a class lecture), clinical presentations such as patient history, academic exercises involving student participation, test or examination administrations, field trips, and private conversations between students in the class or between a student and the faculty member during a class session.
- (d) The term “Clery Act” refers to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Clery Act is a federal law that requires institutions of higher education to provide current and prospective students and employees, the public, and the federal government with crime statistics and information about campus crime prevention programs and policies. Among other crimes, the Clery Act requires that colleges and universities report forcible sex offenses including sexual assault and rape. The Clery Act was amended by the Violence Against Women Reauthorization Act of 2013.
- (e) The term “Community ReEngagement and Educational Development (CREED) Program” is a committee composed of an equal number of faculty/staff and students appointed by the Director of Student Conduct and Academic Integrity (SCAI) or designee to review the disciplinary status of a student, or the removal of a “Z Designation” on a student’s transcript.

- (f) The term “Complainant” refers to anyone who discloses having been subjected to any act prohibited by the Code of Conduct section UCF-5.008(5), the Code of Conduct section UCF-5.008(6), or the Organizational Code of Conduct section UCF-5.012(5), regardless of whether that person makes a report or seeks action under that policy.
- (g) The term “Consent” means an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. Consent cannot be obtained by force, threat, coercion, reasonable fear of injury, intimidation, use of position of influence, or through the use of one’s mental or physical helplessness or incapacity. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. The lack of a negative response, lack of protest or resistance, and silence are not consent. An individual who is incapacitated (such as by alcohol and/or other drugs both voluntarily or involuntarily consumed) may not give consent. Consent to sexual activity on a prior occasion does not, by itself, constitute consent to future sexual activity. In cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may have a bearing on the presence of consent. Once consent has been given to a particular sexual activity, it may be withdrawn at any time. An individual who seeks to withdraw consent must communicate, through clear words or actions, a decision to cease the sexual activity. Once consent is withdrawn, the sexual activity must cease immediately.
1. Responsibilities - It is the responsibility of the initiator to obtain clear and affirmative words or actions of a willingness to participate at each stage of sexual involvement.
  2. Incapacitation – Incapacitation is a state where an individual cannot make rational, reasonable decisions because of age, mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated due to the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. A person who is incapacitated lacks the capacity to give consent because they cannot understand the facts, nature, or extent of the sexual interaction. A person seeking to initiate sexual activity is not expected to be a medical expert in assessing incapacitation. The potential initiator must look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation.
  3. Being impaired by alcohol or other drugs is no defense to any violation of this regulation.
- (h) The term “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).
- (i) The term “Deputy Title IX Coordinator” is defined as a university employee who is responsible for assisting with the coordination of the University’s efforts to comply with and carry out its responsibilities under Title IX.
- (j) The term “Director of SCAI” refers to the Director of Student Conduct and Academic Integrity.
- (k) The term “Hold” refers to a negative service indicator placed on a student’s record that includes but is not limited to: prevent modification to registration;

access to transcripts; and re-enrollment following a separation from the University.

- (l) The term “Mandated Assessment” refers to a process which is used to evaluate the student’s risk of harm to self or others, and to take appropriate actions to ensure the safety of the student or others if risk is present, completed by a licensed mental health professional or other appropriate licensed medical provider.
- (m) The term “Off Campus” refers to any location not defined as University premises.
- (n) The term “Overlay” refers to a notification on a student’s university transcript that states the student is not in good standing.
- (o) The term "Possession" means having actual knowledge of a substance or property, and intentionally exercising control over that substance or property.
- (p) The term “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 and Organizational Conduct Review Process.
- (q) The term “Publish” means to share, transmit, circulate, distribute or otherwise provide access to a recording, regardless of format or medium, to another person (or other persons), including but not limited to another student in the class. Additionally, a recording, or transcript of the recording, is published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited social media, book, magazine, newspaper, leaflet, picket signs, or any mode of print.
- (r) The term “Record Sealing” refers to when a student’s disciplinary record cannot be examined except by a court order or designated officials.
- (s) The term “Relevant Information” means information that has been shown to directly support the position of a party throughout one of the University’s investigative processes, including the Student and/or Organizational Conduct Review Process.
- (t) The term “Respondent” refers to any student or registered student organization who has been accused of a violation of Code of Conduct Section UCF-5.008(5), Code of Conduct Section UCF-5.008(6), and/or the Organizational Code of Conduct section UCF-5.012(5).
- (u) The term “Responsible Person” is defined as any university or Direct Support Organization non-student employee who is not a confidential employee as defined in the University’s *Reporting Requirements Related to Nondiscrimination Policy (No. 2-015)*, as well as resident assistants, and graduate students with administrative, instructional, or supervisory authority over others . Responsible Persons include but are not limited to Faculty (full-time and part-time), Staff (full-time and part-time), and all those employees identified as Campus Security Authorities (CSAs). The University reserves the right to designate other individuals involved in university-sponsored/related activities as Responsible Persons on a case-by-case basis.
- (v) The term “Sanction” refers to punitive and educational outcome(s) imposed on students and registered student organizations found responsible of any Code of Conduct or Organizational Code of Conduct.
- (w) The term “Sex Discrimination” refers to any unlawful distinction, preference or detriment to an individual that is based upon an individual’s sex that: (1) excludes an individual from participation in; (2) denies the individual the benefits of; (3)

treats the individual differently with regards to; or (4) otherwise adversely affects a term or condition of an individual's employment, education, living environment, or participation in a university program or activity. Sex discrimination includes sexual assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, retaliation, or aiding and abetting.

- (x) The term "Sexual Contact" means physical contact of a sexual nature between individuals and includes but is not limited to: (i) touching, kissing, fondling (whether over or under clothing) of an individual for the purpose of sexual gratification; and/or (ii) contact, however slight, between the mouth, anus or sex organ of one individual with either the anus or sex organ of another individual; and/or (iii) contact, however slight, between the anus or sex organ of one individual and any other object.
- (y) The term "Student" means any person enrolled in one or more classes at the University, either full time or part time, study abroad student, online students, continuing education students, students pursuing undergraduate, graduate or professional studies, either degree seeking or non-degree seeking. Persons who withdraw after allegedly violating the Code of Conduct, or who are not officially enrolled for a particular academic term but who have a continuing relationship with the University are also "students." Individuals who have been accepted for admission and have paid an enrollment deposit are considered "students" for limited purposes (including the Student Conduct Review Process).
- (z) The term "Student Conduct Board" refers to any person or persons authorized by the Director of SCAI or designee to review information and recommend findings regarding whether a student or registered student organization has violated the Code of Conduct or Organizational Code of Conduct, and to recommend sanctions that may be imposed, if applicable. Student Conduct Board members shall be selected through an annual application and interview process, with the exception of the justices from the Student Government Judicial Branch. All members of the Student Conduct Board shall receive annual training from SCAI.
- (aa) The term "Title IX" refers to the Title IX of the Education Amendments of 1972 which is a federal law that protects people from discrimination based on sex in education programs or activities which receive Federal financial assistance. Title IX states that: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance". Additionally, Title IX prohibits discrimination on the basis of pregnancy as well as Title IX sexual harassment (defined in UCF Policy 2-012).
- (bb) The "Title IX Coordinator" is defined as a university employee who is responsible for coordinating the University's efforts to comply with and carry out its responsibilities under Title IX.
- (cc) The term "University" means the University of Central Florida.
- (dd) The term "University Community" refers, collectively and individually, to students, University officials, Trustees, employees, and all visitors, contractors, and guests to the University or any of its campuses, facilities or events.
- (ee) The term "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.

- (ff) The term “University Premises” includes all land, buildings, facilities, and other properties in the possession of or owned, used, controlled by the University, or its direct support organizations.
- (gg) The term “VAWA” refers to the Violence Against Women Reauthorization Act of 2013, which amended the Violence Against Women Act and the Clery Act to provide new requirements for schools to prevent and respond to sexual violence, relationship violence and stalking. Some of these requirements include providing primary prevention education and awareness programs for all incoming students and employees; collecting statistics on relationship violence and stalking, in addition to current requirements to collect sexual assault statistics; issuing Complainants a written notice of their rights; and adopting grievance policies that are prompt, fair, and impartial as well as administered by trained officials.
- (hh) The term “VP of SSWB” refers to the Vice President of Student Success and Well-Being.
- (ii) The term “Witness” refers to any person who directly observed an incident or has direct or indirect knowledge related to an incident.

**(4) Smoking.** While on UCF property, students will uphold the smoke-free campus policy (<http://smokefree.sdes.ucf.edu/>) to ensure a healthy and clean environment for everyone. Smoking of any kind is prohibited in all facilities and University premises.

**(5) Medical Emergencies.** The University of Central Florida highly encourages students and Registered Student Organizations to call for medical assistance whenever an individual experiences severe intoxication/impairment or serious injury after consuming alcohol and/or drugs. Students and Registered Student Organizations may be reluctant to call for help for themselves or others due to potential involvement from law enforcement officials or SCAI. Due to the serious or life-threatening nature of these medical emergencies, the University of Central Florida urges students to contact emergency medical services or the law enforcement officials if alcohol-related and/or drug-related medical emergencies arise. The University’s primary goal is to create a safe environment for its students. Procedures and expectations regarding these incidents have been outlined in the section 5.007 for individuals of and 5.011 for Registered Student Organizations.

**(6) Student Conduct Procedures for Sex-Based Misconduct (Non-Title IX Sexual Harassment).**

- (a) These procedures apply to alleged violations of UCF Regulation 5.008(5) and 5.012(5), but do not apply to 5.008(6) Title IX Sexual Harassment (see paragraph (7) below).
- (b) The Office of Institutional Equity (OIE) will conduct investigations under these procedures in a thorough and neutral manner. SCAI will then adjudicate the matters through the student conduct review process. During the investigation process and student conduct review process, the University will utilize the preponderance of evidence standard.
- (c) Rights of the Complainant and Respondent.
  1. The University strives to promote the safety and well-being of all students and employees. The requirements and protections of this policy apply equally regardless of an individual’s protected class as defined in the University’s *Nondiscrimination Policy* (No. 2-004). All requirements and protections also



are equitably provided to individuals regardless of their status as a Complainant, Respondent, or Witness.

2. Both the Complainant and Respondent are permitted to have an advisor or support person accompany them throughout the university's investigative process and student conduct review process. This person may be present to advise the party but shall not testify for the Complainant or Respondent. The advisor or support person may not serve in any other role, including as a witness, an investigator, decider of fact, hearing officer, or member of a committee or panel convened to hear or decide the charge or any appeal. Also, it is within OIE's or SCAI's discretion whether to reschedule a meeting regarding an investigation or adjudication, respectively, due to a support person's/advisor's unavailability. Parties and witnesses must give prior notice to the investigator or SCAI representative, as appropriate, when any other person will be attending a meeting with OIE or SCAI.
3. Both the Complainant and the Respondent have the right to remedial and protective measures and shall be notified of available assistance at the University. For information, see Remedial Measures, Prevention, & Education Related to Nondiscrimination Policy (No. 2-016).
4. Both the Complainant and Respondent will have equal opportunity to present relevant witnesses and other information during the investigative process and during a formal hearing.
5. Both the Complainant and Respondent have the right to impartial investigators and hearing officers. Prior to the commencement of the formal hearing, the Complainant and Respondent shall have the opportunity to challenge the impartiality of the hearing officer. If the Complainant or Respondent shows good cause for the removal of the hearing officer, the Vice President of Student Success and Well-Being or designee will assign a new hearing officer.
6. Both the Complainant and Respondent will have equal opportunity to present relevant witnesses and other information during the investigative process and student conduct review process. Throughout the entire process, it is the student's responsibility to coordinate, schedule and communicate with OIE or SCAI if they would like to present relevant witnesses, documents or other information to be taken into consideration by OIE or SCAI. Unless otherwise stated in regulation, advisors are not permitted to coordinate, schedule and communicate with OIE or SCAI on behalf of a student. Neither the Complainant nor Respondent will have irrelevant past conduct, including sexual history, discussed during the formal hearing. The issue of relevancy shall be determined by the investigator during the investigation and by the hearing officer during the student conduct review process.
7. Both the Complainant and Respondent will be informed, concurrently and in writing, of the outcome of the investigative process, the Student Conduct Review Process, and the outcome of the appeal process.
8. Both the Complainant and the Respondent have the right to appeal the outcome of the Student Conduct Review Process on the basis outlined in the applicable Student Conduct Appeals section UCF-5.010 (individual student) or UCF-5.013 (registered student organizations).

9. Both the Complainant and Respondent will be given periodic status updates throughout the investigative process and the Student Conduct Review Process.
  10. Persons requiring a reasonable accommodation based on a disability throughout the process must alert the investigator, Title IX Coordinator or SCAI contact of their need/request a reasonable amount of time prior to the start of any meeting or proceeding described herein, even if the persons are already receiving accommodations from other university services or resources.
- (d) Administrative hearing officers who hear cases of sex-based misconduct (other than Title IX sexual harassment) receive annual training on how to conduct fair and impartial hearings for these types of cases.

**(7) Title IX Sexual Harassment Procedures for Student Conduct Review Process.**

- (a) Federal law, specifically Title IX of the Education Amendments of 1972 (Title IX), prohibits discrimination on the basis of sex in education programs or activities. Part of Title IX's prohibition regarding sex discrimination includes acts of Title IX Sexual Harassment as defined in the University's Title IX Grievance Policy, UCF Policy 2-012. Title IX also prohibits retaliation for making a good faith report of Title IX Sexual Harassment or participating in or being a party to any proceeding involving allegations of Title IX Sexual Harassment.
- (b) Rights of the Complainant and the Respondent. The rights of the Complainant and Respondent in a Title IX Sexual Harassment matter are explained in the University's Title IX Grievance Policy, UCF Policy 2-012.
- (c) Procedures Governing Title IX Sexual Harassment Allegations. The policy and procedures which govern the investigation and live hearing process for allegations of Title IX Sexual Harassment are found in the University's Title IX Grievance Policy, UCF Policy 2-012.
- (d) Decision-makers and hearing chairs who hear cases of Title IX Sexual Harassment receive annual training on how to conduct fair and impartial hearings for these types of cases.

## **UCF-5.0065 Involuntary Withdrawal Procedures; Mandated Assessment**

### **(1) Involuntary Withdrawal Procedure.**

#### **(a) Introduction.**

1. The University of Central Florida is committed to ensuring equality of educational opportunity while cultivating an environment that is safe for the campus community and supportive of student learning. The University will seek to intervene where a student's behavior interferes with the rights of others within the University community or where the student presents a significant risk of harm to the health, safety, well-being and/or property rights of others. In such situations, safety and security concerns are paramount, and the University must react as promptly as feasible under the circumstances. University officials may consider a number of reasonable security and health and safety measures, including, but not limited to, requesting emergency assistance and seeking psychiatric evaluation, hospitalization, and treatment for mental illness as appropriate under the law. Additionally, the University may determine that it is necessary for the student to be involuntarily withdrawn from the University for the protection of others. This section outlines the procedures to be used by the University in making an involuntary withdrawal decision.
2. This Involuntary Withdrawal Procedure will be applied in a nondiscriminatory manner, and decisions will be based on consideration of the student's conduct, actions, and statements and not on knowledge or belief that the student has a disability.
3. The purpose of the Involuntary Withdrawal Procedure is for the University to be able to take urgent action when circumstances present a Significant Risk based on reasonably available information at the time. It will be necessary for the University to act promptly and for the benefit of the community as a whole, even if that means that, in consideration of later-presented information, the procedure ultimately concludes in favor of the student's continued enrollment (with or without conditions). Where the involuntary withdrawal procedure is invoked but the student is permitted to continue enrollment with no conditions, the University will take reasonable steps to assist the student in resuming their academic endeavors with as little disruption as feasible under the circumstances.

- (b) Direct Threat.** When a student's behavior is deemed to pose a direct threat risk to the health and safety of the community, the Vice President, Student Success and Well-being (VP-SSWB) or their designee may initiate an involuntary withdrawal of the student on behalf of the university. The Dean of Students or designee will consult with the University Crisis Team before a final decision is made on the involuntary withdrawal of the student. A student poses a Direct Threat when the student's behavior poses a "Significant Risk" to the health or safety of others, or of significant property damage, or of substantial disruption to the lawful activities of others or the educational process or orderly operation of the University, and reasonable modifications of policies, practices, or procedures will not sufficiently mitigate the risk. Significant Risk is defined as the high probability of harm,

threats of harm, or disruption and not just a slightly increased, speculative, or remote risk of such. Significant Risk is identified based on information that is reasonably available at the time of consideration. Information may be provided to the University through different means, including an incident report to the University, a police report, information provided following a hospitalization, or any other reliable source.

(c) Interim Involuntary Withdrawal.

1. A student may be involuntarily withdrawn from the University on an interim basis (“Interim Involuntary Withdrawal”) if the Dean of Students or designee determines, based upon information reasonably available at the time, that the student poses a Direct Threat as defined above. A student will remain on Interim Involuntary Withdrawal pending the outcome of the Interim Involuntary Withdrawal Review. An Interim Involuntary Withdrawal may be imposed prior to a meeting of the University Crisis Team.
2. A student will be notified of Interim Involuntary Withdrawal through a written notice outlining the Interim Involuntary Withdrawal procedure, including the time, date, and location of the Interim Involuntary Withdrawal Review.
3. A student under Interim Involuntary Withdrawal shall be given an opportunity to present information to the University Crisis Team within three (3) business days from the effective date of the Interim Involuntary Withdrawal, to review the following issues only:
  - a. The reliability of the information concerning the student’s behavior and,
  - b. Whether or not the student’s behavior poses a Direct Threat, as defined above.
4. Should the student fail to attend the Interim Involuntary Withdrawal review, the review may be held in the student’s absence, and any recommended actions will be made using the information available at the time of the scheduled review.

(d) Involuntary Withdrawal – Notice to Student. 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 proposed action.
2. The opportunity to examine the psychiatric or other evaluations provided to the University Crisis Team and to discuss them.
3. The opportunity to present relevant information for consideration of their case personally, or by a licensed mental 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 to any meetings or proceedings described in this procedure. The advisor may not present on behalf of the student or otherwise participate in the meeting or proceeding.
5. The right to appeal.

(e) Involuntary Withdrawal – Meeting of the University Crisis Team. The Dean of Students or designee will call a meeting of the University Crisis Team no earlier than five (5) business days after notifying the student of the proposed Involuntary

Withdrawal. The student will be notified of the time, date, and location of the University Crisis Team meeting. The student may be present at this meeting and may present information in support of themselves. Following the student's presentation, the team shall meet in a confidential deliberation. At the conclusion of this confidential deliberation, the team shall make a recommendation to the Dean of Students or designee, based upon the Team's review of all available information at the time of the meeting, as to whether the University should:

1. involuntarily withdraw the student due to Direct Threat;
2. make no changes to the student's status;
3. allow continued enrollment with conditions; or
4. if the student is on Interim Involuntary Withdrawal at the time, reinstate the student with or without conditions.

- (f) Involuntary Withdrawal – Notifying Student of Recommendation and Decision. The Dean of Students or designee will make a final decision regarding the student's enrollment status based on the totality of information available to the University and considering both the University Crisis Team's recommendation and any information presented by the student. The Dean of Students or designee will notify the student in writing within two business days of the final decision regarding the student's enrollment status.
- (g) Involuntary Withdrawal Appeal – In the event a student disagrees with the decision of the Dean of Students or designee, the student may appeal the decision. The appeal must be made in writing to the VP-SSWB, or designee, within three (3) business days after the date of the notification to the student of the decision. A student may appeal the decision based on one or more of the following criteria:
1. Irregularities in fairness and stated procedures that could have affected the outcome of the decision.
  2. Discovery of new and significant information that could have affected the outcome and that was not known or could not reasonably have been discovered and/or presented at the time of the meeting.
  3. The outcome is extraordinarily disproportionate to the reported behavior. The Vice President of SSWB or designee, shall, within three (3) business days, sustain the initial decision or return the case to the University Crisis Team for re-consideration. Should the appellate officer require additional time for review beyond the three (3) business days, the appellate officer shall notify the student in writing of the need for additional time. A decision to sustain the initial decision is final action. If the matter is returned for re-consideration, the process will resume at the step outlined in subsection (e), above.
- (h) Upon being involuntarily withdrawn, the student may no longer enroll in classes, may not be an active member of a registered student organization, may no longer use University facilities, must vacate University owned housing, may no longer be permitted on University property, and may not be employed by UCF. Additionally, an involuntarily withdrawn student may be entitled to whatever refunds of tuition, fees, and room and board charges as would be appropriate given the timing of the withdrawal.
- (i) Students who are involuntarily withdrawn from the University shall have a hold placed on their records, which will prevent them from being readmitted or reenrolled at the institution except as stated in this paragraph. A student may request readmission or reenrollment at the University and provide the Dean or

Students or designee with documentation from an appropriate healthcare provider of their choice who has conducted a proper assessment of the student and concluded that the student is ready and able to safely return to the University and does not pose a Direct Threat as defined above. In cases where the Dean of Students or designee has imposed other conditions for readmission, it is the responsibility of the student to provide documentation of compliance with such conditions.

- (j) A student who is considered for but ultimately not subject to Involuntary Withdrawal may be subject to conditions on continued enrollment at the University. In such cases, the student will be provided with a written summary of any such conditions and must meet all conditions in order to maintain student status. A student who fails to meet such conditions may be later subject to involuntary withdrawal by the Dean of Students or designee or may be subject to charges through the University's Student Conduct Review Process for failure to comply.
- (k) The current voluntary medical withdrawal process should not be used to handle withdrawals where a Direct Threat is evident or where a violation of the Code of Conduct has allegedly occurred. Information for students seeking a medical withdrawal is available in the Catalog.
- (l) As a general principle, the University prefers to use the Student Conduct Review Process in instances of misconduct, without regard to whether the student has a physical or mental condition that might be contributing to the misconduct. The Involuntary Withdrawal Procedure is to be employed in those situations in which the regular Student Conduct Review Process is not applicable or, due to safety concerns, cannot be applied in a sufficiently timely fashion.

**(2) Mandated Assessment Procedure.** This University procedure is established to respond to behaviors or actions that result in hospitalization from imminent danger to self or others via the Baker Act (F.S. 394.463) or Marchman Act (F.S. 397.6811), or significant acts or threats of violence to others, chronic eating disorders, dramatic and/or expansive displays of self-mutilation, behaviors that are significantly disruptive to the UCF community and /or diminish the ability of a student to care for oneself. Whenever the UCF Police provide transportation of a UCF student to the hospital for involuntary examination, the police will file a report with Student Care Services.

- (a) Once information is received regarding a UCF student hospitalization via the Baker Act or the Marchman Act, Student Care Services may utilize the mandated assessment session(s) to evaluate a student's risk of harm to self or others, and to take appropriate actions for the safety of the student or others if risk is present. In addition, the mandated assessment session(s) are designed to assist students in developing a safety and/or well-being plan and provide students with educational resources. A member of Student Care Services will contact the student in a timely manner and require an initial meeting between a Student Care Services staff member and the student to discuss the mandated assessment procedure.
- (b) A mandated assessment must be completed with a licensed mental health professional and/or a physical assessment with a licensed medical provider. Examples of a licensed mental health professional include a Student Health Services psychiatrist, a Counseling and Psychological Services clinician, or a community based licensed mental health professional or licensed psychiatrist of

the student's choice. Student Care Services will require proof of participation for the mandated assessment with a licensed mental health professional and/or proof of a physical assessment with an appropriate medical provider. The student must meet with Student Care Services within ten (10) business days following release of hospitalization. Student must provide proof of mandated assessment within twenty (20) business days following release of hospitalization or prior to return to the University (in the event a student withdraws for the remainder of the semester or pursues a medical withdrawal). Failure to comply may result in disciplinary action or the convening of the University Crisis Team.

- (c) In cases where more protective action is needed based on more severe behavior/conduct (e.g., behavior endangering others, threats to harm others, behavior significantly disruptive to the UCF community), the Dean of Students or designee may initiate one or both of the following:
1. Interim Action followed by initiating the Student Conduct Review Process;
  2. Convening of the University Crisis Team to consider the initiation of the Involuntary Withdrawal Procedure.

## **UCF-5.007 Student Conduct and Academic Integrity; Scope; Student Conduct Records; Medical Emergencies (Alcohol & Drug)**

### **(1) Scope**

- (a) The Code of Conduct shall apply to all undergraduate students, graduate students and students pursuing professional studies, including those attending its regional campuses and/or off campus instructional sites. The Code of Conduct shall be deemed a part of the terms and conditions of admission and enrollment of all students. The right of all students to seek knowledge, debate ideas, form opinions, and freely express their ideas is fully recognized by the University of Central Florida. The Code of Conduct apply to student conduct and will not be used to impose discipline for the lawful expression of ideas. Specific restrictions on time and place of meetings and assemblies are found in other University regulations or policies.
- (b) The Code of Conduct applies to all student conduct that occurs on University premises or online, or at activities officially approved by the University of Central Florida or which are sponsored or conducted by University groups and organizations, regardless of location.
- (c) Off-Campus Conduct. The University may take action against a student for off-campus conduct if the conduct is specifically prohibited by law or the Code of Conduct; or if the conduct poses (or demonstrates that the student's continued presence on University premises poses) a danger to the health, safety or welfare of the University community; or if the conduct is disruptive to the orderly processes and functions of the University.
- (d) Failure to comply with duly established laws or University regulations may subject violator(s) to appropriate civil authorities.

### **(2) Authority**

- (a) Florida Board of Governors Regulation 6.0105 requires each university to establish a Student Disciplinary System, including a code of conduct, to apply to student disciplinary proceedings.
- (b) These regulations are designed to ensure fairness and due process in student disciplinary proceedings.
- (c) Generally, authority necessary to enforce the student conduct regulations is vested in the Vice President for Student Success and Well-Being or 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 committees.

**(3) Violations of Law and Rule of Conduct Violations.** A student who commits offenses against the laws of municipalities, states, or the United States, is subject to prosecution by those authorities and may be subject to disciplinary action under University rules when the conduct violates institutional standards. 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. The Student Conduct Review Process is not a criminal or judicial proceeding and is designed to address student behavior; therefore, alleged violations of the Code of Conduct will be addressed independently of any penalty imposed by the courts for the criminal offense.



#### **(4) Student Conduct Records**

- (a) Maintenance of Records. A student's conduct case record will be maintained in Student Conduct and Academic Integrity (SCAI) and, if applicable, the Office of Institutional Equity. The case record of a student found responsible for charge(s) against them, with sanctions less than disciplinary suspension, dismissal and/or expulsion, will generally be maintained in SCAI (and, if applicable, the Office of Institutional Equity) 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, dismissal and/or expulsion will be permanently maintained as official records by SCAI.
- (b) Release of Records. The release of student disciplinary records will be governed by applicable federal and state laws regarding the privacy of educational records.
- (c) Sealing of Records: For information regarding sealing of records, please see UCF-5.010(4).

**(5) Evaluation of Student Conduct Review Process.** The Student Conduct Review Process will be evaluated periodically by the Golden Rule Review Committee. All proposed changes shall be evaluated for approval by the appropriate administrative body.

**(6) Medical Emergencies.** The University of Central Florida highly encourages students to call for medical assistance whenever an individual experiences severe intoxication or serious injury after consuming alcohol and/or other drugs. Students may be reluctant to call for help for themselves or others due to potential involvement from law enforcement officials or SCAI. Due to the serious or life-threatening nature of these medical emergencies, the University of Central Florida urges students to contact emergency medical services or law enforcement officials if alcohol-related and/or drug-related medical emergencies arise. The University's primary goal is to create a safe environment for its students.

- (a) University of Central Florida students who receive medical attention due to drug and/or alcohol related emergencies may be exempted from disciplinary action by the Director of SCAI following the Director's review of the circumstances. Students exempted by the Director from disciplinary action in this manner will be referred for assessment and follow-up services in lieu of the student conduct review process.
- (b) Students who receive medical assistance for drugs and/or alcohol emergencies may receive exemption for violations of the Code of Conduct Section 11(a)-11(d) and/or 12(a)-12(c); however, exemption for other Code of Conduct violations may not be granted. The Director of SCAI or designee reserves the right to review each incident individually to determine whether the student will be exempt from disciplinary action. The Director of SCAI or designee maintains the right to recommend additional requirements for students who are referred for assessment and fail to meet the requirements of their assessment. For subsequent incidents, appropriate interventions will be handled on a case by case basis.
- (c) Students who seek medical assistance on behalf of another student impaired by drugs and/or alcohol may be exempted by the Director of SCAI from disciplinary action for violations of the Code of Conduct Section 11(a)-11(d) and/or 12(a)-12(c). However, exemption for other violations of the Code of Conduct will not be granted.

- (d) For parental notification regarding alcohol and/or other drug-related incidents, refer to the Parental Notification Policy on SCAI website:  
<https://scai.sdes.ucf.edu/parental-notification/>.
- (e) Additional information regarding alcohol and/or other drug-related emergencies can be found on the SCAI website at <https://scai.sdes.ucf.edu/medicalemergencies/>.

## **UCF-5.008 Code 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. Students are responsible for the observation of all University policies and regulations. Each student is expected to abide by the Code of Conduct, and administrators are expected to enforce it. The Code of Conduct should be read broadly and is 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. The right of all students to seek knowledge, debate ideas, form opinions, and freely express their ideas is fully recognized by the University of Central Florida. The Code of Conduct applies to student conduct and will not be used to impose discipline for the lawful expression of ideas. Students are prohibited from engaging in:

### **(1) Academic Misconduct**

- (a) Academic misconduct is defined as any submitted work or behavior that obstructs the instructor of record's ability to accurately assess the student's understanding or completion of the course materials or degree requirements (e.g., assignment, quiz, and/or exam).  
Examples of academic misconduct include but are not limited to: plagiarism; unauthorized assistance to complete an academic exercise; unauthorized communication with others during an examination, course assignment, or project; falsifying or misrepresenting academic work; providing misleading information to create a personal advantage to complete course/degree requirements; or multiple submission(s) of academic work without permission of the instructor of record.
- (b) Any student who knowingly helps another violate academic behavior standards is also in violation of the standards.
- (c) Commercial Use of Academic Material. Selling of course material to another person and/or uploading course material to a third-party vendor without authorization or without the express written permission of the University and the instructor of record. Course materials include but are not limited to class notes, the instructor of record's slide deck, tests, quizzes, labs, instruction sheets, homework, study guides, and handouts.
- (d) Soliciting assistance with academic coursework and/or degree requirements. The solicitation of assistance with an assignment, lab, quiz, test, paper, etc., without authorization of the instructor of record or designee is prohibited. This includes but is not limited to asking for answers to a quiz, trading answers, or offering to pay another to complete an assignment. It is considered Academic Misconduct to solicit assistance with academic coursework and/or degree requirements, even if the solicitation did not yield actual assistance (for example, if there was no response to the solicitation).

### **(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 (faculty or staff) or law enforcement officers.
- (b) Possession, use or attempted use of any form of fraudulent identification, including the credentials or identification of another individual.

- (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 an investigation or the Student Conduct Review Process, including knowingly initiating a false complaint.
- (f) Fraud: Any act of deceit or misrepresentation for purposes of financial or personal gain.

### **(3) Disruptive Conduct**

- (a) Any act that impairs, interferes with, or obstructs the orderly conduct, processes, and functions of the University or any part thereof or the rights of one or more individuals.
- (b) Any act which deliberately impedes or interferes with the normal flow of pedestrian and vehicular traffic.
- (c) Any act which intentionally interferes with the election processes of any University registered student organization or sponsored student group.
- (d) Misuse of any University safety equipment, firefighting equipment, or fire alarms.
- (e) A false report of an explosive or incendiary device, which constitutes a threat or bomb scare.
- (f) 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.
- (g) 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 produce identification to these persons when requested to do so.
- (h) 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.
- (i) Hindering, noncompliance, 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.
- (j) Violation of any other University regulation or policy as described in the UCF Regulations, UCF Policies and Procedures, or University department publicized policy.
- (k) Failure to comply with applicable law and University regulations and procedures for solicitation and fundraising activities on campus.

### **(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) Verbal, digital, or written abuse, threats, intimidation, coercion and/or other conduct that endangers the health, safety, or wellbeing of others, or which would place a reasonable person in fear of bodily injury or death. This definition, however, shall not be interpreted to abridge the rights of the University

community to freedom of expression protected by the First Amendment of the United States Constitution and any other applicable law.

- (c) **Unlawful Harassment:** Unlawful harassment consists of conduct based upon an individual's race, color, ethnicity, national origin, religion, non-religion, age, genetic information, sex (including pregnancy and parental status, gender identity or expression, or sexual orientation), marital status, physical or mental disability (including learning disabilities, intellectual disabilities, and past or present history of mental illness), veteran's status (as protected under the Vietnam Era Veterans' Readjustment Assistant Act), or membership in other protected classes set forth in state or federal law, and the conduct meets the description of either Hostile Environment Harassment or Quid Pro Quo Harassment, as defined in the University's Nondiscrimination Policy (No. 2-004).
- (d) **Bullying:** Defined as behavior of any sort (including communicative behavior) directed at another, that is severe, pervasive or persistent, and is of a nature that would cause a reasonable person or group in the target's position substantial emotional distress and undermine their ability to work, study, or participate in University life or regular activities, or which would place a reasonable person in fear of injury or death.
- (e) **Invasion of Privacy and Unauthorized Recording.**
  - 1. Making, using, disclosing or distributing a recording of a person in a location or situation in which that person has a reasonable expectation of privacy and is unaware of the recording or does not consent to it; and any other conduct that constitutes an invasion of the privacy of another person under applicable laws and regulations. Such conduct includes, without limitation, unauthorized recording of personal conversations, images, meetings, activities, or surreptitiously or covertly surveilling or observing an individual.
  - 2. Unauthorized recording of class activity (other than class lecture), or of meetings where there exists a legal expectation of privacy, and/or any unauthorized publication of a recording.
  - 3. Any notice, consent, or other requirements under applicable laws and regulations must be fulfilled in connection with authorizing, making, using, disclosing, or distributing any recording, where there is a legal expectation of privacy.
- (f) Retaliation against or harassment of complainant(s), other person(s) alleging misconduct, or anyone who participates in an investigation.

**(5) Sex-Based Misconduct (Non-Title IX Sexual Harassment)**

- (a) **Sexual Assault.** Sexual assault means sexual contact without consent.
- (b) **Sexual Harassment.** Sexual harassment means any unwelcome sexual advances, request for sexual favors, or other unwanted verbal, graphic or physical conduct of a sexual nature when the conditions for Hostile Environment Harassment or Quid Pro Quo Harassment as defined in UCF's Nondiscrimination Policy (No. 2-004) are present.
- (c) **Gender-Based Harassment:** Gender-based harassment is unlawful harassment that is based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal, graphic, or physical, even if the acts do not involve conduct of a sexual nature,

when the conditions for Hostile Environment Harassment or Quid Pro Quo Harassment as defined in UCF's Nondiscrimination Policy (No. 2-004) are present.

- (d) Relationship Violence: Relationship Violence includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Relationship Violence includes "dating violence" and "domestic violence", as defined by the Violence Against Women Reauthorization Act of 2013.
- (e) Stalking: Defined as when a person engages in a course of conduct directed as a specific person under circumstances that would cause a reasonable person to fear for their safety or the safety of others, or to experience substantial emotional distress. Stalking includes "cyber stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact. A "course of conduct" is two or more acts, including but not limited to acts in which a person directly, indirectly, or through third-parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property.
- (f) Sexual Exploitation: Sexual Exploitation is purposely or knowingly doing or attempting to do any of the following:
  1. Exposing 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;
  2. Voyeurism, including trespassing, spying, or eavesdropping for the purpose of sexual gratification;
  3. Soliciting sex acts from a minor by oral, written, or electronic means;
  4. Possessing, producing, or disseminating child pornography;
  5. Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
  6. Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts, or buttocks) without consent;
  7. Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
  8. Subjecting another person to human trafficking; or
  9. Exposing another person to a sexually transmitted infection or virus without the other's knowledge.
- (g) Any attempted acts of sex-based misconduct are also violations of this policy.

#### **(6) Title IX Sexual Harassment**

- (a) Title IX Sexual Harassment is defined as any conduct which occurs (i) on or after August 14, 2020; (ii)-against a person located in the United States; and (iii) in or as part of the University's education program or activity, which satisfies one or more of the following:

1. Unwelcome conduct of a sexual nature that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.
  2. Sexual assault (as defined in the Clery Act), which includes any sexual contact that occurs without consent (consent and sexual contact are defined in UCF-5.006(3)).
  3. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any act of violence or threatened act of violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.
  4. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Florida statute or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Florida.
  5. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others; or (b) suffer substantial emotional distress.
- (b) Retaliation, including but not limited to conduct meant to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972, its implementing regulations, or UCF Policy 2-012.

**(7) Larceny/Property Damage**

- (a) Unauthorized use, possession, or theft of property or service. Such property may be personal or public.
- (b) Damaging or defacing of University property or the property of another person whether or not it is on University premises.
- (c) Misuse, tampering with, or damaging fire safety or other safety equipment.

**(8) Hazing**

- (a) Hazing is any action or situation that recklessly or intentionally endangers the mental or physical health and/or safety of a student for purposes including but not limited to: initiation or admission into, association or affiliation with, any registered student organization or other group whether or not officially recognized by the University. Hazing in violation of Florida Statutes may result in felony charges. A student may commit an act of hazing whether the student is a prospective, current, or former member of the organization or group. The actions

of active, associate, new and/or prospective members, former members, or alumni of a student organization or group may be considered hazing under this rule.

- (b) Hazing includes 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) Hazing includes any activity which could subject the individual to extreme mental stress such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or any other activity that could adversely affect the mental health or dignity of the individual.
- (d) Hazing includes forcing, pressuring, or coercing, the student into violation of University policies or federal, state, or local law.
- (e) Hazing includes soliciting a person to commit or being actively involved in the planning of any act of hazing as defined above where the act of hazing creates a substantial risk of physical injury or death to the person(s) hazed.
- (f) It is not defense to an allegation of hazing that:
  - 1. the consent of the victim had been obtained;
  - 2. the conduct or activity that resulted in the death or injury of a person was not part of any official organizational event or otherwise sanctioned or approved by the student organization; or
  - 3. the conduct or activity that resulted in the death or injury of a person was not done as a condition of membership into a student organization.
- (g) Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

**(9) Misuse or Unauthorized Use of Facilities and Grounds**

- (a) Misuse or unauthorized use of classroom or laboratory facilities, or University property (as defined by University Regulation UCF-4.036).
- (b) Abusing grounds or building structures including, but not limited to ramps, rails, stair sets and entryways by means of recreational cycling, skating, scootering, or other recreational activities or devices as outlined in University Regulation UCF-4.036.
- (c) Unauthorized entry or attempted entry to any University property (as defined by University Regulation UCF-4.036).
- (d) Unauthorized possession, duplication or use of keys to any University property (as defined by University Regulation UCF-4.036).

**(10) Misconduct at University Sponsored/Related Activities**

- (a) Violation of the UCF Rules of Conduct at any UCF sponsored or related activities.
- (b) Violations of a regulation(s) of a host institution sponsored/related activity shall be a violation of the golden rule.

**(11) Controlled Substance and Drug Violations**

- (a) Possessing, consuming, or attempting to possess cannabis in any amount.
- (b) Cultivating, manufacturing, or attempting to obtain cannabis in any amount.



- (c) Possessing, consuming, cultivating, manufacturing, or attempting to possess any controlled substances other than cannabis, except as expressly permitted by law.
- (d) Selling or distributing cannabis or any other controlled substances other than alcohol.
- (e) Possessing or attempting to possess any drug-related paraphernalia.
- (f) Misconduct under the influence of controlled substance(s) and/or drugs other than alcohol.

NOTE: Students who receive medical attention due to drug related emergencies and/or students who call for help on behalf of another student who may be experiencing a drug related emergency may be exempt from disciplinary action. Information regarding exemptions under this rule for drug related emergencies can be found in University Regulation UCF-5.007 and the Student Conduct and Academic Integrity website: <http://scai.sdes.ucf.edu/medicalemergencies> .

**(12) Alcoholic Beverage Violations**

- (a) Possessing or consuming alcoholic beverages, or possessing or using alcohol-related paraphernalia, except as expressly permitted by the law and University Regulations and/or Policies.
- (b) Selling or distributing alcoholic beverages or alcohol-related paraphernalia, except as expressly permitted by law and University Regulations and/or Policies
- (c) Misconduct under the influence of alcohol

NOTE: Students who receive medical attention due to drug related emergencies and/or students who call for help on behalf of another student who may be experiencing a drug related emergency may be exempt from disciplinary action. Information regarding exemptions under this rule for drug related emergencies can be found in University Regulation UCF-5.007 and the Student Conduct and Academic Integrity website: <http://scai.sdes.ucf.edu/medicalemergencies>.

**(13) Possession of Weapons and/or Dangerous Materials**

- (a) The possession, use, or storage of weapons on property owned or controlled by the University or at events sponsored and/or supported by the University is prohibited, except as specifically outlined in University Policy 3-119.1 (Weapons on University Property and at University Events).
- (b) Possession or use of fireworks of any description, ammunition, explosives, or chemicals which are disruptive, explosive, or corrosive are prohibited on University premises or at University sponsored/related activities.

**(14) Instigation or Participation in Group Disturbances during Demonstrations, Parades, or Picketing**

- (a) Participation in a demonstration(s), parade(s), or picketing which invades the rights of others, which interferes with the function(s) 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.

**(15) Misuse of Computing and Telecommunications Resources**

- (a) Theft or other abuse of computer facilities and resources
- (b) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- (c) Unauthorized transfer of a file.

- (d) Use of another individual's identification and/or password.
- (e) Use of computing facilities and telecommunications resources to interfere with the work of another student or of a faculty or staff member.
- (f) Use of computing facilities and telecommunications resources to send obscene materials.
- (g) Use of computing facilities and telecommunications resources to interfere with normal operation of the University computing system.
- (h) Use of computing facilities and telecommunications resources in violation of copyright laws.
- (i) Any violation of the University of Central Florida Use of Information Technology and Resources Policy (UCF Policy 4-002), including a violation of the terms and conditions of any third party computing system.
- (j) Any violation of the University of Central Florida ResNet Acceptable Use Policy.

**(16) 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 registered student organization.
- (b) Unlawfully sell, barter or dispose of a voucher or any item for participation in a scheme of chance by whatever name on University premises or at any affair sponsored by a student or registered student organization.
- (c) Wager on a University team or organization in a competition, with a direct influence in the success of the competition.

**(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.

**(19) Aiding and Abetting:** Aiding and abetting is any act taken with the purpose of aiding or facilitating the commission of an act prohibited by the Code of Conduct.

**(20) Refusing to Depart Restroom or Changing Facility.** Willfully entering a restroom or changing facility designated for the opposite sex on University premises and refusing to depart when directed by a University official with the exception of the following circumstances:

- (a) to accompany a person of the opposite sex for the purpose of assisting or chaperoning a child under the age of 12, an elderly person, or a person with a disability or developmental disability;
- (b) for law enforcement or governmental regulatory purposes;
- (c) for the purpose of rendering emergency medical assistance or to intervene in any other emergency situation where the health or safety of another person is at risk;
- (d) for custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use; or
- (e) if the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex.

NOTE: For purposes of this violation only, "sex" is defined as under the provisions of section 553.865, Florida Statutes.

## **UCF-5.009 Student Conduct Review Process; Sanctions**

**(1) Violation Reports.** To initiate the Student Conduct Review Process, alleged violations of the UCF Code of Conduct must be reported in writing to the Director of the Student Conduct and Academic Integrity (SCAI) or designee. Upon receiving an alleged violation of misconduct, the Director of SCAI or designee may review relevant information and consult with relevant parties regarding the incident in question. Where deemed necessary to protect the safety and well-being of others, of the University, or of property, the Director of SCAI or designee, upon notifying the VP of Student Success and Well-Being (SSWB) or designee, may take immediate action to resolve the safety and/or well-being concern by placing the student on interim action. Interim action is not a sanction. An interim action is subject to review at a hearing within three (3) business days by the VP of SSWB or designee to determine the status of the interim action. The outcome of an interim action hearing shall remain in effect until the final disposition of any formal charges resulting from the circumstances of the case, unless the VP of SSWB or designee shall decide otherwise.

- (a) The Director of the SCAI or designee will refer all information warranting disciplinary action and assign the case to the appropriate staff member. SCAI will send written notification to the charged student indicating the nature of the activity in question and what university rules were allegedly violated.
- (b) Upon receipt of an incident report SCAI has six (6) months to charge a student with a violation of the Code of Conduct. SCAI may exercise discretion when applying the time provision to account for circumstances that warrant a waiver of the six-month time limit. SCAI will waive the six-month limit in cases involving sexual harassment, dating violence, domestic violence, and stalking and may waive the time limit for other extraordinary cases, as determined by the Director of SCAI or designee.
- (c) Students charged with alleged violations of the Code of Conduct will receive notice to attend a preliminary conference with SCAI to discuss the charges. At the preliminary conference, the student will receive information regarding the Student Conduct Review Process, including the student's rights during the process, an opportunity to inspect and/or review the information known at the time, and notice on how to contact the Student Government Impartial Advisor. At the conclusion of the conference, SCAI recommends an option for resolution of the disciplinary charges. If the student fails to attend the preliminary conference, a hold may be placed on the student's record, preventing them from registering for future classes until the matter is resolved, and SCAI may move forward with scheduling a formal hearing as a resolution for disciplinary charges. 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.

### **(2) Options for Resolution of Disciplinary Charges.**

- (a) **Case Dismissal:** The Director of SCAI 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 action claimed as misconduct is not a violation of the Code of Conduct, or the reported violation is not seen to warrant punitive disciplinary action. An informal non-disciplinary meeting may be held where the student may be instructed to complete an educational requirement to

- demonstrate what was learned from the reported behavior. Upon successful completion of the educational requirement, the reported incident will be dismissed.
- (b) **Mediation:** Depending on the nature and severity of the alleged violation, SCAI may recommend mediation as an alternative to disciplinary action. The involved parties must each agree to mediation. Mediation is confidential. In mediation, the 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 agree to mediate or mediate but do not reach a full and final resolution, the case will be referred back for possible disciplinary action. Breach of a mediated agreement may result in a follow up mediation session or the matter may be referred back through the conduct process at the discretion of SCAI. Mediation will not be a resolution option for cases involving allegations of incidents of sexual misconduct and/or interpersonal violence.
- (c) **Informal Resolution Conference:** At the discretion of SCAI, violations found not to warrant a formal hearing may be referred to an informal resolution conference. SCAI shall provide timely written notice to the student of the charges at least seven (7) business days before the informal resolution conference. At the informal resolution conference, the charged student has the opportunity to meet with an SCAI member or designee and accept responsibility for the charges of violation of the Code of Conduct. At the informal level, the matter will be settled by the following outcomes: punitive sanction (Disciplinary Warning, Disciplinary Probation, or Disciplinary Deferred Suspension) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not resolved informally, the case will be resolved through a formal hearing. The outcomes from an informal resolution conference (decision of accepting responsibility and sanctions) are final and are not eligible to be appealed (UCF-5.010). The student will receive written notice of the Resolution Agreement within ten (10) business days of the conference, except in the case of extraordinary circumstances. Written notice of the Resolution Agreement will include the determination regarding responsibility for conduct violations and applicable sanctions.
- (d) **Formal Hearing:** If an alleged violation of the Code of Conduct is not dismissed or otherwise resolved, then SCAI shall provide timely written notice to the student of the charges at least seven (7) business days before the formal hearing. Except as set forth in (5) below, the charged student may request either a panel or administrative hearing. The charged student's hearing shall be open only to the charged student; the charged student's advisor, advocate, or legal representative; the hearing body; witnesses (when called upon); a representative from SCAI; and a legal representative for the University. For cases of sex-based misconduct (non-Title IX Sexual Harassment), the hearing shall also be open to the complainant and advisor. For cases of Title IX Sexual Harassment, the hearing shall also be open to the complainant, advisor, and support person. In cases of alleged Academic Misconduct, the student is required to have an academic integrity hearing as stated in UCF-5.015. Following the formal hearing, the student will have a specified timeline to file an appeal; should the student fail to file an appeal within the specified timeline, the outcome from the formal hearing will be considered final agency action by the University (see Regulation UCF-5.010).

**(3) Formal Hearings.** There are two types of formal hearings – panel hearings and administrative hearings.

(a) Panel Hearings.

1. A panel to consider an individual case shall be randomly selected by SCAI from the Student Conduct Board where students comprise at least one-half of the membership. One panel member shall be selected by SCAI to chair the hearing and report the proposed finding(s) and recommended sanctions, if any, to the Director of SCAI or designee.
2. At hearings conducted by a panel, an SCAI staff member shall act as an advisor to the panel. The Director of SCAI or designee shall receive the panel's proposed finding(s) as to "responsible" or "not responsible" of a violation of the Code of Conduct, and consider any sanctions proposed by the panel.
3. The Director of SCAI or designee may accept the proposed finding(s) of "responsible" or "not responsible" or remand the case for rehearing. If the Director of SCAI or designee accepts the proposed finding(s) of "responsible", they may adopt, modify, or reject the recommended decision and sanctions proposed by the panel, or remand the matter for a rehearing.
4. Any decision by the Director of SCAI or designee to alter proposed sanctions or remand a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

(b) Administrative Hearings

1. Administrative hearings shall be conducted by one faculty or staff member selected by SCAI from the Student Conduct Board.
2. At hearings conducted by an administrative hearing officer, an SCAI staff member shall act as an advisor to the administrative hearing officer. The Director of SCAI or designee shall receive the administrative hearing officer's proposed finding(s) as to "responsible" or "not responsible" of a violation of the Code of Conduct, and consider any sanctions proposed by the administrative hearing officer.
3. The Director of SCAI or designee may accept the proposed finding(s) of "responsible" or "not responsible" or remand the case for rehearing. If the Director of SCAI or designee accepts the proposed finding(s) of "responsible", they may adopt, modify, or reject the recommended decision and sanctions proposed by the administrative hearing officer, or remand the matter for a rehearing.
4. Any decision by the Director of SCAI or designee to alter sanctions or remand a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

(c) Conduct of Formal Hearings - The following is furnished as a guide to the sequence of events in a formal hearing. The formal hearing will be recorded by the University, and no other recordings are permitted. The recording will be made part of the official record of the hearing.

1. Reading of charges.
2. Charged Student response of "responsible" or "not responsible."
3. Presentation of information in support of the charges.
4. Opening statement by the charged student.
5. Questioning of the charged student.

6. Presentation and questioning of all other parties.
  7. Final questions of the charged student by the hearing body.
  8. Closing remarks by the charged student.
  9. Hearing is brought to a close.
- (d) Deliberations by the hearing body are not part of the hearing and are confidential. Deliberations occur after the closure of the hearing and are not recorded. Following deliberations, the hearing body will prepare a written statement of its proposed finding(s) and, if applicable, recommend sanctions.
- (e) 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 documentation 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 proposed finding(s) and sanction(s) by the hearing panel or administrator, if any.
  6. The Director of SCAI's or designee's decision.
- (f) Student Conduct Board members for panel and administrative formal hearings are selected through an annual application and interview process with the exception of the justices from the Student Government Judicial Branch. All Student Conduct Board members, including justices, receive annual training from SCAI. Student Conduct Board members who serve on hearings related to allegations of sex discrimination, including but not limited to relationship violence, sexual assault, sex harassment, and stalking receive additional training annually.

**(4) Student Rights in the Student Conduct Review Process.** The following rights apply to a student disciplinary proceeding:

- (a) The charged student shall be afforded timely written notice, at least seven (7) business days prior to each disciplinary proceeding, unless waived in writing. Written notice may be sent to the charged student's electronic and/or physical address listed in the Registrar's records. If the charged student is under 18 years of age, notification may be sent to family, guardians, or the emergency contact of a student depending on the circumstances surrounding the incident. Written notice shall include:
1. The student's name and address.
  2. Date, time, and location of the disciplinary proceeding.
  3. The rule(s) of conduct allegedly violated as known at the time the notice is sent.
  4. A listing of all known witnesses that have provided, or will provide, information against the student.
  5. A description of any physical or written documentation known at the time the notice is sent.
- (b) The student may have at their own expense and initiative, an advisor, advocate, or legal representative to be present and who can fully participate in the disciplinary proceeding (i.e., informal resolution conference or formal hearing). It is the student's responsibility to make appropriate arrangements for the advisor,

advocate, or legal representative to attend the preliminary conference or disciplinary proceeding(s), and the disciplinary proceeding(s) shall not be delayed due to scheduling conflicts of the chosen advisor, advocate, or legal representative. An advisor, advocate, or legal representative may not serve as a witness during any a disciplinary proceeding. The student may consult with their advisor, advocate, or legal representative at any time during the preliminary conference or disciplinary proceeding(s). This consultation must take place in a manner that does not disrupt the preliminary conference or disciplinary proceeding(s). If the advisor, advocate, or legal representative does not adhere to their defined role in the Student Conduct Review Process, they may be removed from the disciplinary proceeding.

- (c) The Student Conduct Review Process shall be conducted on the basis that the charged student is not responsible until the preponderance of evidence proves otherwise, except if the student accepts responsibility for the charge(s). The technical rules of evidence applicable to civil and criminal cases shall not apply to the Student Conduct Review Process, including during a formal hearing. The burden of proof is not on the student charged with a violation of the Code of Conduct. The university has the burden to prove, by a preponderance of the evidence, that a violation has taken place. Nothing contained in this paragraph prohibits or limits the University in offering other forms of resolution, such as mediation or informal resolution.
- (d) The student shall have the right to an impartial hearing officer for the formal hearing. Prior to the commencement of the formal hearing, the charged student shall have the opportunity to challenge the impartiality of any member(s) of the hearing body. If the student shows good cause for the removal of any member(s) of the hearing body, the Associate Vice President and Dean of Students or designee will assign a new hearing body member.
- (e) At least five (5) business days before the informal resolution conference or formal hearing, the University will provide the student with the opportunity to inspect all known information relating to the allegation(s), including inculpatory and exculpatory information. The University also has the right to review any information the student intends to use at the informal resolution conference or formal hearing at least five (5) business days before the informal resolution conference or formal hearing. During a formal hearing, only such information that is determined to be "Relevant Information" will be allowed.
- (f) The University cannot compel any person to attend a formal hearing. However, all parties may arrange for witnesses to voluntarily present Relevant Information during the proceeding. The questioning of a witness shall be facilitated by the hearing officer or panel conducting the formal hearing.
- (g) The student shall not be forced to present self-incriminating information during a disciplinary proceeding. In addition, the student reserves the right to remain silent. Such silence may not be used against the student. The University is not required to postpone any disciplinary proceeding(s) pending the outcome of any civil or criminal case. The University's formal hearing is not a criminal or judicial proceeding and is designed to address student behavior; therefore, alleged violations of the UCF Code of Conduct will be addressed independently of any outcome imposed by the courts for a criminal offense.

- (h) The proposed finding, as well as the Director of SCAI's or designee's determination, of "responsible" or "not responsible" on the charges shall be based solely on the information presented at the formal hearing.
- (i) Should the student fail to attend the scheduled formal hearing, the hearing will be held in the student's absence and the proposed findings, including any recommended sanctions, will be made using the information available at the time of the scheduled formal hearing.
- (j) Only if the proposed finding of the formal hearing body is that the student is responsible, will prior conduct history be reviewed and potentially affect proposed sanctioning.
- (k) The results of any formal hearing shall be made available to the charged student within ten (10) business days following the hearing. Should SCAI need additional time, the deadline can be extended by the Director of SCAI or designee by notifying the charged student. For academic integrity cases, the results of any formal hearing shall be made available to the charged student within fifteen (15) business days following the hearing. The Director of SCAI or designee shall notify the charged student in writing of the need for additional time.
- (l) The student's enrollment status shall remain unchanged pending the University's final agency action in the matter, except in cases where the VP of SSWB or designee determines that the safety, health, or general welfare of the student, any individual, or any part of the University may be involved.
- (m) The student has the right to an accurate and complete record of each disciplinary proceeding related to the charged violation(s) of the Rules of Conduct, including record of any appeal, to be made, preserved, and available for copying upon request by the charged student. The disciplinary record is considered complete following final agency action by the University. The disciplinary records will be maintained in accordance with UCF-5.007.

**(5) Additional Procedures in Cases of Sex-Based Misconduct and Title IX Sexual Harassment**

- (a) In cases involving sex-based misconduct or Title IX sexual harassment, a single hearing officer will be the only option for a formal hearing.
- (b) Where a student is charged with a violation of UCF-5.008(5), the procedures outlined in UCF-5.006(6) and UCF Policy 2-004 will apply in addition to the procedures of the Student Conduct Review Process outlined above.
- (c) Where a student is charged with Title IX Sexual Harassment as prohibited under UCF-5.008(6), the procedures outlined in UCF-5.006(7) and the Title IX Grievance Policy (University Policy 2-012) will apply in place of the procedures of the Student Conduct Review Process outlined above, except that UCF-5.009(4)(a) and (e) will apply, and the sanctions outlined below may be applied to violations of UCF-5.008(6) Title IX Sexual Harassment.
- (d) The sanctions outlined below may be applied to violations of UCF-5.008(5) Sex-Based Misconduct (non-Title IX) and UCF-5.008(6) Title IX Sexual Harassment.

**(6) Sanctions.**

- (a) Disciplinary Warning - An official warning that the student's behavior is in violation of the UCF Code of Conduct.
- (b) Disciplinary Probation – Disciplinary Probation status shall be for a specific length of time in which any further violation of the Code of Conduct puts the student's



status with the University in jeopardy. While on Disciplinary Probation, the student may continue to attend classes and is given a chance to show capability and willingness to live in accordance with the Code of Conduct. If the student is found responsible for another violation of the Code of Conduct, while on Disciplinary Probation, more severe sanctions may be imposed. Restrictive conditions may be imposed and vary according to the severity of the offense. A non-exhaustive list of possible restrictive conditions shall be listed on the SCAI website ([scai.sdes.ucf.edu](http://scai.sdes.ucf.edu)). Student leadership eligibility shall be governed by the eligibility requirements outlined by the Office of Student Involvement and their eligibility appeal process. While on Disciplinary Probation, a service indicator will be placed on a student's record for record keeping purposes.

- (c) **Deferred Disciplinary Suspension** - Deferred Disciplinary Suspension is a designated period of time during which a student is given the opportunity to demonstrate the ability to abide by the Code of Conduct. Deferred Disciplinary Suspension is used for offenses found serious enough to warrant Disciplinary Suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. During a Deferred Disciplinary Suspension, the student will be officially suspended from the university, but the suspension will be deferred, meaning that the student may continue to attend classes. Students placed on Deferred Disciplinary Suspension will have a conduct overlay placed on their transcripts for the period of time that the Deferred Disciplinary Suspension is in effect. The conduct overlay is a notation indicating that the student is not in good standing. Restrictive conditions may be imposed and vary according to the severity of the offense. A non-exhaustive list of possible restrictive conditions shall be listed on the SCAI website ([scai.sdes.ucf.edu](http://scai.sdes.ucf.edu)). Student leadership eligibility shall be governed by the eligibility requirements outlined by the Office of Student Involvement and their eligibility appeal process. A disciplinary suspension will be enforced for failure to complete any assigned educational sanctions by the deadline(s) and/or for any subsequent violation of the Code of Conduct, unless the Director of SCAI or designee determines otherwise in exceptional circumstances. If the student is found responsible for any violation(s) of the Code of Conduct that occurred while on Deferred Disciplinary Suspension status, including failure to complete any assigned educational sanctions by the deadline(s), the student will be suspended for a minimum of one (1) semester, in addition to the educational sanctions imposed for the subsequent violation. While on Deferred Disciplinary Suspension, a service indicator will be placed on a student's record for recordkeeping purposes.
- (d) **Disciplinary Suspension** - A student involved in an offense warranting consideration of action more serious than Deferred Disciplinary Suspension or one involved in repeated misconduct may face Disciplinary Suspension. During the period of Disciplinary Suspension, a student may not be enrolled in 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 of SCAI or designee. Upon being withdrawn, the student may no longer enroll in classes, may not be an active member of a Registered Student Organization, may no longer use university facilities, must vacate university owned housing, may no longer be permitted on university property, may not be employed

by the University, 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. In determining if and to what extent suspended students shall be authorized to be on University premises, the Director of SCAI or designee shall consider whether the suspension creates an undue hardship on the disciplinary suspended student. Students placed on Disciplinary Suspension will have a conduct overlay placed on their transcript for the period of time that the Disciplinary Suspension is in effect.–The conduct overlay is a notation indicating that the student is not in good standing. Further, while on Disciplinary Suspension, a hold will be placed on a student’s record for record keeping purposes. All assigned educational sanctions must be completed prior to the conclusion of Disciplinary Suspension; otherwise, the Disciplinary Suspension will remain in effect.

- (e) **Disciplinary Dismissal –** Disciplinary Dismissal is a sanction which removes the student from the individual’s academic program and separates the student from the University for a period of at least two years and up to seven years. A dismissed student has none of the rights or privileges of a student of the University. A student under Disciplinary Dismissal may not otherwise be present on University premises for the duration of the dismissal unless authorized in writing in advance under conditions approved by the Director of SCAI or designee. Following Disciplinary Dismissal, the individual must apply for readmission to the University. Readmission is possible but not guaranteed and will only be considered after the two-to-seven-year time allotted from the effective date of the Dismissal, based on meeting all readmission criteria and obtaining clearance from the Associate Vice President and Dean of Students or designee. This may include restricted access to campus and/or other specified activities. Students placed on Disciplinary Dismissal will have a conduct overlay placed on their transcript for the period of time that the Disciplinary Dismissal is in effect. The conduct overlay is a notation indicating that the student is not in good standing. Further, while on Disciplinary Dismissal, a hold will be placed on a student’s record for record keeping purposes. All assigned educational sanctions must be completed prior to the conclusion of Disciplinary Dismissal; otherwise, the Disciplinary Dismissal will remain in effect.
- (f) **Delayed Issuance of Diploma:** The issuance of a student’s diploma from the University of Central Florida will be withheld until the completion of a stated time frame and all educational sanctions imposed through the Student Conduct Review Process.
- (g) **Delayed Conferral of Degree –** The Administrative process of a student’s degree being conferred through the University’s Registrar’s Office will be delayed. This means the student’s degree will not be awarded until the completion of a stated time frame and all educational sanctions imposed through the Student Conduct Review Process.
- (h) **Disciplinary Expulsion –** Disciplinary Expulsion is a sanction which removes the student from the individual’s academic program and permanently separates a student from the University without opportunity to graduate or re-enroll at the university in the future. A student under Disciplinary Expulsion may not otherwise be present on University premises. 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.

- (i) Educational Sanctions - In conjunction with a sanction listed above, a student found responsible of a violation of the Code of Conduct will be assigned educational requirements such as, but not limited to, reflective/research papers, classes/seminars, interviews, etc. Educational sanctions are intended to provide a student with opportunities to repair the harm of their actions and to engage in meaningful developmental experiences that will help the student in avoiding future violations of University policy.

## **UCF-5.010 Student Conduct Appeals**

### **(1) Appeals within the Student Conduct Review Process**

- (a) Students found in violation as a result of a formal hearing may appeal the finding(s) and sanction(s) imposed. The appeal must be made in writing to the Appellate Officer (VP of SSWB or designee) within ten (10) business days after the date the student was notified of the decision by the Director of Student Conduct and Academic Integrity (SCAI) or designee. The person designated to hear the appeal may not have directly participated in any other proceeding related to the charged violation. The appeal form can be found at <http://scai.sdes.ucf.edu/process>.
- (b) Students may appeal the finding and sanction(s) imposed on the basis of one or more of the following:
  - 1. Irregularities in fairness and stated procedures of the hearing that could have affected the outcome of the hearing.
  - 2. Discovery of new and significant information 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.
  - 3. The sanction(s) are extraordinarily disproportionate to the violation(s).
- (c) 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 information in full detail in the appeal letter will result in the denial of an appeal.
- (d) The appellate officer shall first determine if sufficient grounds for appeal exist and then, if so, the appellate officer may: deny the appeal, thus sustaining the initial decision; alter the sanction(s); or return the case for a new hearing. Any decision by the appellate officer to alter sanctions or return a case for new hearing shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
- (e) The appellate officer should issue a written decision to the student's appeal within twenty (20) business days of receipt of the appeal. Should the appellate officer require additional time for review beyond the twenty (20) business days, the appellate officer shall notify the charged student in writing of the need for additional time. Decisions of the appellate officer reflect final agency action.
- (f) Any decision by an appellate officer to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
- (g) SCAI cannot place an overlay on the student's record until the appeal decision is completed or if the 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 upholds the original findings, the effective date of any disciplinary sanction(s) imposed will revert back to the date of the Director of SCAI's or designee's final decision letter.

### **(2) Appeals within the Student Conduct Review Process for Cases Involving Sex-Based Misconduct**

- (a) Complainants and Respondents in matters involving allegations of Sex-Based Misconduct (as defined in Regulation UCF-5.008(5)) may appeal the finding(s) and sanction(s) imposed from a student conduct formal hearing. The appeal must be made in writing to the Appellate Officer (VP of SSWB or designee) within ten (10) business days after the date both the Respondent and Complainant are notified of the decision by the Director of SCAI or designee. The person designated to hear the appeal may not have directly participated in any other proceeding related to the charged violation. The appeal form can be found at <https://scai.sdes.ucf.edu/student-appeal/>.
- (b) In cases charged under 5.008(5), Complainants and Respondents may appeal the finding and sanction(s) imposed on the basis of one or more of the following:
  - 1. Irregularities in fairness and stated procedures of the hearing that could have affected the outcome of the hearing.
  - 2. Discovery of new and significant information 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.
  - 3. The sanction(s) are extraordinarily disproportionate to the violation(s).
- (c) On the appeal form, the student must state the reason(s) for appeal, supporting facts, and the recommended solution. Failure to describe the nature of the information in full detail in the appeal letter will result in the denial of the appeal.
- (d) The appellate officer shall first determine if sufficient grounds for appeal exist and then, if so, the appellate officer may: deny the appeal, thus sustaining the initial decision; alter sanction(s); or return the case for a new hearing.
- (e) The appellate officer should issue a written decision to the student's appeal within twenty (20) business days of receipt of the appeal. The written decision shall be issued to both the Complainant and the Respondent. Should the appellate officer require additional time for review beyond twenty (20) business days, the appellate officer shall notify the Complainant and Respondent in writing of the need for additional time. Decisions of the appellate officer reflect final university action.
- (f) Any decision by an Appellate Officer to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

**(3) Appeals within the Student Conduct Review Process for Title IX Sexual Harassment**  
 Complainants and Respondents in matters involving allegations Title IX Sexual Harassment are to follow University's Title IX Grievance Policy, UCF Policy 2-012 which outlines the rights, including appeals rights, for both parties.

**(4) Community ReEngagement and Educational Development (CREED) Program**

- (a) The Community ReEngagement and Educational Development (CREED) Program is designated for a student to have the opportunity to demonstrate that in the period following the conclusion of the Student Conduct Review Process, they have taken steps to become a productive and engaged member of the UCF Community.
- (b) Upon completion of one semester of Disciplinary Probation, Deferred Disciplinary Suspension, or Disciplinary Suspension and completion of all educational sanctions, a student can request a review of their disciplinary status through the Community ReEngagement and Educational Development (CREED) Program. Students who have a Z Designation on their transcript are eligible to

apply once the duration of their Disciplinary Suspension has ended and all educational sanctions are complete.

1. Students who have been found responsible of Sex-Based Misconduct (Non-Title IX Sexual Harassment) or Title IX Sexual Harassment are ineligible to apply for relief under the CREED Program.
  2. Students who have been found responsible of a violation of the Code of Conduct that had a substantially negative impact on a person or group of people, as determined by SCAI, are ineligible to seek relief under the CREED Program.
- (c) Requests must be submitted to the Director of SCAI or designee via an online CREED Program submission form available at [www.scai.sdes.ucf.edu/creed](http://www.scai.sdes.ucf.edu/creed). This request can only be submitted once a semester.
- (d) The Director of SCAI or designee will review applications submitted before the semesterly deadline(s) during the application review period(s). Information on application deadlines and review periods can be found at <https://scai.sdes.ucf.edu/creed-program>. The Director of SCAI or designee shall conduct a preliminary review to ensure that the student's request meets the necessary eligibility and application requirements. The Director of SCAI or designee must communicate the finding of the preliminary review of the application as well as the date and time of the CREED Review Meeting that has been scheduled for a committee to conduct a review of the student's application, if applicable. The student has three (3) business days from when the Director of SCAI or designee sent their preliminary findings to request an alternate date and time of the CREED Review Meeting.
- (e) Prior to this meeting, the committee will have reviewed the submitted packet and will prepare questions for the student to address, as well as provide the student with the opportunity to further discuss why their disciplinary status should be altered or terminated or why the Z Designation should be removed from the student's transcript. No alterations shall be made to include new or increased sanctions. Should the committee feel that further information and/or documentation is necessary in order to render a recommendation, the review may be temporarily recessed. The student will be given ten (10) business days to produce the information and/or documentation. Upon receipt of the requested information and/or documentation, the committee will reconvene the CREED Review Meeting with the student.
- (f) After the meeting, the committee will issue a recommendation to the Director of SCAI or designee. The Director of SCAI or designee will provide a final decision to the student in writing within ten (10) business days of receiving the recommendation.
- (g) If the request is denied by the Director of SCAI or designee the final decision shall include a concise and explicit written statement that explains the basis for that decision and suggested action items for the student's success.
- (h) There is no appeal process for a CREED Review Meeting decision.

#### **(5) Sealing of Records**

- (a) A student's conduct record is eligible to be sealed if the incident(s) in question are minor and do not result in disciplinary suspension, disciplinary dismissal, or

disciplinary expulsion and/or if the student is not current on disciplinary probation or deferred suspension with all educational sanctions completed in full.

- (b) A student conduct record may be sealed upon the successful submission and review of appropriate paperwork to SCAI.
- (c) The factors influencing the decision by the Director of SCAI or designee 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.
- (d) There is no appeals process regarding student conduct record sealing.

## **UCF-5.011 Scope; Authority; Principles of Student Group Responsibility; Violations of Law and Organizational Code of Conduct Violations; Conduct Records; Medical Emergencies (Alcohol & Drugs)**

### **(1) Scope**

- (a) The organizational conduct regulations (UCF-5.011, 5.012, and 5.013) shall apply to all registered student organizations, including those at its regional campuses and/or at off campus instructional sites, and shall be deemed a part of the terms and conditions of registered student organization registration. The right of all students to seek knowledge, debate ideas, form opinions, and freely express their ideas is fully recognized by the University of Central Florida, including when students come together as a group.
- (b) The Organizational Code of Conduct applies to all registered student organizations for conduct that occurs:
  - 1. On University premises; or
  - 2. During or while participating in University and/or organization sponsored or related activities; or
  - 3. During school sessions, holidays, breaks, and university closures; or
  - 4. Against students or non-students.
- (c) The University may take action against a registered student organization for off-campus conduct if the conduct is specifically prohibited by law or the Organizational Code of Conduct; or if the conduct poses (or demonstrates that the student organization's continued recognition at the University poses) a danger to the health, safety or welfare of the University community; or if the conduct is disruptive to the orderly processes and functions of the University.

### **(2) Authority**

- (a) The Florida Board of Governors Regulation 6.0105 requires each university to establish a Student Disciplinary System, including a code of conduct, to apply to student disciplinary proceedings. The Florida Board of Governors Regulation 6.021 requires each university to establish an anti-hazing policy as part of the student code of conduct.
- (b) These regulations shall ensure a fair and impartial process in registered student organizational disciplinary proceedings and guarantee the integrity of the university.
- (c) Generally, authority necessary to enforce the organizational conduct regulations is vested in the Vice President for Student Success and Well-Being or designee. Selected functions of this authority are shared with faculty, staff and students. Some functions of the conduct process are assisted through review boards.

**(3) Definitions.** Definitions for terms used in this section, as well as in the Organizational Conduct Review Process, are located in UCF-5.006(3).

### **(4) Principles of Student Group Responsibility.**

- (a) Any registered student organization can be held responsible for its actions or the actions of a collection of its members acting together. Misconduct on the part of



an individual member(s) may not automatically be sufficient to initiate the Organizational Conduct Review Process.

- (b) Students may be held accountable as individuals under the Code of Conduct for their conduct, whether the students are acting in an individual capacity or the students are acting as a member of a registered student organization.
- (c) The following criteria will be used to determine if a registered student organization can be held responsible for the actions of one or more individuals when those actions result in a violation of the Organizational Code of Conduct:
  1. A violation arises out of an organization-sponsored, financed, or otherwise sanctioned activity or event, where the organization provided the context for the violation.
  2. A pattern of individual violations has occurred and/or continues to occur within the organization without adequate control, response, or disciplinary action on the part of the registered student organization or its executive board members or officers.
  3. The action resulting in the violation has received either the implied or overt consent of the registered student organization or any executive board members or officers of the registered student organization.
  4. The registered student organization or any executive board member or officer of the registered student organization fails to report and take reasonable action against invitees/members responsible for the Organizational Code Conduct violation.
  5. The registered student organization overtly places or implicitly allows active members of the registered student organization to be in a position to act on behalf or with authority of the organization.
  6. The registered student organization chooses to protect one or more individual offenders who are active members of the registered student organization from official actions.
- (d) Should a reported incident occur where an organization is named as allegedly violating the Organizational Code of Conduct, the University may conduct an investigation to gather facts to help provide further context to the original complaint. The investigative process may include administering surveys to organization members and/or conducting interviews with persons associated with or believed to have knowledge about the reported incident. An investigative report will be drafted containing findings. Next steps following the investigation may be to close the case, request more information, or initiate a disciplinary proceeding.

**(5) Medical Emergencies.** The University of Central Florida highly encourages students and registered student organizations to call for medical assistance whenever an individual experiences severe intoxication or serious injury after consuming alcohol and/or drugs. Students and registered student organizations may be reluctant to call for help for themselves or others due to potential involvement from the law enforcement officials or Student Conduct and Academic Integrity (SCAI). Due to the serious or life-threatening nature of these medical emergencies, the University of Central Florida urges students to contact emergency medical services or law enforcement officials if alcohol-related and/or drug-related medical emergencies arise. The University's primary goal is to create a safe environment for its students. Procedures and expectations regarding these incidents have been outlined in SCAI Code of Conduct

Controlled Substance and Drug Violations and Alcoholic Beverages section and the Organizational Code of Conduct section.

- (a) Alcohol Emergencies - University Expectations for Student Groups. Student groups may be eligible for exemptions from disciplinary action when a representative of an organization at a student group event calls for emergency assistance on behalf of a person experiencing an alcohol related emergency. Student groups that seek medical assistance for alcohol emergencies may receive exemption for violations of the Organizational Code of Conduct Section UCF-5.012 6(a)-6(f); however, exemption for other Organizational Rule of Conduct violations may not be granted. Student groups may be eligible for this exemption on a case-by-case basis at the discretion of the Director of SCAI or designee. Additional information regarding alcohol emergencies can be found at the SCAI website.
- (b) Drug-Related Emergencies - University Expectations for Student Groups. Student groups may be eligible for exemptions from disciplinary action when a representative of an organization at a student group event calls for emergency assistance on behalf of a person experiencing a drug-related emergency. Student groups that seek medical assistance for drug-related emergencies may receive exemption for violations of the Organizational Code of Conduct Section UCF-5.012 7(a)-7(d); however, exemption for other Organizational Rule of Conduct violations may not be granted. Student groups may be eligible for this exemption on a case by case basis at the discretion of the Director of SCAI or designee. Additional information regarding drug-related emergencies can be found at the SCAI website.

**(6) Violations of Law and Code of Conduct Violations.** Students 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 by the University 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. The Student Organization Conduct process is not a criminal or judicial proceeding and is designed to address registered student organization behavior as outlined in the Principles of Student Group Responsibility, above; therefore, alleged violations of the Organizational Code of Conduct will be addressed independently of any penalty imposed by the courts for the criminal offense.

**(7) Student Organizational Conduct Records**

- (a) Maintenance of Records. A registered student organization's or other student group's conduct case record will be maintained in SCAI. The case record of a registered student organization found responsible for charge(s) against them, with sanctions less than organizational suspension or revocation, will generally be maintained in SCAI for seven years from the calendar year of record, after which they are destroyed. The case record of a registered student organization that has been suspended or whose registration has been revoked will be permanently maintained by SCAI.
- (b) Release of Records. The release of registered student organization and other student group disciplinary records will be governed by applicable federal and state laws regarding the privacy of education records.

## **UCF-5.012      Organizational Code of Conduct**

Registered student organizations are expected to abide by the Organizational Code of Conduct, and administrators and faculty are expected to enforce them. The prohibition on hazing found in Section (10), below, shall apply equally to registered student organizations and other student groups, whether or not officially recognized by the University. The rules in the Code of Conduct should be read broadly and are not intended to define prohibited conduct in exhaustive terms. The Organizational Code of Conduct may be revised during the year; announcements will be made on adoption of changes or additions. The right of all students to seek knowledge, debate ideas, form opinions, and freely express their ideas is fully recognized by the University of Central Florida, including when students come together as student group; accordingly, the Organizational Code of Conduct below will not be used to impose discipline for a student group's lawful expression of ideas. Specific restrictions on time and place of meetings and assemblies are found in other University regulations or policies and student groups are expected to follow those restrictions. The following is a non-exhaustive list of prohibited conduct for which disciplinary action may be taken at the University of Central Florida.

### **(1) Theft, Disregard for Property**

- (a) Malicious or unwarranted damage or destruction of another's property.
- (b) Taking, attempting to take, or keeping in its possession property or services not belonging to the registered student organization.
- (c) Misuse or mishandling of organizational funds by any officer, member, or other individual.

### **(2) Possessing and/or Providing False and Misleading Information**

- (a) Withholding related information, or furnishing false, misleading, incomplete, or incorrect information (oral or written) to University officials (faculty or staff), or law enforcement officers.
- (b) Possession, use or attempted use of any form of fraudulent identification, including the credentials or identification of an individual or organization.
- (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 an investigation or the student conduct review process, including knowingly initiating a false complaint.
- (f) Fraud: Any act of deceit or misrepresentation for purposes of financial or personal gain.

### **(3) Disruptive Conduct**

- (a) Any act that impairs, interferes with, or obstructs the orderly conduct, processes, and functions of the University or any part thereof or the rights of one or more individuals.
- (b) Obstructing the free movement of other students around the campus, interfering with the use of University facilities, preventing the normal operation of the University; or conducting any event that interferes with the normal progress of academic events on campus.

- (c) Any act that intentionally interferes with an election process of any University registered or sponsored student organization.
- (d) Engaging in obscene or indecent conduct.
- (e) Failure to comply with the administrative policies as enacted by the University.
- (f) Failure to comply with the directions of University officials or authorized agents acting in the performance of their duties. Registered 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.
- (g) Hindering or interfering with the Organizational 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 Organizational Conduct Review Process.
- (h) Participating in any event with a registered student organization that is currently on Organizational Disciplinary Probation (with restrictive conditions) or Organizational Deferred Suspension (with restrictive Conditions), is currently suspended, or that has had their UCF registration revoked.
- (i) Failure to comply with any other University regulation or policy as described in the UCF Regulations, UCF Policies and Procedures, or University department publicized policy.

**(4) Harmful Behavior**

- (a) Physical violence towards another person or group. This harmful behavior policy may not apply in those instances where it is found that a student(s) is acting in self-defense.
- (b) Unlawful Harassment: Unlawful harassment consists of conduct based upon an individual's race, color, ethnicity, national origin, religion, non-religion, age, genetic information, sex (including pregnancy and parental status, gender identity or expression, or sexual orientation), marital status, physical or mental disability (including learning disabilities, intellectual disabilities, and past or present history of mental illness), veteran's status (as protected under the Vietnam Era Veterans' Readjustment Assistant Act), or membership in other protected classes set forth in state or federal law, and the conduct meets the description of either Hostile Environment Harassment or Quid Pro Quo Harassment, as defined in University's Nondiscrimination Policy (No. 2-004).
- (c) Bullying: Defined as behavior of any sort (including communicative behavior) directed at another, that is severe, pervasive, or persistent, and is of a nature that would cause a reasonable person or group in the target's position substantial emotional distress and undermine his or her ability to work, study, or participate in University life or regular activities, or which would place a reasonable person in fear of injury or death.
- (d) Verbal, digital, or written abuse, threats, intimidation, coercion and/or other conduct that endangers the health, safety or well-being of another person or group, or which would place a reasonable person in fear of bodily injury or death. This definition, however, shall not be interpreted to abridge the rights of the University community to freedom of expression protected by the First Amendment of the United States Constitution and any other applicable law.
- (e) Failure to respect the privacy of other individuals.

- (f) Retaliation against or harassment of Complainant(s), other person(s) alleging misconduct, or anyone who participates in an investigation.

**(5) Sex-Based Misconduct**

- (a) Sexual Assault. Sexual assault means sexual contact without consent.
- (b) Sexual Harassment: Sexual harassment means any unwelcome sexual advance, request for sexual favors, or other unwanted verbal, graphic or physical conduct of a sexual nature when the conditions for Hostile Environment Harassment or Quid Pro Quo Harassment as defined in UCF's Nondiscrimination Policy (No. 2-004) are present.
- (c) Gender-Based Harassment: Gender-based unlawful harassment is harassment that is based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal, graphic, or physical, even if the acts do not involve conduct of a sexual nature, when the conditions for Hostile Environment Harassment or Quid Pro Quo Harassment as defined in UCF's Nondiscrimination Policy (No. 2-004) are present.
- (d) Sexual Exploitation – Purposely or knowingly doing or attempting to do any of the following:
  1. Exposing 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.
  2. Voyeurism, including trespassing, spying, or eavesdropping for the purpose of sexual gratification.
  3. Soliciting sex acts from a minor by oral, written, or electronic means.
  4. Possessing, producing or the disseminating child pornography;
  5. Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
  6. Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts, or buttocks) without consent;
  7. Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
  8. Subjecting another person to human trafficking; or
  9. Exposing another person to a sexually transmitted infection or virus without the other's knowledge.
- (e) Stalking: Stalking occurs when there is a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for the person's safety or the safety of others, or to experience substantial emotional distress. A "course of conduct" is two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property. Stalking includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact.

(f) Any attempted acts of Sex-Based Misconduct are also violations of this policy.

**(6) Alcohol-Related Misconduct**

- (a) Use and/or possession of alcoholic beverages, except as expressly permitted by law and University regulations/policies.
- (b) Sale and/or distribution of alcoholic beverages, except as expressly permitted by the law and University regulations/policies.
- (c) Furnishing or causing to be furnished any alcoholic beverage to any person under the legal drinking age.
- (d) Misconduct under the influence of alcohol.
- (e) Furnishing or causing to be furnished any alcoholic beverage to any person in a state of noticeable intoxication.
- (f) Failure of a registered student organization to take all necessary steps to see that no person under the legal drinking age possesses alcoholic beverages at functions it sponsors or within any property or transportation it owns, operates, and/or rents.

NOTE: Registered student organizations may be eligible for exemptions from disciplinary action when a representative of an organization at a registered student organizational event calls for emergency assistance on behalf of a person experiencing an alcohol related emergency. Information regarding exemptions under this rule for alcohol related emergencies can be found in University Regulation UCF-5.011 and the Student Conduct & Academic Integrity website: <http://scai.sdes.ucf.edu/medicalemergencies> .

**(7) Drug-Related Misconduct**

- (a) Unlawful use and/or possession of any narcotic or other controlled substances, and possession and/or use of drug paraphernalia.
- (b) Sale and/or distribution of any narcotic or other controlled substances.
- (c) Cultivation and/or manufacture of any narcotic or other controlled substances.
- (d) Attempt to obtain any narcotic or other controlled substances, except as expressly permitted by law.

NOTE: Registered student organizations may be eligible for exemptions from disciplinary action when a representative of an organization at a registered student organizational event calls for emergency assistance on behalf of a person experiencing a drug related emergency. Information regarding exemptions under this rule for drug related emergencies can be found in University Regulation UCF-5.011 and the Student Conduct and Academic Integrity website: <http://scai.sdes.ucf.edu/medicalemergencies>.

**(8) Unauthorized Entry** Unauthorized entry, attempted entry, or loitering in private or restricted areas.

**(9) Gambling**

- (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 registered or sponsored student organization.
- (b) Unlawful sale, barter, or disposition of a voucher or any item for participation in a scheme of chance by whatever name on University premises or at any activity sponsored by a registered or sponsored student organization
- (c) Wagering on a University team or organization in a competition, with or without intent to have a direct influence in the success of the competition.

**(10) Hazing**

- (a) Hazing is any action or situation that recklessly or intentionally endangers the mental or physical health and/or safety of a student for purposes including but not limited to initiation or admission into, or association or affiliation with, any registered student organization or other group whether or not officially recognized by the University. Hazing which violates Florida Statutes may result in felony charges. A student may commit an act of hazing whether the student is a prospective, current, or former member of the organization or group. The actions of active, associate, new and/or prospective members, former members, or alumni of a registered student organization or other student group may be considered hazing under this rule.
- (b) Hazing includes 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) Hazing includes any activity that could subject the individual to extreme mental or physical stress such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or any other activity that could adversely affect the mental or physical health or dignity of the individual.
- (d) Hazing includes forcing, pressuring, coercing, or requiring the violation of University policies, federal, state, or local law.
- (e) Hazing includes soliciting a person to commit or being actively involved in the planning of any act of hazing as defined above where the act of hazing creates a substantial risk of physical injury or death to the person(s) hazed.
- (f) It is not a defense to an allegation of hazing that:
  - 1. The consent of the victim had been obtained;
  - 2. The conduct or activity that resulted in the death or injury of a person was not part of any official organizational event or otherwise sanctioned or approved by the student organization or group; or
  - 3. The conduct or activity that resulted in the death or injury of a person was not done as a condition of membership into a student organization.
- (g) Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.
- (h) All student groups, whether or not registered with the University and whether or not officially recognized by the University are subject to the same hazing prohibitions set out in this section (10). With regard to student groups that are not registered students organizations, and against which there is an allegation of hazing, the principles of group responsibility and scope provisions of University Regulation UCF-5.011(1)(b), (1)(c), and (4) shall apply, as well as the conduct proceeding procedures of University Regulation UCF-5.013.

**(11) Outstanding Debt.** Failure to pay 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 registered student organizations.

**(12) Use of Facilities.** Failure to comply with University regulations and procedures for campus events and/or use of campus facilities or grounds. 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.

**(13) Fire Safety and Sanitation**

- (a) Tampering with or damage to fire, life safety, or security equipment.
- (b) 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.
- (c) Possession or use of illegal fireworks, incendiary devices, or dangerous explosives.
- (d) Failure to properly maintain a registered student organization's facilities or property (or surrounding property) such that a potential danger to the health and safety of the occupants or members of the University and surrounding community is created.

**(14) Advertising.**

- (a) Origination or circulation of any advertising media that contains matter that violates federal, state and/or local laws.
- (b) Origination or circulation of any advertising media containing false or misleading information.

**(15) Solicitation and Fundraising.** Failure to comply with applicable law and University regulations and procedures for solicitation and fundraising activities on campus.

**(16) University Wordmark Violations.** 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 registered student organization's: domain name, web address, promotional materials, and uniforms/shirts.

**(17) Academic Misconduct**

- (a) Unauthorized academic assistance: Using or attempting to use unauthorized materials, information or study aids in any academic exercise unless specifically authorized by the instructor of record.
- (b) The unauthorized possession of examination or course related material.
- (c) Commercial Use of Academic Material: Selling of course material to another person, student, and/or uploading course material to a third-party vendor without authorization or without the express written permission of the University and the Instructor. Course materials include but are not limited to class notes, Instructor's power points, tests, quizzes, labs, instruction sheets, homework, study guides, handouts, etc.
- (d) Knowingly helping any student violate academic behavior standards.

**(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.

**(19) Aiding and Abetting.** Aiding and abetting is any act taken with the purpose of aiding or facilitating the commission of an act prohibited by the Organizational Code of Conduct.



## **UCF-5.013 Organization Conduct Review Process; Sanctions; Appeals**

### **(1) Violation Reports**

- (a) To initiate the Organizational Conduct Review Process, alleged violations of the UCF Organizational Code of Conduct must be reported in writing to the Director of Student Conduct and Academic Integrity (SCAI) or designee. Incident reports can be submitted for information purposes only, for information purposes with the requirement that the registered student organization complete an educational activity including but not limited to an academic integrity seminar, or to initiate the Organizational Conduct Review Process. Upon receiving an incident report, the Director of SCAI or designee may review relevant information and consult with relevant parties regarding the incident in question. Where deemed necessary to protect the health and safety of any individual, the student body, or any part of the University or its community, the Director of SCAI or designee, upon notifying the VP of SSWB or designee, may take immediate action to resolve the situation by placing the registered student organization on interim organizational action. Interim organizational action is not a sanction. Interim organizational action is preliminary in nature; it is in effect only until there is a resolution of the registered student organization conduct matter. Interim organizational action is subject to review at a hearing within ten (10) business days by the VP of SSWB or designee to determine the status of the interim organizational action. The outcome of an interim organizational action hearing shall remain in effect until the final disposition of any formal charges resulting from the circumstances of the case, unless the VP of SSWB or designee shall decide otherwise.
- (b) The Director of SCAI or designee will refer all information warranting disciplinary action and assign the case to the appropriate staff member. SCAI will send written notification to the chief officer of the registered student organization at their UCF mailing address indicating the nature of the activity in question and what Organizational Code of Conduct were allegedly violated. The chief officer of the registered student organization shall serve as the organization's representative in the organization conduct review process.
- (c) Upon receipt of an incident report SCAI has six months to charge a registered student organization with a violation of the Organizational Code of Conduct. SCAI may exercise discretion when applying the time provision to account for circumstances that warrant a waiver of the six-month time limit. SCAI will waive the six-month limit in cases involving sexual harassment, dating violence, domestic violence, and stalking and may waive the time limit for other extraordinary cases, as determined by the Director of SCAI or designee.
- (d) A registered student organization charged with alleged violations of the Organizational Code of Conduct (see UCF-5.012) will receive notice to attend a preliminary conference with SCAI to discuss the charges. At the preliminary conference, the registered student organization will receive information regarding the Organizational Conduct Review Process, including the registered student organization's rights during the process; an opportunity to inspect and/or review the information known at the time, and how to contact the Student Government Judicial Advisor. At the conclusion of the conference, SCAI recommends an

option for resolution of the disciplinary charges. If the registered student organization fails to attend the preliminary conference, the registered student organization may be placed on immediate social probation until such time the matter is resolved, and SCAI may move forward with scheduling a formal hearing as resolution for disciplinary charges.

- (e) Social probation includes but is not limited to prohibition of the following: any on or off campus fundraisers, socials, intramural competitions, receptions, service projects, conferences, retreats, etc. The organization may also not be able to update its registration until such time that it appears before a hearing. Groups under social probation may gather at regularly scheduled business meetings.

## **(2) Options for Resolution of Disciplinary Charges**

- (a) **Case Dismissal:** The Director of SCAI 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 Organizational Code of Conduct.
- (b) **Mediation:** Depending on the nature and severity of the alleged violation, SCAI may recommend mediation as an alternative to disciplinary action. The involved parties must each agree to mediation. Mediation is a confidential process where the 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 agree to mediate or mediate but do not reach a full and final resolution, the case will be referred back to SCAI for possible disciplinary action. Breach of a mediated agreement may result in a follow up mediation session or the matter may be referred back through the conduct process at the discretion of SCAI.
- (c) **Informal Resolution Conference:** At the discretion of SCAI, violations found not to warrant a formal hearing may be referred to an informal resolution conference. SCAI shall provide timely written notice to the registered student organization of the charges at least seven (7) business days before the informal resolution conference. At the informal resolution conference, the charged registered student organization has the opportunity to meet with an SCAI staff member and accept responsibility for the charges of violation of the Organizational Code of Conduct. At the informal level the matter will be settled by the following outcomes: punitive sanction (organizational warning, organizational probation, organizational probation with restrictions, deferred organizational suspension) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not resolved informally, the case will be resolved through a formal hearing. The outcomes from an informal resolution conference are final and are not eligible to be appealed. The registered student organization will receive written notice of the Resolution Agreement within ten (10) business days of the conference, except in the case of extraordinary circumstances. Written notice of the Resolution Agreement will include the determination regarding responsibility for the conduct violations and applicable sanctions.
- (d) **Formal Hearing:** If an alleged violation of the Organizational Code of Conduct is not dismissed or otherwise resolved, then SCAI shall provide timely written notice of the charges to the registered student organization at least seven (7)

business days before the formal hearing. The charged registered student organization may request either a panel or administrative hearing. The charged registered student organization's hearing shall only be open to the charged registered student organization's chief officer or designee; the charged registered student organizations' advisor, advocate, or legal representative; representative from the National Office (if appropriate); the hearing body; witnesses (when called upon); a representative from SCAI; a legal representative for the university; and a university staff member from an appropriate office (Office of Student Involvement, Office of Fraternity and Sorority Life, Recreation and Wellness Center, etc.). Following the formal hearing, the student organization will have a specified timeline to file an appeal; should the student organization fail to file an appeal within the specified timeline, the outcome from the formal hearing will be considered final agency action of the University (section (7), below).

**(3) Formal Hearings.** There are two types of formal hearings – panel hearings and administrative hearings.

(a) Panel Hearings.

1. A panel to consider an organizational case shall be randomly selected by SCAI from the Student Conduct Board where students shall comprise at least one-half of the membership. One panel member shall be selected by SCAI to chair the hearing and report the proposed finding(s) and recommended sanction(s), if any, to the Director of SCAI or designee. All board members will be trained by SCAI to hear organizational cases.
2. At hearings conducted by a panel, a SCAI staff member shall act as an advisor to the panel. The Director of SCAI or designee shall receive the panel's proposed finding(s) as to responsible or not responsible of the Organizational Code of Conduct and consider any sanctions proposed by the panel.
3. The Director of SCAI or designee may accept the proposed finding(s) of responsible or not responsible or remand the case for rehearing. If the Director of SCAI or designee accepts the proposed finding of responsible, they may approve, mitigate, or increase the sanctions proposed by the panel.
4. Any decision by the Director of SCAI 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.

(b) Administrative Hearings

1. Administrative hearings shall be conducted by a faculty or staff member from the Student Conduct Board trained by SCAI to hear organizational cases.
2. At hearings conducted by an administrative hearing officer, a SCAI staff member shall act as an advisor to the administrative hearing officer. The Director of SCAI or designee shall receive the administrative hearing officer's proposed finding(s) as to responsible or not responsible of the Organizational Code of Conduct and consider any sanctions proposed by the administrative hearing officer.
3. The Director of SCAI or designee may accept the proposed finding(s) of responsible or not responsible or remand the case for rehearing. If the

- Director of SCAI or designee accepts the proposed finding(s) of responsible, they may approve, mitigate, or increase the sanctions proposed by the administrative hearing officer.
4. Any decision by the Director of SCAI 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.
- (c) Conduct of Formal Hearings - the following is furnished as a guide to the events in a formal hearing. The formal hearing is recorded by the University, and no other recordings are permitted. The recording will be made part of the official record of the hearing.
1. Reading of charges.
  2. Charged registered student organization response of responsible or not responsible.
  3. Presentation of information in support of the charges.
  4. Opening statement by the charged registered student organization.
  5. Questioning of the charged registered student organization by the hearing body.
  6. Presentation and questioning of witnesses in support of the charges.
  7. Presentation and questioning of witnesses by the charged registered student organization.
  8. Final questions of the charged student organization by the hearing body.
  9. Closing remarks by the charged registered student organization.
  10. Hearing is brought to a close.
  11. Registered student organization is scheduled for a meeting to discuss the hearing body's proposed finding(s) and recommended sanction(s), if any.
- (d) Deliberations by the panel or the administrative hearing officer are not part of the hearing and are confidential. Deliberations occur after the closure of the hearing and are not recorded.
- (e) 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 documentation 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 Director of SCAI's or designee's decision.
- (f) Student Conduct Board members for panel and administrative formal hearings are selected through an annual application and interview process with the exception of the justices from the Student Government Judicial Branch. All Student Conduct Board members, including justices, receive annual training from SCAI. Student Conduct Board members who serve on hearings related to allegations of sex discrimination, including but not limited to relationship violence, sexual assault, sex harassment, and stalking receive additional training annually.

**(4) Registered Student Organization Rights during the Formal Conduct Review Process.**

The following rights apply to a registered student organization disciplinary proceeding:

- (a) The charged registered student organization shall be afforded written notice, at least seven (7) business days prior to disciplinary proceeding, unless waived in writing. Written notice may be sent to the chief student officer of the charged registered student organization's electronic and/or physical address. Written notice shall include:
1. The name of the organization, the chief student officer's name and organization's address, if applicable.
  2. Date, time, and location of the disciplinary proceeding.
  3. Alleged Organizational Code of Conduct Violation(s) known at the time the notice is sent.
  4. A listing of all known witnesses that have provided, or will provide, information against the registered student organization.
  5. A description of any physical or written documentation known at the time the notice is sent.

Provided that the required notice stated above has been given to the registered student organization along with its student leadership or member representative(s) but the organization failed to attend a scheduled disciplinary proceeding without providing a satisfactory reason for the absence, the organization may be placed on immediate social probation until such time as the organization completes the disciplinary proceeding and any further steps in the conduct process. The organization will also not be able to update its registration while on social probation.

- (b) The registered student organization may have at their own expense and initiative, an advisor, advocate, or legal representative to be present and who can fully participate in the disciplinary proceeding (i.e., informal resolution conference or formal hearing). It is the registered student organization's responsibility to make appropriate arrangements for an advisor, advocate, or legal representative to attend the preliminary conference or disciplinary proceeding(s), which shall not be delayed due to scheduling conflicts of the chosen advisor, advocate, or legal representative. A registered student organization may consult with their advisor, advocate, or legal representative at any time during the disciplinary proceeding(s). This consultation must take place in a manner that does not disrupt the proceedings. In addition, an advisor, advocate, or legal representative may not serve as a witness during a disciplinary proceeding. A registered student organization's advisor must not be connected to the actual conduct case or a related case. If the advisor, advocate, or legal representative does not adhere to their defined role in the Organizational Conduct Review Process, they may be removed from the disciplinary proceeding(s). The Student Government (SG) Impartial Advisor(s) may assist the registered student organization with finding an advisor, advocate, or legal representative or may act as their advisor.
- (c) All formal hearings shall be conducted on the basis that the charged registered student organization is not responsible until the preponderance of evidence proves otherwise, except if the registered student organization accepts responsibility for the charge(s). The technical rules of evidence applicable to civil and criminal cases shall not apply to the Organizational Conduct Review Process, including during a formal hearing. The burden of proof is not on the registered student organization charged with a violation of the Organizational Code of Conduct. The university has the burden to prove, by a preponderance of the evidence, that a

violation has taken place. Nothing contained in this paragraph prohibits or limits the University in offering other forms of resolution, such as mediation or informal resolution.

- (d) At least five (5) business days before the disciplinary proceeding, the University will provide the registered student organization's chief officer or designee with the opportunity to inspect all known information related to the allegation(s), including inculpatory and exculpatory information. Information may be presented in support of the charged student organization. The University also has the right to review any information the registered student organization intends to use at the disciplinary proceeding at least five (5) business days before the disciplinary proceeding. During a formal hearing, only such information that is determined to be "Relevant Information" will be allowed.
- (e) The University cannot compel any person serving as a witness to attend a registered student organizational formal hearing. However, all parties to a registered student organizational conduct formal hearing may arrange for witnesses to voluntarily present Relevant Information during the proceeding. The questioning of witnesses shall be facilitated by the hearing officer or panel conducting the formal hearing.
- (f) The registered student organization shall have the right to an impartial hearing officer for the formal hearing. Prior to the commencement of the formal hearing, the charged registered student organization shall have the opportunity to challenge the impartiality of any member(s) of the hearing body. If the registered student organization shows good cause for the removal of any member(s) of the hearing body, the Vice President of SSWB or designee will assign a new hearing body member.
- (g) The registered student organization shall not be forced to present information that incriminates its individual members during a disciplinary proceeding. In addition, the registered student organization has the right to remain silent in the process, and such silence may not be used against the registered student organization. The University is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal prosecution. The University's student organizational review process is not a criminal or judicial proceeding and is designed to address violations of the Organizational Rules of Conduct; therefore, alleged violations of the rules will be addressed independently of any outcome imposed by or sought from a court.
- (h) Should the registered student organization fail to attend the scheduled formal hearing, the hearing will be held in the registered student organization's absence and the proposed findings, including any recommended sanctions, will be made using the information available at the time of the scheduled formal hearing.
- (i) The proposed finding(s), as well as the Director of SCAI's or designee's determination, of responsible or not responsible on the charges shall be based solely on the information presented at the registered student organizational formal hearing.
- (j) Only if the proposed finding(s) of the formal hearing body is that the registered organization is found responsible, will prior conduct history be reviewed and potentially affect the proposed sanctioning.
- (k) The final decision shall be furnished in writing to the registered student organization within fifteen (15) business days following the hearing. Should

SCAI need additional time, the deadline can be extended by the Director of SCAI or designee by notifying the charged organization.

- (l) The registered student organization's registration status shall remain unchanged pending the University's final decision in the matter except in cases where the VP of SSWB or designee determines that the safety, health, or general welfare of any individual, or any part of the University may be involved.
- (m) The registered student organization has the right to an accurate and complete record of every disciplinary proceeding related to the charged violation(s) of the Organizational Code of Conduct, including record of any appeal, to be made, preserved, and available for copying upon request. The disciplinary record is considered complete following final agency action by the University.

**(5) Additional Procedures in Cases of Sex-Based Misconduct.** Where a registered student organization is charged with sexual misconduct and other identified sex-based misconduct, the procedures outlined in UCF-5.006(6) will apply in addition to the procedures of the Organization Conduct Review Process.

**(6) Sanctions for Registered Student Organizations**

- (a) **Organizational Warning:** An official warning that the organization's behavior is in violation of the Organizational Code of Conduct.
- (b) **Organizational Probation:** A period of time during which any further violation of the Organizational Code of Conduct puts the registered student organization's status with the University in jeopardy. Restrictive conditions may also be imposed as part of organizational probation and will vary according to the severity of the offense. A non-exhaustive list of possible restrictive conditions can be found on the SCAI website ([scai.sdes.ucf.edu](http://scai.sdes.ucf.edu)). If a registered student organization is found responsible for another violation of the Organizational Code of Conduct while on organizational probation, more severe sanctions may be imposed.
- (c) **Organizational Deferred Suspension –** Organizational deferred suspension is used for offenses found serious enough to warrant organizational suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. Organizational deferred suspension is a designated period of time during which a registered student organization is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Organizational Code of Conduct. During an organizational deferred suspension, the registered student organization will be officially suspended from the University, but the organizational suspension will be deferred, meaning that the registered student organization may continue to operate with sanction-specific restrictions. Organizational suspension will be enforced should the registered student organization fail to complete any of the assigned sanctions by the deadline(s) and/or for any subsequent violation of the Organizational Code of Conduct unless the Director of SCAI or designee determines otherwise in exceptional circumstances. If the registered student organization is found responsible for any violation of the Organizational Code of Conduct that occurred while on deferred suspension status, including failure to complete any assigned sanctions by the deadline(s), the registered student organization will be suspended for a minimum of one (1) semester in addition to any educational sanctions imposed for the subsequent violation. Registered

student organizations on organizational deferred suspension may be limited in their abilities to represent the University in intramural sporting events, extracurricular activities, or official functions. The duration of any organizational deferred suspension period and the specific restrictions imposed will be determined by SCAI on a case-by-case basis.

- (d) **Organizational Suspension:** While on organizational suspension the registered student organization loses its University recognition and/or registration for a temporary period of time. While an organization is suspended, it may not use University resources or participate as an organization in any University activities or events unless authorized in writing in advance under conditions approved by the Director of SCAI or designee. Additional provisions may be assigned that further outline University expectations while on Organizational Suspension Status.
- (e) **Revocation of UCF Registration:** Permanent severance of the organization's relationship with UCF.
- (f) **Recommendation for Charter Revocation:** An official request to a national office that the local chapter's charter be revoked.
- (g) **Educational Sanctions:** In conjunction with any sanction listed above, a registered student organization found to have been responsible for any of the Organizational Code of Conduct will be assigned educational sanctions that are proportional to the violation such as, but not limited to: reflective/research papers, classes/seminars, community service, restitution, interviews, etc. If a registered student organization has any outstanding educational sanctions at the conclusion of organizational probation or organizational suspension, the organizational probation or organizational suspension will remain in effect pending completion of the educational sanctions.

#### **(7) Appeal within the Registered Student Organization Review Process**

- (a) A registered student organization found responsible as a result of a hearing may appeal the finding(s) and sanction(s) imposed. The appeal must be made in writing to the appellate officer (VP of SSWB or designee) within ten (10) business days after the date the registered student organization was notified of the decision by the Director of SCAI or designee. The person designated to hear the appeal may not have directly participated in any other proceeding related to the charged violation.
- (b) Registered student organizations may appeal the finding(s) and sanction(s) imposed on the basis of one or more of the following:
  - 1. Irregularities in fairness and stated procedures of the hearing that substantially affected the outcome of the hearing.
  - 2. Discovery of new and significant information that would be likely to change 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.
  - 3. The sanction(s) are extraordinarily disproportionate to the violation(s).
- (c) On the appeal form, the registered 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 registered student organization is dissatisfied with the decision. Failure to describe the



nature of the information in full detail in the appeal letter will result in the denial of an appeal.

- (d) The appellate officer 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:
  - 1. If the registered student organization alleges that the sanction was disproportionate to the violation(s) and the appellate officer finds the sanction to be disproportionate, the appellate officer may alter the sanction; or
  - 2. If the registered student organization alleges that there was a defect in procedure or new information was presented which was sufficiently substantial to have affected the outcome and the appellate officer agrees, the appellate officer will order a new hearing.
- (e) The registered 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 appellate officer's appeal load at that particular time. Decisions of the VP of SSWB or designee reflect final agency action.
- (f) Any decision by Appellate Officer to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
- (g) If the Appellate Officer upholds the original findings, the effective date of any disciplinary sanction(s) imposed will revert back to the date of the Director of SCAI's or designee's final decision letter.

#### **(8) Community ReEngagement and Educational Development (CREED) Program**

- (a) The Community ReEngagement and Educational Development (CREED) Program is designated for a registered student organization to have the opportunity to demonstrate that in the period following the conclusion of the Organizational Conduct Review Process, they have taken steps to become a productive and engaged organizational member of the UCF Community.
- (b) Upon completion of one semester of the Organizational Probation, Organizational Deferred Suspension, or Organizational Suspension, and upon completion of all educational sanctions/requirements, a registered student organization can request modification of their organizational disciplinary status through the CREED Program.
  - 1. Registered student organizations that have been found responsible of Sex-Based Misconduct are ineligible to apply for relief under the CREED program.
  - 2. Registered student organizations that have been found responsible of a violation of the Code of Conduct that had a substantially negative impact on a person or group of people, as determined by SCAI, are ineligible to seek relief under the CREED program.
- (c) Requests must be submitted to the Director of SCAI or designee via an online Student Organization CREED Program Submission form that can be found at <https://scai.sdes.ucf.edu/creed-program/>.
- (d) The CREED Program is designed for registered student organizations to have the opportunity to demonstrate that in the period following a violation of the

Organizational Rules of Conduct, they have taken steps to become productive and engaged members of the UCF community. Student organizations that simply fulfill the minimum requirements of their sanction(s) will not be eligible for the CREED Program.

- (e) Upon receipt of the CREED Program form, the Director of SCAI or designee shall conduct a preliminary review to ensure that the registered student organization's request meets the necessary eligibility and application requirements. The Director of SCAI or designee must communicate the finding of the preliminary review of the application as well as the date and time of the "CREED review meeting" that has been scheduled for a committee to conduct a review the registered student organization's application, if applicable. The organization has three (3) business days from when the Director of SCAI or designee sent their preliminary findings to request an alternate date and time for the "CREED review meeting."
- (f) Prior to this meeting, the committee will have reviewed the packet and will prepare questions to be addressed, as well as provide the opportunity to further discuss why the registered student organization's organizational disciplinary status should be altered or terminated. No alterations shall be made to include new or increased sanctions. Should the committee feel that further information and/or documentation is necessary in order to render a recommendation, the review may be temporarily recessed. The registered student organization will be given ten (10) business days to produce the information and/or documentation the committee requested. Upon receipt of the requested information and/or documentation, the committee will reconvene the CREED review meeting with the registered student organization.
- (g) After the meeting, the committee will issue a recommendation to the Director of SCAI or designee. The Director of SCAI or designee will provide a final decision to the registered student organization in writing within ten (10) business days of receiving the recommendation.
- (h) If the request is denied by the Director of SCAI or designee the decision shall include a concise and explicit written statement that explains the basis for that final decision.
- (i) There is no appeal process for a Registered Student Organization Disciplinary CREED Review meeting decision.

## **UCF-5.015 Student Academic Misconduct Review Process**

(1) The Office of Undergraduate Studies, College of Graduate Studies, Registrar's Office, and the Office of Student Rights and Responsibilities will review this regulation periodically.

(2) 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 could affect student enrollment status.

(3) Academic misconduct includes but is not limited to cheating, plagiarism, assisting another in cheating or plagiarism, and commercial use of academic materials. Violations of academic misconduct at the undergraduate and graduate level are listed and defined in the Code of Conduct (UCF-5.008).

(4) Alleged violations of the UCF Code of Conduct (Academic Misconduct) shall be reported in writing to the Director of Student Conduct and Academic Integrity (SCAI) or designee. When an instructor becomes aware of an alleged violation of academic misconduct, the instructor must document the alleged violation(s) through the Academic Misconduct Report Form (AMR), available at <http://scai.sdes.ucf.edu>. Upon receiving an alleged violation of academic misconduct, the Director of SCAI or designee may review relevant information and consult with relevant parties regarding the incident in question.

- (a) The Director of SCAI or designee will refer all information warranting disciplinary action to the SCAI. SCAI will send notification to the student indicating the nature of the activity in question and what university rules were allegedly violated.
- (b) Upon receipt of an AMR form SCAI has six months to charge a student with a violation of academic misconduct. SCAI may exercise discretion when applying the time provision to account for circumstances that warrant a waiver of the six-month time limit from the date of discovery.
- (c) Students charged with alleged violations of academic misconduct will receive notice to attend a preliminary conference with SCAI to discuss the charges. At the preliminary conference, the purpose of this meeting is to provide the student with information regarding the Student Conduct Review Process, including the student's rights during the process; an opportunity to inspect and/or review the information known at the time, and notice of how to contact the Student Government Impartial Advisor. At the conclusion of the conference, SCAI will recommend an option for resolution of the academic misconduct charges. These options are case dismissal, informal resolution conference, or academic formal hearing. If the student fails to attend the preliminary conference, a hold may be placed on the student's record, preventing them from registering for future classes until the matter is resolved, and SCAI may move forward with scheduling a formal hearing as a resolution for disciplinary charges. 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.

### **(5) Options for Resolution of Academic Misconduct**

- (a) Case Dismissal. The Director of SCAI or designee may dismiss a case if: the reported case fails to have sufficient facts or information to substantiate the claim of academic misconduct; or the reported violation is not seen to warrant punitive

disciplinary action; or the reported behavior reported as academic misconduct is not a violation of the Code of Conduct. An informal non-disciplinary meeting may be held where the student may be instructed to complete an educational requirement to demonstrate what was learned from the reported behavior. Upon successful completion of the educational requirement, the reported incident will be dismissed.

- (b) **Informal Resolution Conference.** At the discretion of SCAI, violations found not to warrant a formal hearing may be referred to an informal resolution conference. SCAI shall provide timely written notice to the student of the charges at least seven (7) business days before the informal resolution conference. At the informal resolution conference, the charged student has the opportunity to meet with a SCAI staff member or designee and accept responsibility for the charges of violation of academic misconduct. At the informal resolution conference level, the matter will be settled by the following outcomes: punitive sanction (disciplinary warning, disciplinary probation, deferred disciplinary suspension) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not resolved informally, the case will be resolved through a formal hearing. The outcomes from an informal resolution conference process (decision of responsibility and recommended sanctions) are final and are not eligible for appeal. The student will receive written notice of the Resolution Agreement within ten (10) business days, except in extraordinary circumstances. Written notice of the Resolution Agreement will include the determination regarding responsibility for conduct violations and applicable sanctions.
- (c) **Academic Misconduct Formal Hearing.** If an alleged violation of academic misconduct is not dismissed or otherwise resolved, then SCAI shall provide timely written notice to the student of the charges at least seven (7) business days before the formal hearing. The charged student's formal hearing shall be open only to the charged student/co-charged students involved in the same incident, selected advisor, witnesses (when called upon), the university's legal representative, and a representative from SCAI.
- (d) Charged students in the Academic Misconduct Review Process shall be entitled to the rights listed in 5.009(4)(a)-(h), including but not limited to timely written notice and the right to an advisor, advocate, or legal representative who can participate in the proceedings.

#### **(6) Academic Misconduct Formal Hearing Process**

- (a) **Academic Misconduct Formal Hearings.** Students going through the Academic Misconduct formal hearing process may elect an Administrative Academic Misconduct Formal Hearing or a Panel Academic Misconduct Formal Hearing.
  - 1. **Administrative Academic Misconduct Formal Hearing**
    - a. Administrative Academic Misconduct Formal Hearings shall be conducted by one faculty member from the Student Conduct Board, who will be designated as an administrative hearing officer.
    - b. A SCAI staff member shall act as an advisor to the administrative hearing officer. The Director of SCAI or designee shall receive the administrative hearing officer's proposed finding(s) as to responsible or not responsible of a violation of the Code of

- Conduct, and consider any punitive and/or educational sanctions proposed by the administrative hearing officer.
- c. The Director of SCAI or designee may accept the proposed finding(s) of responsible or not responsible or remand the case for rehearing. If the Director of SCAI or designee accepts the proposed finding(s) of responsible, they adopt, modify, or reject the recommended decision and sanctions proposed by the administrative hearing officer, or remand the matter for a rehearing.
  - d. Any decision by the Director of SCAI 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. Academic Misconduct Panel Hearings.
    - a. A panel to consider an individual case shall be randomly selected by SCAI from the Student Conduct Board where students comprise at least one-half of the membership. One panel member shall be selected by SCAI to chair the hearing and report the finding(s) and recommended sanctions, if any, to the Director of SCAI or designee.
    - b. A SCAI staff member shall act as an advisor to the panel. The Director of SCAI or designee shall receive the panel's proposed finding(s) as to responsible or not responsible of a violation of the Code of Conduct, and consider any punitive or educational sanctions proposed by the panel.
    - c. The Director of SCAI or designee may accept the proposed finding(s) of responsible or not responsible or remand the case for rehearing. If the Director of SCAI or designee accepts the proposed finding(s) of responsible, they may adopt, modify, or reject the recommended decision and sanctions proposed by the panel, or remand the matter for a rehearing.
    - d. Any decision by the Director of SCAI or designee to alter proposed sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
- (b) Following the Academic Misconduct Formal Hearing.
    1. Undergraduate students found responsible will be prescribed disciplinary and educational sanctions appropriate to the findings and recommendations. SCAI will report the outcome from the academic misconduct hearing back to the instructor of record and department chair. In consultation with the college dean or designee, the instructor and the department chair will determine if further course or academic action should be imposed. If the undergraduate program recommends further course or program action, the undergraduate program must notify SCAI and Academic Services. Final results of the academic misconduct hearing and/or course or program action must be made available to the student in writing within fifteen (15) business days following the date of the hearing.
    2. Undergraduate students found not responsible will be notified within fifteen (15) business days. SCAI will report the findings back to the

instructor, department chair, and college dean or designee. Students may have proposed course or academic action removed and the instructor may determine a new grade since no violation was found.

3. For graduate students found responsible, SCAI notifies the instructor, the Dean or designee of the Academic College in which the graduate student resides, the program the student was in, and the Dean and Associate Dean of the College of Graduate Studies and the Dean or designee of the Academic College in which the graduate student resides. The college dean or designee will in turn notify the graduate program that a student is in violation and ask if the program wishes to invoke any program-level academic action(s). The student's graduate program will determine if program action is necessary. If deemed necessary, recommendation of program action will be made using the Probation/Dismissal Form and/or Conditional Retention Plan. This information will be forwarded to the College of Graduate Studies. SCAI will be notified if the graduate program recommends additional program action. The results of any hearing and/or program action should be available for the student within fifteen (15) business days. For graduate students found not responsible of academic misconduct, SCAI notifies the instructor, Associate Dean of Graduate Studies and the Dean or designee of the Academic College in which the graduate student resides. The graduate student may have their proposed course or program action removed and the instructor may determine a new grade since no violation was found.

(c) Appeals.

1. Undergraduate or graduate students found responsible as the result of an academic misconduct formal hearing may appeal the finding(s) and sanction(s) imposed by the Director of SCAI or designee. The appeal must be made in writing to the appellate officer (Provost or designee) within ten (10) business days after the date the student was notified of the decision by the Director of SCAI or designee. The person designated to hear the appeal may not have directly participated in any other proceeding related to the charged violation. Students may appeal the finding and sanction(s) imposed on the basis of one or more of the following:
  - a. Irregularities in fairness and stated procedures of the hearing that could have affected the outcome of the hearing.
  - b. Discovery of new and significant information that could have affected the outcome of the hearing and which was not known or could not reasonably have been discovered and/or presented at the time of the hearing.
  - c. The sanction(s) are extraordinarily disproportionate to the violation(s).
2. Any decision by an appellate officer to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
3. The appellate officer should issue a written decision to the student's appeal within twenty (20) business days of receipt of the appeal. Should the appellate officer require additional time for review beyond the 20

business days, the appellate officer will notify the charged student in writing of the need for additional time. Decisions of the Provost or designee reflect final agency action.

4. Any decision by the Provost 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. Undergraduate students may appeal program sanctions imposed by the student's undergraduate program, per UCF-5.016. Graduate Students may appeal program sanctions provided by the student's graduate program, per UCF-5.017. Students found responsible for academic misconduct are not eligible for academic appeal regarding the final grade issued by the course of the reported violation.

#### **(7) Z Designation for Academic Misconduct**

- (a) A Z designation denotes a student was found responsible of academic misconduct while enrolled in a course. A Z designation does not affect a student's grade point average.
- (b) Z designations will remain on a student's transcript if:
  1. The student is found responsible of academic misconduct and the punitive sanction is deferred disciplinary suspension for one or more semesters, disciplinary suspension for one or more semesters, disciplinary dismissal, or expulsion; or
  2. The student is found responsible of academic misconduct twice during their UCF academic career.
    - a. The punitive sanction received in either academic misconduct case has no bearing on the Z designation being permanently placed on the student's transcript.
    - b. A Z designation will be placed in association with both courses in which the student was found responsible of academic misconduct.
- (c) For both undergraduate and graduate students, if a student is found responsible of academic misconduct a Z designation will be placed on their transcript in association with the final course letter grade recorded (ex. ZA, ZB, ZC, ZD, ZF).
- (d) A Z designation will be denoted on the student's transcript as a ZW if a student withdrew from the course prior to the conclusion of the conduct process and was subsequently found "in violation" of academic misconduct.
- (e) SCAI will communicate with the Registrar's Office to have Z designations placed on student's transcript following the conclusion of the Conduct Review Process.
- (f) Students have the opportunity to improve the letter grade recorded in association with a course in which they were found responsible of academic misconduct through the use of grade forgiveness. The Z designation however will still remain on the student's transcript.
  1. A student can attempt to have a Z designation permanently removed through participating in the Community ReEngagement and Educational Development (CREED) Program.
- (g) A Z designation will remove a student from consideration for academic awards and honors (e.g. President's List and Dean's List) for the academic semester in which the violation occurred.

## UCF-5.016 Student Academic Appeals

### (1) General Policy.

- (a) This regulation applies to:
  - 1. Undergraduate or graduate students seeking to appeal a final course grade (individual grades on assignments, exams, etc. are not appealed by this process). See section (3) below for the appeal steps.
  - 2. Undergraduate students seeking to appeal a program decision. (Graduate student appeals of program decisions, including termination from an academic program or grades on thesis or dissertation, are handled in UCF-5.017). See section (3) below for the appeal steps.
  - 3. Undergraduate students seeking to appeal a denied program change (i.e., denial of student's request to add or change a major, minor, or certificate) or an automatic graduation under the Timely Academic Progress policy. See section (4) below for the appeal steps.
- (b) All grade concerns must first be discussed directly with the instructor of the course. The professional judgement exercised by an instructor in assigning a grade or in conducting a class is not appealable and therefore excluded from the provisions of this regulation. A formal grade appeal is limited to one or more of the following reasons:
  - 1. Alleged deviation from established and announced grading policy;
  - 2. Alleged errors in the application of grading procedures;
  - 3. Alleged deviation from University syllabus policy that could have impacted the resulting grade; and
  - 4. Alleged lowering of grades for non-academic reasons, including discrimination.
- (c) Program decisions include actions related to program or college specific requirements. An undergraduate program appeal is limited to one or more of the following reasons:
  - 1. Alleged deviation from program policies or university policies applied to the program as outlined in the Undergraduate Catalog or Undergraduate Program Handbook(s);
  - 2. Alleged errors in the application of program policies or procedures;
  - 3. Alleged program probation or program dismissal due to non-academic reasons; and
  - 4. Alleged undergraduate program action for non-academic reasons, including discrimination and/or sexual harassment in the undergraduate program, department or college.
- (d) Appeals to reverse a denied program change apply only to those undergraduate students with 75 or more credit hours who submitted a request to change or add a major, minor, or certificate. Appeals to reverse application of auto-graduation



decisions applies to those undergraduate students who have met all degree requirements in their primary major of choice and for whom the university has elected to award the degree.

- (e) If an academic appeal under this regulation alleges discrimination, the appeal will first be referred to the Office of Institutional Equity (<https://oie.ucf.edu/>). The OIE process must be concluded before a formal grade appeal can be initiated.
- (f) If the student is charged with a conduct violation based on alleged academic misconduct (per UCF-5.008) that relates to the final course grade or the undergraduate program action being appealed, the student conduct process must be completed before the student initiates a formal appeal pursuant to (1)(a)1 or (1)(a)2 above.
- (g) If the student is pursuing an undergraduate program action appeal pursuant to (1)(a)2 or (1)(a)3 above that relates to a grade appeal, the grade appeal must be completed before the student initiates the undergraduate program action appeal.
- (h) If needed, the University may extend deadlines applicable to the appeal process for the purposes of reviewing the appeal. If extensions are made, the new deadline will be shared in writing.

(2) For any appeal under this regulation, the following assumptions are adopted:

- (a) The burden of proof for a student academic appeal is on the student.
- (b) Students and faculty members are entitled to a fair and timely resolution of academic appeals.
- (c) Students have access to published materials, academic success coaches, and student government to help them become familiar with and understand the procedures for handling academic appeals. Students may consult the Golden Rule, seek advice from an academic advisor, or consult with a student government advisor ([sga\\_cjus@ucf.edu](mailto:sga_cjus@ucf.edu)) regarding the student's rights and responsibilities with respect to this appeal process.
- (d) Faculty members and administrators have access to the materials published in the Golden Rule and access to University staff in the Office of Student Rights and Responsibilities (<https://osrr.sdes.ucf.edu/>) to help them be aware of and understand the procedures to address academic appeals.
- (e) The University as an institution and its faculty members and students are entitled to procedures that ensure due process and the maintenance of academic standards.
- (f) All appeal communications between the student and any University personnel must be made via a university-provided system.
  - 1. Information regarding informal appeals should be communicated using the UCF email account (e.g., [ucf.edu](mailto:ucf.edu)).
  - 2. Information regarding formal appeals are submitted using the appeal forms and processes available at <https://academicsuccess.ucf.edu/gradeappeal/>.

### **(3) Grade Appeals and Undergraduate Program Action Appeals**

This section applies to appeals described in (1)(a)1 or (1)(a)2.

(a) Step 1: Resolution of Student Appeals with the Instructor or Program

- (1) The appeal of final grades or an undergraduate program action must be initiated within ninety (90) calendar days of the final grade being posted or of the undergraduate program action being taken.
- (2) All student appeals of grades or undergraduate program actions must first be addressed by the person or program whose action is being appealed. In cases of grade appeals this will be the instructor of the course and in cases of undergraduate program actions this will be the faculty administrator (e.g., program director or program coordinator) of the program that enacted the action. Henceforth, the instructor or faculty administrator are referred to as the “Responding Party”. This attempted resolution is required before the student can continue to the formal appeal process described in Step 2.
- (3) If the issue cannot be resolved directly with the Responding Party, or if the Responding Party is not available, the student has the right to pursue a Step 2 formal resolution at the unit level with the unit head or their designee. The “unit head” is usually the faculty member who serves as chair of the department or director of the school that houses the course or program.

(b) Step 2: Formal Resolution of the Student Appeal at the Unit Level

- (1) To initiate the formal academic appeal, the student must submit the appropriate appeal form and supporting documentation. The appeal form is available at <https://academicsuccess.ucf.edu/gradeappeal/>. If supporting documentation cannot be submitted online, the student must provide it to the unit head or designee. This documentation must clearly state the reason for the appeal and must include the resolution sought by the student.
- (2) Once the appeal is received by the unit head, they or their designee will review the appeal and supporting documentation to determine if there are grounds for the appeal.
  - a. If there is not a basis for the appeal, the appeal will be dismissed, and the unit head or designee will inform the student in writing why the appeal is dismissed.
  - b. If there is a basis for the appeal, within ten (10) business days of receipt of the appeal the unit head or designee will consult with the

Responding Party and may also ask to meet with the student.

- i. If the Responding Party or student is not available to discuss or respond to the appeal, the resolution should wait until the Responding Party or student can respond, but not more than thirty (30) business days.
- ii. In the event an immediate resolution is needed (e.g., due to pending graduation certification) the unit head will make a decision based on available information.

- (3) Within fifteen (15) days of receipt of the appeal, or longer based on either the Responding Party or student not being available (see above), the unit head or designee will provide the student and the Responding Party with a written decision.

(c) Step 3: Resolution of Student Academic Appeals at the College Level

1. If the student has new information to present or can show that a procedural error occurred in the previous steps, within ten (10) business days of the unit head or designee's written decision the student may submit the appeal to the dean of the college that offers the course or program. The student will provide the information using the processes outlined in (2)(f).
2. The dean will delegate the appeal to an associate dean or designee who will, within ten (10) business days of receipt, review the appeal. One of the following actions will take place:
  - a. If an appeal is presented that was previously dismissed for having no basis, and none of the new or additional information establishes a basis, then the appeal will again be dismissed, and the associate dean or designee will inform the student in writing why the appeal is dismissed.
  - b. If the student presents new or additional information that must first be reviewed by the unit head, then the associate dean or designee will inform the student in writing that this information must be reviewed first by the unit head and that the student is required to revisit Step 2.
  - c. If the appeal warrants a review, the associate dean or designee will submit a recommendation to the dean.
- (3) If a recommendation is submitted to the dean, within five (5) business days of receiving the associate dean or designee's recommendation the college dean will provide the student with a written decision on the appeal. The dean's decision will be sent to the student and copied to the Responding Party, the unit head, and the appropriate dean of the undergraduate or graduate college.

(d) Step 4: Resolution of Student Academic Appeals at the University Level

- (1) If the student has new information to present or can show that a procedural error occurred in the previous steps, within ten (10) business days of the dean's written decision the student may submit the appeal to the dean of the college of undergraduate studies or the dean of the graduate college. The student will provide the information using the processes outlined in (2)(f).
- (2) The university dean will review the appeal within ten (10) business days of receipt. One of the following actions will take place:
  - a. If an appeal is presented that was previously dismissed for having no basis and none of the new or additional information establishes a basis, then the appeal will again be dismissed, and the university dean or designee will inform the student in writing why the appeal is dismissed.
  - b. If the student presents new or additional information that must first be reviewed by the college dean, then the university dean or designee will inform the student in writing that this information must be reviewed first by the college dean and that the student is required to revisit Step 3.
  - c. If the information presented warrants additional review, the university dean will inform the student in writing that the appeal will be reviewed by the Ad Hoc Student Academic Appeal Committee which will make a recommendation to the university dean. The appeal will continue to Step 5.

(e) Step 5: Ad Hoc Student Academic Appeal Committee

- (1) The committee will function as an objective, fact-finding body when examining all available and relevant information concerning the student's appeal of a grade or program action by the Responding Party. Such information may include the student's documented appeal, written and/or oral information provided by the student or Responding Party, statements made by both parties before the committee, and any other information the committee may deem relevant.
- (2) The committee will review the student's appeal of the awarded grade or the undergraduate program action and will make a recommendation to the university dean about how the appeal will be resolved.
- (3) The committee shall be made up of no more than two (2) full-time instructional faculty members and an equal number of students. The university shall make a reasonable effort to select students of comparable academic classification as the student initiating the appeal. The university will select student members from a panel of students appointed and trained by the Vice President of Student Development and Enrollment Services and/or the Dean of the College of Graduate Studies. The list of students appointed to the student panel shall be maintained by the office of Student Conduct and Academic Integrity (for undergraduate) or the College of Graduate Studies (for graduate).
- (4) Once the committee is convened, the committee should make reasonable efforts to meet for review of the case within twenty (20) business days. If the committee cannot meet within the 20 days, the university will inform the parties of the need for additional time.

- (5) The meeting is not covered by Sunshine laws, is closed to outside parties, and will not be recorded.
  - a. The student and Responding Party shall be separately invited to meet with the committee. Participating individuals in the appeal may appear through virtual (electronic) means at the committee meeting. While either party may invite a guest to attend the meeting, no guest may address the committee or respond to questions.
  - b. The student and Responding Party 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.
  - c. Should either party fail to attend the scheduled appeal meeting, the meeting will be held in the party's absence with the understanding that the proposed outcomes and resolutions will be made using the information available at the time of the appeal meeting and in the party's absence.
- (6) After meeting with both parties, the committee will deliberate and issue a recommendation by majority vote to the university dean. If applicable, the committee will suggest a resolution to the appeal. This decision may let the grade/action stand as is or may alter the recommended grade/action. If the decision of the committee is to alter a previous decision, only the faculty members on the committee will recommend what the alteration will be; however, the student members on the committee may participate in the discussion. The committee chair will ensure that the committee's majority opinion, rationale, and recommended findings and resolutions are documented and forwarded to the university dean within five (5) days of the conclusion of the committee hearing.
- (7) Within five (5) business days of receiving the committee's recommendation, the university dean will provide the student with a written decision on the appeal. This decision represents final agency action. The dean's decision will be copied to the unit head and the dean of the college from which the appeal originated.

#### **(4) Academic Progress Appeals**

This section applies to appeals described in (1)(a)3, above.

- (a) Step 1: Resolution of Student Appeals with Academic Advisor/Academic Success Coach
  - 1. The appeal of a denied program change or of auto-graduation must be initiated within 5 business days of the written decision of the academic advisor/academic success coach to the student.
  - 2. All student appeals of a denied program change or of auto graduation must be first addressed by the person whose action is being appealed. In the case of a denied program change or auto graduation appeals this will be the academic advisor/academic success coach of the desired program (for adding or changing the major, minor or certificate) or the academic advisor/academic success coach of the current primary degree program (for auto

graduation). In this appeal process, the academic advisor/academic success coach, who is acting on the behalf of the academic college, will be referred to as the “Responding Party”. This attempted resolution is required before the student can continue to the formal appeal process described in Step 2.

3. If the issue cannot be resolved directly with the Responding Party, or if the Responding Party is not available, the student has the right to pursue formal resolution with the Dean and Vice Provost of Undergraduate Studies.

(b) Step 2: Resolution of Student Appeals at the University Level

1. To initiate a formal appeal, the student must submit an appeal to the Vice Provost and Dean of the Undergraduate College. This must be sent as an email from the student ucf.edu account with (1) student name, (2) student ID number, (3) student current major, (4) student desired major, minor or certificate (if changing or adding), (5) reason for appeal, and (6) supplemental information. Student may attach pdf or MS Word documents as supplemental information to support reason for appeal.

2. Once the appeal is received by the Vice Provost and Dean, the Vice Provost and Dean may delegate the appeal to an associate dean or designee who will, within five (5) business days of receipt, review the appeal. The Vice Provost and Dean may seek additional information from the appropriate college dean, the appropriate college associate dean of their designee, or from the Responding Party. Additionally, the Vice Provost and Dean may hold a meeting with the student for the purpose of attaining clarification on the information submitted.

3. The Vice Provost and Dean will provide the student with a written decision on the appeal or provide notification of an extension within ten (10) business days of the appeal. This decision of the Vice Provost and Dean represents final agency action. The Vice Provost and Dean’s decision will be copied to the dean of the college from which the appeal originated.

**(5) Responsibility for Record Keeping of Formal Student Academic Appeals**

(a) To support institutional compliance with the Southern Association of Colleges and Schools Commission on Colleges’ Principles of Accreditation, the following parties shall be responsible for maintaining complete records of all formal student academic appeals.

1. The College of Undergraduate Studies for undergraduate-level academic appeals; and
2. The College of Graduate Studies for graduate-level academic appeals.

(b) The complete record shall include the following components:

1. First and last name of the student filing the formal appeal or the student's unique UCF personal identification number,
  2. Date the formal appeal was filed,
  3. Final decision resulting from review of the formal appeal,
  4. Date the formal appeal was determined closed, and
  5. Documentation reviewed at each phase of the formal appeal process.
- (c) The dean of the College of Undergraduate Studies and the dean of the College of Graduate Studies or their respective designees shall be responsible for monitoring formal academic appeals for patterns that may warrant broader review in an effort to ensure the integrity of the academic enterprise and continuous compliance with accreditation standards. At minimum, the respective dean or designee shall conduct an annual review of the elements addressed in the SACS-COC Principles of Accreditation (10)(b)1, 2, 3, and 4 and shall consult the documentation on file for SACS-COC Principles of Accreditation (1)(b)5 as needed to render a determination of need for broader review.

## **UCF-5.017 Appeals of Graduate Program Actions or Decisions**

### **(1) Review of Academic Performance.**

- (a) The primary responsibility for monitoring a student's progress to degree (or program completion) rests with the graduate program, although the College of Graduate Studies also monitors a student's progress and takes appropriate actions if performance standards as specified by the program and University are not maintained. Satisfactory progress to degree (or program completion) requires an ongoing evaluation of a student's performance in a program as indicated by satisfactory grades within courses, successful performance on program competency exams, progress in thesis and dissertation research, the maintenance of the standards of academic and professional integrity expected in a particular discipline or program, and any other measures of progress as customarily used in the program. Academic probation or even dismissal of the student from the program may occur when the individual is not making satisfactory progress to degree (or program completion).
- (b) A graduate program may also recommend dismissal if the student fails to maintain the standards of academic and professional integrity, meet or exceed the professional competencies of the discipline, or maintain the competence necessary for the welfare of faculty, fellow students, staff, patients, clients, or others encountered in internships, externships, or other classes required by the degree program. A student's performance in clinical settings may be evaluated by clinical supervisors or other clinicians in conjunction with instructors of record and/or faculty advisors.
- (c) A student may be immediately terminated from a clinical assignment and/or graduate program when, in the professional judgment of a qualified clinician, faculty supervisor or instructor of record, client/patient welfare could be at risk. In cases where client/patient welfare could be at risk, graduate programs may forego published procedures for advising, mentoring or probation if documentation from clinical or faculty supervisors indicate immediate action was necessary to protect the welfare of others. When immediate action is taken, the graduate program must inform the student in writing of the action and the reasons for the action. The student may appeal such action as a graduate program action under this Regulation.
- (d) Misconduct associated with research or misconduct in laboratory assignments may result in immediate termination from the assignment and/or the graduate program when the misconduct places clients, researchers, subjects or the university at risk
- (e) It is incumbent on the graduate program to give the student an opportunity to discuss the pending action with the program director and provide additional relevant information prior to making a recommendation of probation or dismissal. A student does not have to agree with the action in order for the program to move forward with a recommendation of probation or dismissal.
- (f) The Dean of the College of Graduate Studies has final authority over probation and dismissal recommendations and will execute them accordingly.
  1. Once dismissed, a student may apply to UCF as a student in another program, or as a non-degree student. Readmitted students are prohibited from taking courses in the program from which they were dismissed.



2. A student can only be reinstated to the previous graduate program by either submitting a new application to the program with a new admissions decision, or through a formal grievance process. (See Grievance Procedures in following section).

**(2) Other Procedures.** Graduate students disputing a graduate program action (including the evaluation of their progress to degree) as described above, have several routes of appeal depending on the nature of the grievance.

- (a) In the appeal of a grade in a specific course (excluding thesis or dissertation credit hours) students are referred to Regulation UCF-5.016 for the grade appeal procedures.
- (b) For issues resulting from a failure to maintain academic behavior standards such as cheating, plagiarism, etc., students are referred to Regulation UCF 5.015 (and, as appropriate, student conduct review procedures).
- (c) Misconduct associated with research will follow procedures determined by the Office of Research and Commercialization.
- (d) All other grievances, including the appeal of grades issued in Thesis and Dissertation credit hours, follow the Procedure for Other Grievances of Graduate Students as outlined in this Regulation.

**(3) Applicability of graduate program action appeal procedure:**

- (a) This regulation applies to graduate student appeals of decisions made by the College of Graduate Studies, an academic college or graduate degree program based on:
  1. Alleged deviation from program or university policies as outlined in the Graduate Catalog or Graduate Program Handbook(s)
  2. Alleged errors in application of policies or procedures
  3. Alleged probation or dismissal due to non-academic reasons
  4. Alleged deviation from the University's syllabus policy
  5. Alleged discrimination and/or sexual harassment in the program, department or college. (An appeal alleging discrimination and/or sexual harassment in the program, department or college will be referred directly to the Office Institutional Equity. The University is entitled to a reasonable period of time to review allegations of discrimination contained in a graduate student appeal, and the University may accordingly extend deadlines applicable to the University for purposes of reviewing such allegations.)
- (b) Decisions based on professional judgment of an instructor, faculty member or clinical supervisor in the assignment of a grade or assessment of a student's performance in a class are excluded from the provisions of this regulation except as noted above. Probation or dismissal due to unsatisfactory performance on competency exams, research, or progress in thesis or dissertation research may not be appealed based on the student's disagreement with the professional judgment of an instructor, faculty member or advisor. Students may appeal based on alleged errors in process or alleged non-academic reasons.
- (c) Students placed on probation or dismissed by the College of Graduate Studies for not maintaining at least a 3.0 GPA may not appeal.

**(4) Procedure for Other Grievances of Graduate Students.** Students are entitled to a fair and timely resolution of appeals. This procedure is intended for graduate students having complaints regarding specific actions or decisions by a faculty member, program or college, including termination from an academic program, for reasons that are not covered in Section

2(a)-2(c) above. The graduate student is encouraged to first discuss the matter within the academic unit of the grievance and attempt to resolve the grievance informally. The formal procedure is as follows:

- (a) Step 1 -Program and Department Level: The graduate student appealing the decision of a program, must state the nature of the grievance in writing to the graduate program director, including a brief narrative of the grievance, the parties involved, and a statement of the remedy being requested. All appeals must be submitted using the form located at <https://graduatecouncil.ucf.edu/appeals-committee>. This statement must be submitted by the graduate student within six (6) months of the notification date of the occurrence of the program action being appealed.
- (b) Dependent on the nature of the grievance, the graduate program director will in ten business days following receipt of the grievance either make a recommendation about the grievance to the unit head or refer the grievance to the unit/ program graduate committee to examine the issue at their next scheduled meeting. The unit/program graduate committee may invite the aggrieved student and others having information about the case to attend the meeting and present information and arguments about the grievance. If so invited, the graduate student can have a personal advisor at the meeting, but the advisor can only confer with the student and not participate in the committee meeting. The unit/ program graduate committee will make a recommendation about the grievance to the graduate program director.
- (c) The graduate program director will consider the input of the unit/ program graduate committee and make a recommendation to the unit head about the grievance. The unit head will then make a final decision about the grievance at the program/ unit level and inform the student of the decision within ten business days after receiving the recommendation from the graduate program director.
- (d) Step 2 - College Level: Should the graduate student disagree with the decision of the unit head, the student has ten business days to file a written appeal of the decision with the academic college graduate coordinator (or the Dean of the College of Graduate Studies in the case of interdisciplinary programs with no academic college assigned to oversight of the program). It is incumbent on the student to explain in the appeal why the unit/program decision is in error and should be reexamined. At each appeal level, the basis for the appeal must be the same as the original appeal or must articulate new information discovered as part of the appeal process itself. If the basis for the appeal changes, the student will be considered to be initiating a new appeal that must begin at the initial level of the appeal process (and which must be timely).
- (e) Dependent on the grievance, the academic college graduate coordinator will, in ten business days following receipt of the appeal, either make a recommendation to the college dean about the grievance or refer the grievance to the college graduate committee to examine the issue at their next scheduled meeting. The college graduate committee may invite the aggrieved student and others having information about the case to attend the meeting and present information about the grievance. If so invited, the graduate student can have a personal advisor at the committee meeting, but the advisor can only confer with the student and not participate in the committee meeting. The college graduate committee will make a recommendation about the grievance to the college graduate coordinator.

- (f) The academic college graduate coordinator after considering the input of the college graduate committee will make a recommendation to the college dean about the grievance. The college dean will then make the final decision about the grievance at the academic college level, and inform the student of the decision within ten business days after receiving the recommendation from the college graduate coordinator.
- (g) Step 3 - College of Graduate Studies Level: Should the graduate student disagree with the decision of the academic college dean, the student has ten business days following receipt of the college decision to file a written appeal of the decision at the university-level with the Dean of the College of Graduate Studies. It is incumbent on the student to explain in the appeal why the academic college decision is in error and should be reexamined.
- (h) Dependent on the appeal, the Dean of the College of Graduate Studies will within ten business days following receipt of the appeal either make a decision about the grievance or refer the appeal to the Appeals Subcommittee of the Graduate Council to examine the issue at a scheduled meeting. The Appeals Subcommittee may invite the aggrieved student as well as others having information about the grievance to attend and present information about the grievance. If so invited, the graduate student can have a personal advisor at the meeting, but the advisor can only confer with the student and not participate in the committee meeting. The Appeals Subcommittee will submit a recommendation to the Dean of the College of Graduate Studies concerning the grievance.
- (i) The Dean of the College 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. There is no appeal beyond the level of Dean of the Graduate College as this person is vested with the final authority by the President of the University.

# University Registrar

## (1) Student Record Guidelines

Student records submitted become the property of the University and cannot be returned to the student or released to a third party. Copies of student records will be released only upon receipt of a written request signed by the student. Student records are stored in paper form or are digitally scanned. Once the student has been absent from the University for three academic years, all records are transferred to optical disk storage and the paper copies destroyed.

### (a) Family Educational Rights and Privacy Act (FERPA)

The procedures for protecting the confidentiality of student records are based on state regulations and the federal Family Educational Rights and Privacy Act of 1974. FERPA affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 30 days of the day the University receives a written request for access. Students should submit to the University Registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they desire to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed;
2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. The student may ask the University to amend a record that he or she believes is inaccurate or misleading. The student should write the University official responsible for the record, clearly identify the part of the record to be changed, and specify why the current record is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing;
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a

student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility;

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by a State University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington DC, 20202-4605

5. Directory Information FERPA authorizes the University to classify certain information concerning students as “directory information,” which means that it may be released to anyone upon request. In accordance with Florida Statutes Section 228.093, the University is required to release student directory information to independent vendors upon request. Directory information at UCF includes:

- Name;
- current mailing address;
- telephone number;
- e-mail address;
- date of birth;
- major field of study;
- dates of attendance;
- enrollment status;
- degrees and awards received;
- participation in officially registered activities and sports; and
- Athlete’s height and weight.

All other student information will be released in accordance with FERPA; in most cases this requires the student’s prior written and signed consent. The University extends to students the opportunity to withhold any or all information, including “directory information.” To do this, students must complete the “Directory Disclosure/ Release Authorization” form available at the Registrar’s Office (MH 161) or online at <http://registrar.ucf.edu>, requesting that this information be withheld. The Golden Rule outlines the University procedures for confidentiality. For additional information describing FERPA policy, enter the Department of Education Family Policy Compliance Office website at <http://www.ed.gov/offices/OM/fpco/>.

## **(2) Student Communication Responsibility Policy**

- (a) To communicate in a more expedient manner, UCF uses e-mail as the primary means of notifying students of important university business and information

dealing with registration, deadlines, financial assistance, scholarships, tuition and fees, etc.

- (b) To avoid missing important communications from the university, students must ensure that the university has an up-to-date “preferred” e-mail address, as well as both a permanent and mailing (local) address.
- (c) It is critical that students maintain and regularly check their “preferred” e-mail account for official announcements and notifications. Communications mailed to a student’s “preferred” email address are considered official notice. The university does not accept responsibility if official communication fails to reach a student who has not notified the university of a change of e-mail or mailing address.
- (d) Please ensure that your e-mail address, as well as your permanent and mailing (local) address and telephone number are current with the university at all times.

Students can update their contact information on the web at: <http://my.ucf.edu>

## Student Health Services

### (1) **Drug-Free Workplace/Drug-Free Schools Policy Statement**

This is a statement of the standards of conduct and disciplinary sanctions to be imposed for the unlawful possession, use or distribution of illicit drugs and alcohol by UCF students and employees on UCF property or as part of any of its activities. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or the unlawful possession or use of alcohol is prohibited in and on UCF owned and controlled property or as part of any of its activities. Any UCF employee or student determined to have violated this policy shall be subject to disciplinary action for misconduct, action which may include termination or expulsion and referral for criminal prosecution. No employee or student is to report to work, class or any University activity while under the influence of illegal drugs or alcohol. Violation of these policies by an employee or student will be reason for evaluation and possible intervention or treatment for alcohol and other drug abuse or dependency disorders. The University's alcoholic beverages policy is stated below.

### (2) **Campus Alcoholic Beverages Policy**

Policy- The sale, service, possession, and consumption of alcoholic beverages shall comply with state and federal laws, city and county ordinances, and the licensing agreement with on-campus distributors which allows for the sale and service of alcoholic beverages. The University's Alcoholic Beverages on Campus Regulation can be found at [UCF-4.035](#) while the Alcoholic Beverages on Campus Police can be found at [3-1152](#).

### (3) **Drug/Alcohol Counseling, Treatment, or Rehabilitation and/or Re-entry Programs Available to UCF Student and Employees**

Substance Use Disorders Prevention, Treatment & Recovery Services are available at the UCF Student Health Center. A variety of health promotion services, including education, assessment for substance use disorders, interventions, treatment and recovery support are provided to UCF students by clinicians at Student Health Services. Confidential screening and assessment is available for students who are interested in feedback regarding risk and protective factors associated with their self-reported substance use.

Student Health partners with other campus and community entities to support services that encourage individuals and student organizations to make safer, responsible choices that enhance their personal and academic success at UCF.

### **Applicable Legal Sanctions Under Federal, State and Local Law for the Unlawful Possession or Distribution of Illicit Drugs and Alcohol**

- (a) In the U.S. Department of Justice, Drug Enforcement Agency 1989 edition of Drugs and Abuse the following statement is provided regarding applicable legal sanctions under federal law for the unlawful possession or distribution of illicit drugs. "The foundation of the federal fight against drugs is Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, commonly known as the Controlled Substance Act (CSA). The basic Provisions of that law were strengthened by the Congress in 1984 and again with the Anti-Drug Abuse Act of 1986. The CSA provides penalties for unlawful manufacturing, distribution, and dispensing of controlled substances. The penalties are basically determined by the schedule of the drug or other substance, and sometime are

specified by drug name, as in the case of marijuana. As the statute has been amended since its initial passage in 1970, the penalties have been altered by Congress.” Florida laws (directed to discourage persons from driving under the influence of drugs or alcohol) have severe penalties including mandatory minimum incarceration sentences. Other sanctions include:

- Suspension or revocation of driver’s license;
- Suspension of vehicle registration and return of license plates, in the case of a multiple offender;
- Mandatory blood testing to determine alcohol or drugs levels; and
- Mandated assessment and counseling, and fines.

**(4) Biennial Review by UCF of its Drug-Free Workplace/Drug-Free School Policy Compliance**

The Division of Student Development and Enrollment Services and Human Resources office will review, on a biennial basis, the effectiveness of the programs stated in its Drug-Free Workplace/Drug-Free Schools Policy Statement and will implement changes to the programs if they are needed in accordance with the Drug-Free Schools and Communities Act amendments of 1989 (Public law 101-226). This review will also be conducted to ensure that the disciplinary sanctions stated in the UCF Policy Statement are consistently enforced.



# Office of Student Involvement

## **(1) Student Activities and Organizations**

The University supports a variety of student organizations as a belief in their co-curricular value, their role in the general education of students, and their being an asset to the University community. Opportunities for student involvement in student organizations include student government, academic, honorary, athletics, religious, special interests, cultural, international and service groups. Student organizations play an important role in the total University life and must, therefore, exercise judgment and responsibility in the planning and implementation of their activities. This judgment and responsibility extends to individual members and officers of organizations. Organizations and individuals must also observe certain regulations for rational and effective operation in the University community.

### **(a) Student Organizations**

#### **1. Benefits of Involvement**

The University of Central Florida (UCF) recognizes the importance of active and effective student organizations. Research clearly shows that those students who choose to become involved in some form of organized activity do better academically, persist through graduation, and gain valuable career related and life skills, and experience greater personal development when compared to those students who choose not to get involved. These benefits are even more enhanced for those students who take on leadership roles within student organizations.

#### **2. The Ability to Organize**

The University encourages students to organize themselves and to pursue personal and/or professional interests. Further, the University supports the choice to form and affiliate with an organization and strives to remove administrative barriers that would hinder such involvement.

#### **3. University Oversight**

The University has the responsibility to exercise appropriate oversight over student organizations and their related activities. This includes the official registration of all student organizations through the Office of Student Involvement as well as oversight for the appropriate time, place and manner of all activities, events, etc. Policies and procedures related to the conduct of student organizations are presented below.

## **(2) Approval and Registration of Student Organizations**

### **(a) New Student Organization Registration**

Any student association, group, or organization other than the Student Government Association is eligible for active registration as a registered student organization. Approval and registration is permitted and completed upon the recommendation of the Student Government Association, the review and concurrence of the Office of Student Involvement, compliance with all registration requirements and the approval of the Associate Vice President for Student Success and Wellbeing or designee. In order to comply with the University's commitment to non-discrimination, student organizations shall not discriminate in membership or leadership on the basis of race, color, religion, sex, national origin, age, ability, marital status, sexual orientation, gender identity,

gender expression, genetic information, or veteran status. Social fraternities and sororities permitted to do so by Title IX of the Educational Amendments of 1972 may restrict membership on the basis of sex and will not be denied registration on that basis. Student organizations whose primary purpose or mission is religious which adopt eligibility criteria for leadership positions based on religious beliefs will not be denied registration on that basis.

1. Registration Process

To be considered for approval and registration, a student organization must submit to the Office of Student Involvement a list of UCF student members and their UCFID numbers, a list of all officers and their UCFID numbers, the signature of two officers and the faculty/staff advisor(s) (if applicable), the organization's constitution and completion of officer training (minimum two officers). Proposed student organizations must have a minimum of ten UCF student members, exceptions to this rule can be requested and approved by the director of the Office of Student Involvement or designee for Regional Campus Organizations, College of Medicine Organizations, Organizations affiliated with a National Governing Body, and Organizations classified as Graduate. Exceptions to this rule can be requested and approved by the director of the Office of Student Involvement or designee for Regional Campus Organizations, College of Medicine Organizations, Organizations affiliated with a National Governing Body, and Organizations classified as Graduate. A proposed student organization, with a mission/purpose that appears to duplicate that of an existing organization, may not be approved or recognized. No student organization may be set up so that any individual benefits monetarily from its existence.

2. Privileges of Registration

Student organizations registered by the University may be granted the following privileges:

- a. The privilege to use University facilities depending on availability, program and guidelines;
- b. The privilege to request Student Government Association activity and service fees provided said organization adheres to the Student Body Constitution, the Student Body Statutes, and all Student Government financial regulations;
- c. The privilege to establish dues and sponsor money-raising projects;
- d. The privilege to use the University's name as part of the organization's name, University's name must appear the end (Hiking@UCF or Hiking at University of Central Florida;
- e. The privilege to invite guest speakers to campus;
- f. The privilege to grant awards and honors to organization members.
- g. The privilege of access to campus for recruiting, fundraising, and publicity;
- h. The privilege of KnightConnect Organizational Page;
- i. The privilege to apply for cubicle and storage space on campus from Office of Student Involvement;
- j. The privilege to program with SGA agencies;

- k. The privilege to participate, as a group, in University-sponsored events
- 3. In seeking, securing, and maintaining the privilege to be registered, each student organization must agree in writing to (i) abide by the U.S. and Florida Constitutions, as well as all state and federal laws, regulations of the Board of Governors or the University of Central Florida Board of Trustees, the rules and policies of the University of Central Florida, and the University of Central Florida Golden Rule, as well as the purposes delineated in the Student Body Constitution and the constitution of the respective student organization policies, procedures, and regulations and (ii) hold harmless the University for any actions or activities of the organization. Approval and registration of student organizations by the University shall not imply support for any student organization's purpose, philosophy or activities. While faculty and staff members of the University may serve in advisory capacities to student organizations, it is presumed that students of legal adult age are adults, and therefore, make and are accountable for their decisions and behaviors as individuals and as members of the organization. The University will not assume any legal liability for any student organization's activities per Florida Administrative Code.

**(b) Re-registration and**

Organizations which have been approved and wish to maintain registration with the Office of Student Involvement shall re-register and complete officer training annually, based on the date of the organization's last registration. In addition organizations are required to re-register within 10 school days of any change of information for the organization (e.g. elections, officer change, advisor change).. The report must include a current listing of the organization's membership and officers, the signature of at least two current officers and the faculty/staff advisor(s)(if applicable), and the organization's contact information.

Complete membership and officer lists should be made available to the Office of Student Involvement upon request. Should an organization fail to register annually and complete Officer Orientation, that organization shall be considered inactive.

**(c) Inactive Organizations**

Organizations that fail to re-register within 12 months of their last registration or fail to meet any of the other requirements listed above will be considered inactive. Organizations that are inactive for more than 12 months must reapply as a new student organization.

**(d) Constitutions**

Changes made to an organization's existing constitution must be submitted to and approved by the Office of Student Involvement in order to take effect. Organizations are required to follow their current constitutions in implementing any revisions

**(3) Funds and Expenditures**

Complete financial statements shall be made available to the Office of Student Involvement upon request. Registered organizations may receive operating and programming funds from Student Government Association through an application process. All approved Student Government Association funding will be disbursed

and expended through the Activity and Service Fee Business Office. Student organizations receiving funds must comply with Student Government, Activity and Service Fee Business Office, and Office of Finance and Accounting Guidelines. In the event an organization is inactive, organizational funds shall be distributed as per its constitution, but cannot be distributed to an individual or other student organization.

**(4) Membership**

Membership in any student organization is limited to:

- (a) Any UCF student who is paying activity and service fees and is currently or continuously enrolled with the University of Central Florida.
- (b) Any Valencia College Downtown student that meets its institution's eligibility for student organization membership, as long as the organization's constitution, bylaw or National Governing documents does not prohibit it.

Organizational membership requirements must also be satisfied. UCF employees may be non-voting members if the organization's national constitution and by-laws allow for it. In order to comply with the University's commitment to non-discrimination, all students who enroll at the University will be assured equal access to educational programs and related opportunities, including student organizations and related programming, without regard to race, color, religion, sex, national origin, age, ability, marital status, sexual orientation, gender identity, gender expression, and veteran status

*Title IX of the Educational Amendments of 1972 makes an exception for social fraternities and sororities with regard to sex for membership criteria.*

**(5) Student Eligibility for Leadership and Officer Positions**

- (a) Registered Student Organizations may not discriminate in membership or in officer positions on the basis of race, color, sex, national origin, age, ability, marital status, sexual orientation, gender identity, gender expression, genetic information, or veteran status. However, Student Organizations whose primary purpose or mission is religious may adopt eligibility criteria for officer positions which are consistent with those beliefs.
- (b) The University has established the following minimum requirements for student leadership and officer positions. Such positions may be elected or appointed and shall include without limitation, only as the University deems appropriate in its sole discretion, student government officials, officers of active registered student organizations, members of University department- sponsored groups, and members of University committees. Student leadership and officer positions which require current enrollment in a specific academic program must fulfill the academic requirements of the program in maintaining satisfactory academic progress towards degree completion as determined by the University Registrar. These minimum requirements may be reviewed for waiver only under extraordinary circumstances as deemed appropriate by the University in its sole discretion.
  - 1. During fall and spring semesters, a student leader must be currently enrolled as an activity and service fee-paying half-time student (currently defined as at least six (6) credit hours as an undergraduate degree- seeking student or a post-baccalaureate student, or at least five (5) credit hours in a graduate degree- seeking program or at least three (3) credit hours if registered for dissertation or thesis hours). The student is not required to be enrolled during

summer term; however, the student must be continuously enrolled for the minimum number of hours stated above during the preceding spring semester and following fall semester. Exceptions shall be made, upon appeal, for students in their last semester prior to graduation.

2. A student leader must have a minimum institutional grade point average for their current academic career (i.e., undergraduate or graduate). This is a grade point average of 2.5 for Undergraduate Students and 3.0 for Post-Baccalaureate or Graduate Students, for all hours earned: a. toward UCF classes (i.e., UCF Cumulative GPA), or b. at a previous educational institution, if the student is in their first semester (within their current academic career) at UCF.
3. A student leader must be in good academic and disciplinary standing, defined as not being on academic or disciplinary probation.
4. A student leader must be free of disciplinary holds on University records. Upon notification of ineligibility, students have two (2) weeks to gain eligibility before removal from leadership position. Students who do not meet the above minimum requirements may submit a written appeal to the Eligibility Appeals Board through the Office of Student Involvement within 2 weeks from the first day of being alerted of their eligibility delinquency by the Office of Student Involvement. The appeal should address the causes for ineligibility and reasons for believing that the problems have been resolved. The Eligibility Appeals Board is made up of students (3) appointed by the Student Body President and faculty (1) and staff (2) appointed by the Director of the OSC. The board elects their chairperson, who votes only in case of a tie. The Eligibility Appeals Board shall resolve the issue within four weeks. The Eligibility Appeals Board is the deciding body that, upon hearing the appeal may waive the eligibility requirements for that semester. Students may only be granted one appeal per criterion every two consecutive regular semesters (fall and spring).
5. Valencia College Downtown Students that are a members of an organization must student that meets it's institution's eligibility for student organization leadership positions.

The Eligibility Appeals Board may review the academic record of students in those positions of leadership or responsibility. The decisions of the Eligibility Appeals Board are final.

The Student Government Association has established eligibility requirements for selected positions within student government. These requirements and governing procedures are presented in their election and eligibility statutes, which are made available to any student upon request, as well as to all candidates filing for office.

**(6) Faculty or Staff Advisor**

All organizations are encouraged to have faculty or staff advisors. This advisor must be a contracted UCF employee, as defined by Human Resources. The advisor has no voting rights in organizational decisions.

**Event Management**

(a) Event Management for Events

1. Potentially Hazardous Events/SAFE Form

- a. This regulation applies to the holding of potentially hazardous events on university controlled property. Excepted from this regulation are official events which are scheduled annually in university publications (classes, orientation, registration, etc.).
- b. The provisions of this regulation are in addition to the provisions of other University regulations and university policies related to campus events.
- c. A potentially hazardous event is defined as any activity that could reasonably be expected to create a risk of harm to persons or of defacement or damage to public or private property. Examples of potentially hazardous events include, but are not limited to: bonfires; lighting of fireworks; events involving helicopters or other aircraft; motor vehicle races; gatherings in excess of 400 persons, including unregistered campus athletic events; marches (including any organized walks or runs); parades; outdoor events involving animals; any event involving the distribution of alcohol; and any event on Memory Mall.
- d. Any event that meets the above criteria would require the organization to complete a SAFE Form at least 15 days prior to event date.
- e. Full regulation can be found at [regulations.ucf.edu](http://regulations.ucf.edu)
  - i. UCF-4.0292 Potentially Hazardous Events

(b) Responsibility

The sponsoring organization is responsible for implementation of this procedure.

1. Loud Speakers and Sound Equipment

Active registered organizations must secure in writing permission to use amplified sound on campus (including Research Pavilion) for the purpose of engaging in any activity to benefit either their own organization directly or a program that their organization may sponsor, as follows:

- a. Student Union and inside the Pegasus Circle - Director of the Student Union or designee (see Student Union Amplified Sound Policy);
- b. Outdoor area immediately adjacent to any building—officially designated building manager for that facility;
- c. Other outdoor open spaces on the campus - designated sponsors, i.e., Lake Claire - Director of the Recreation and Wellness Center;
- d. Inside any building - officially designated building manager for that facility.
- e. Permission by active registered student organizations to use any space on each regional campus or its host institution's campus for the purpose of such fundraising must be secured in writing in advance from the Director of Campus Life on each regional campus. All registered student events must be in compliance with local, state, and federal law.

2. Admission Fees  
Student organizations wishing to charge admission to an event should receive prior approval from the Office of Student Involvement. No admission fees may be charged to students for activity and service fee funded events pursuant to applicable Florida statutes.
3. Contracts  
No student is permitted to represent the University as a signatory on contracts.
4. Student Organization Contests, Campaigns, or Petitions  
Any student organization sponsoring a fundraising campaign, contest, competition or petition must register with the Office of Student Involvement. This does not pertain to Student Government Association elections.

**(7) Campus Demonstrations and Other Outdoor Events**

- (a) Subject to the limitations of this and related regulations, outdoor areas of the the University campus may be used for demonstrations and other exercises of free speech and assembly. Such use must not interfere with the conduct of classes or University activities and must not infringe on the rights of. All general requirements for use of the University buildings and outdoor areas of campus set forth in University regulations UCF-4.029, UCF-4.0292, UCF-4.0293, and UCF-4.0294 apply to uses of University grounds under this regulation.
- (b) No campus buildings, other indoor facilities, or athletic or recreational facilities may be used for demonstrations or assemblies unless specifically permitted in writing by the campus authority specifically responsible for the building or facility.
- (c) University organizations and University-related organizations may organize, conduct, or participate in demonstrations and other exercises of free speech and assembly on University grounds, except for non-common outdoor areas. All information regarding most up-to-date policies concerning University buildings and outdoor areas of campus are set forth in University Regulations UCF-4.029, UCF-4.0292, UCF-4.0293, and UCF-4.0294.
- (d) Non-university organizations and persons may conduct spontaneous expressive activities, and other exercises of free speech and assembly, on outdoor areas of the University campus that are otherwise accessible to the campus community for common use, but must abide by the reasonable time, place, and manner restrictions set forth in this and related University regulations (see also University Regulations UCF-4.029, 4.0292, and 4.0294), including that such use be lawful and non-disruptive. A person making use of the outdoor areas of the University’s campus for expressive activities does not have the right to limit access to those outdoor areas or to conduct commercial activities in conjunction with the person’s expressive activities. Campus demonstrations that will take the form of or involve a parade or march on campus must follow the requirements of Regulation UCF-4.0292, “Potentially Hazardous Events.” This is required so that necessary safety precautions can be taken, particularly where the parade or march route will cross lanes of vehicular or pedestrian traffic.

**(8) Advertising and Signs**

Exterior signage is allowed for students sponsored activities, clubs and events to promote student participation.

- (a) Student organizations may use exterior signs to advertise activities, clubs, and events three times per semester.
- (b) All signs must be registered and properly “stickered”. Stickers may be applied for at the Office of Student Involvement and are issued by the director or his/her designee. Stickers may only be issued for 5 days increments, with provisions for renewal.
- (c) A maximum of three wood signs may be posted for advertising an activity, club or event.
- (d) All signs must be removed by the posting organization within 24 hours after the registered event or immediately after the fifth day if the signs are not renewed. Signs not removed within the specified timeframe will be removed by Physical Plant and a \$50.00 per sign charge levied. The sign will be released after the fine has been paid at the “Cashiers” office, and credited to the appropriate account.
- (e) The placement of printed materials on vehicles, light posts, benches, trees and exterior doors are not permitted.
- (f) Signs must adhere to the following standards:
  - 1. The maximum size of a sign is 4 feet by 8 feet.
  - 2. Signs must be free standing and not staked into the ground or hung, fastened or attached to shrubbery, trees, and light posts. Signs are not permitted in any street median.
  - 3. All signage must be placed in a minimum of 50 feet from any motor vehicle intersection.
  - 4. Signs can only be placed in locations designated on the UCF Signage Location Map.
  - 5. Any signs in violation of any of the above stated regulations will be removed by Facilities Operations and a \$50.00 per sign charge levied. The sign will be released after the fine has been paid at the “Cashiers” office, and credited to Account # 2421000, object code #499000.
- (g) These posting rules do not apply to Student Government elections.



## **Student Union**

### **(1) In-line Skating, Skateboarding, and Scooters Procedure**

- (a) Each building of the University will have properly posted signs prohibiting in-line skating, skateboarding, and scooters within or adjacent to building structures. The building manager is responsible for posting the signs with the assistance of the Physical Plant.
- (b) Any staff or faculty member shall discourage anyone from in-line skating, skateboarding, or using scooters within the confines of each building or adjacent to the property, the disruptive individual will be referred to the Division of Student Development and Enrollment Services or Human Resources as applicable. In the case of a person not affiliated with the University, University Police will issue a Trespass Warning according to policy. The University Police will assist the reporting party as necessary.
- (c) This procedure applies to all hallways within University buildings and stairways and entranceways adjacent to the exterior of each building.
- (d) In-line skating, skateboarding, and scooters are prohibited on the roadways and in parking garages/lots.
- (e) The University Police Department is responsible for enforcing this procedure.
- (f) Scooters used by persons with disabilities to aid in their mobility are exempt from this policy.

### **(2) Solicitation on Campus**

#### **(a) General Policy**

1. All business entities and all natural and legal persons (hereinafter referred to as "Vendor(s)") wishing to solicit business or otherwise engage in any form of commerce on the Orlando campus of the University of Central Florida ("UCF") must coordinate such activities through UCF's Director of Student Union or designee. The conduct of all such activities shall be confined to that area of campus situated within the boundaries of Pegasus Circle from Centaurus Drive to Aquarius Agora Drive.
2. Vendors wishing to utilize the free speech area must secure permission from the Director of Office of Student Involvement or designee.

#### **(b) Procedure**

Vendors must comply with the following guidelines to reserve and allocate space for the conduct of solicitation: Market Day Guidelines

1. Contact UCF's Student Union Event Services to request space. Space is limited. Reservations must be made in advance at UCF's Student Union Office, Room 312. All fees for the reservation of space must be paid at the time the reservation is made. (See Student Union Event Services for current fee schedule.) UCF reserves the right to require any Vendor to submit proof of insurance coverage for comprehensive and general liability insurance in amounts deemed acceptable by UCF.
2. Placement of Vendors within the bounds of Pegasus Circle will be at the sole discretion of UCF's Student Union Event Services staff.
3. Vending space will be clearly designated for Vendors upon their arrival at set up time. Displays may not extend beyond the allotted space.

4. UCF's Student Union reserves the right to restrict the participation of any Vendor or Vendors.
5. If a Vendor is not set up by 10:00 a.m., UCF may, but is not obligated to, remove the Vendor's equipment, if any, and will consider such Vendor a NO SHOW. This information will be noted in Vendor's file and could impact future reservations.
6. The market will end promptly at 5:00 p.m. UCF's Student Union patio will be open to load merchandise and equipment from 5:00 p.m. - 6:00 p.m. Vendors must completely vacate UCF's Student Union patio by 6:00 p.m.
7. In case of inclement weather, the market may be canceled at the sole discretion of Student Union staff. If the market is canceled, reservation fees will be refunded to UCF's Vendors who paid the fees. No prorated refunds will be issued if the market is held and inclement weather occurs during the day.
8. Vendors are to purchase a parking pass on the days they will be on campus. Parking is available in Lot T-600 after the vendor unloads the materials and merchandise at UCF's Student Union.
9. UCF is not responsible for any loss, theft, or damage to Vendors' equipment or goods. Vendors are responsible for the security of their property.
10. Vendors must adhere to the requirements established by UCF's Student Union for the safety of the event and any rules as may be mandated by UCF's Department of Environmental Health and Safety.
11. UCF shall not tolerate the placement of tables, displays, tents, or other activities for solicitation purposes outside Pegasus Circle. UCF's Police will be responsible for monitoring all such activities outside Pegasus Circle. Those violating this policy will be instructed to leave immediately and may be issued a no-trespass warning by UCF Police.

(c) Campus Locations for Solicitation

1. Posted materials should not be fastened to or hung from shrubbery or trees; drawn, taped, painted or otherwise displayed on sidewalks, walls, glass and painted surfaces, or building exteriors. No holes may be dug into the ground (except for wood stakes) nor nails or tacks hammered into trees.
2. Solicitors and tradesmen, including students, faculty and other University personnel, are prohibited from conducting business transactions with individuals or organizations on campus unless a permit has been issued. Permits to conduct such business with students and student organizations may be issued by the Director of the Student Union or for all others by the Director of Business Services.

(d) Exception to Policy

Officially registered, active student organizations of UCF desiring an exception to the above policy must secure, in advance, the written permission of either the Director of the Student Union or other individual listed below to use, free of charge, space on UCF property to conduct a solicitation to benefit only the student

organization. No person or entity outside of the student organization shall participate in the solicitation or receive any financial or other benefit or thing of value from the solicitation. Examples of such solicitations include but are not limited to, bake sales and similar fundraising activities, distribution of literature, speakers, giveaway promotions, or signing of petitions. On UCF's Orlando campus, permission must be secured as follows:

1. Student Union and inside the Pegasus Circle and Ferrell Commons Courtyards from the Director of the Student Union or designee.
2. Residence Halls and outside areas immediately adjacent thereto - from the Director of Housing or designee.
3. Greek Park area from the Director of Office of Fraternity and Sorority Life or designee.
4. UCF Arena and areas immediately adjacent thereto - from the Director of the UCF Arena or designee.
5. Inside any other building and outside areas immediately adjacent thereto - from the officially designated building manager of that facility or designee (identification of the building manager for a particular facility may be obtained from the Office of the Vice President for Administration and Finance).
6. Recreation and Wellness Center and Intramural Sports area – from the Director of Recreation and Wellness Center.

On the regional campuses or their host institutions, permission to use space to conduct solicitations must be secured from the Director of Campus Life on that regional campus and, as may be required, from the appropriate official of that host institution.

Failure of active student organizations to comply with this solicitation policy and procedure may result in student disciplinary action taken against such organizations, including the loss of the privilege to engage in solicitations on UCF property, the loss of the privilege to register as a student organization, as well as other disciplinary action.

- (e) Responsibility the Associate Vice President for SSWB or designee shall be responsible for implementing this policy.

# Office of Institutional Equity

## Non-Title IX Sexual Harassment Investigation & Adjudication Procedures

### (1) Investigation:

- (a) When the Office of Institutional Equity (OIE) receives a report of alleged sex discrimination (including sexual assault, sexual exploitation, relationship violence, stalking, sexual harassment or gender-based harassment), aiding and abetting in the commission of any of these acts, or retaliation for reporting or participating in a process related to an investigation of such acts (hereinafter “sex discrimination”) and the Complainant is a UCF student, OIE will notify Student Care Services or designee, who will contact the Complainant to offer remedial and protective measures, support resources and information on reporting options.
- (b) Where the Respondent is a UCF student or registered student organization, OIE also will contact the Complainant to share information regarding the University’s investigative process. The University will review all allegations of sex discrimination and determine an appropriate course of action.
- (c) If a Complainant chooses not to participate in an investigation, the matter generally will be closed and no further investigatory steps will be taken except in cases where the Title IX Coordinator determines that an investigation needs to move forward despite the Complainant’s nonparticipation. The Title IX Coordinator will consider the reasons for the nonparticipation, including concerns about continued safety of the Complainant and members of the university community. The University may need to proceed with investigating and adjudicating the case regardless of the Complainant’s wishes in those cases whereby the situation is determined to pose a significant danger to the University community, including but not limited to cases involving significant violence, cases where the University has reason to believe that the Respondent has harmed more than one individual, or cases in which there is deemed to be a threat to the campus community.
- (d) If the Complainant decides to pursue an investigation by the University, OIE will interview the Complainant about the incident(s) and review relevant documentation provided by Complainant. OIE will then provide the Complainant with the opportunity to review their interview summary and provide additional information. The Complainant will have three (3) business days to review and provide information related to the interview summary. OIE will incorporate changes where appropriate.
- (e) Following the Complainant’s substantive interview and review of the evidence provided, OIE will conduct an initial assessment. OIE’s initial assessment is guided by state and federal law, and OIE will credit all allegations as true for

the purpose of the analysis. If OIE determines that the conduct would not violate University nondiscrimination policies even if all the allegations are credited, OIE will advise the Complainant of its determination and will not undertake further investigation. If OIE determines that the alleged conduct may violate University nondiscrimination policies, the investigation will proceed as described below. If OIE dismisses a matter under this assessment, the University retains the right to review the conduct under other applicable policies or regulations.

- (f) The University will notify the Respondent of the investigation in writing. Student Care Services or designee will contact the Respondent to offer interim remedial and protective measures and support resources. The investigator will provide Respondent with information related to the investigation process.
- (g) The University will interview the Respondent and witnesses (if applicable), and collect all relevant evidence. OIE will provide the Respondent and witnesses with the opportunity to review their interview summaries and provide additional information. The Respondent and witnesses will have three (3) business days to review and provide information related to the interview summaries. OIE will incorporate changes where appropriate. The investigator has the discretion to determine the relevance of any proffered evidence and to include or exclude certain types of evidence. In general, the investigator will not consider statements of personal opinion, rather than direct observations or reasonable inference from the facts, or statements as to any party's general reputation for any character trait. If the Respondent chooses not to participate in a substantive interview with OIE, OIE's investigation and process will move forward based on the available evidence in the record.
- (h) At the conclusion of the investigation, the investigator will submit an investigative report that summarizes the allegations and evidence and sets forth the investigator's factual findings. The parties will have equal access to review and comment upon the investigative report within three (3) business days of OIE issuing the report. Parties also may request to review the evidence in the record during that three-day timeframe  
  
("investigative findings report review period").
- (i) All evidence and witnesses must be submitted by the Complainant and Respondent no later than the conclusion of the investigative findings report review period prior to the report being sent to the Deputy Title IX Coordinator for Students or designee.
- (j) The University will endeavor in good faith to complete its processes within the timelines set forth in #3 below (UCF Timeline of Action Steps Pursuant to

Nondiscrimination Policy & Golden Rule Handbook). These timelines may be extended for good cause, which includes but is not limited to: investigations where additional time is necessary to ensure the integrity and completeness of the investigation; to comply with a request by external law enforcement for a temporary delay to gather evidence for a criminal investigation; to accommodate the availability of parties, parties' advisors and/or witnesses; to account for University breaks or vacations; to account for complexities of a case, including the number of witnesses and volume of information provided by the parties; and to implement an accommodation based on disabilities or language assistance in the investigation process. If the University determines that its process may exceed the applicable timelines set forth in #3 below, the University will advise both the Complainant and Respondent.

- (k) At the conclusion of the investigative findings report review period, OIE will submit the final investigative report and evidence in the record to the Deputy Title IX Coordinator for Students or designee to determine whether there is cause to forward the case to SCAI. If the Deputy Title IX Coordinator for Students or designee determines that there is cause to charge the Respondent with misconduct, then that individual will make a written recommendation, including a copy of OIE's investigative report and all other supporting information, to SCAI. A finding of "cause" at this stage is not a finding of a violation. SCAI will charge the student and/or registered student organization through the Student Conduct Review Process when there is evidence of facts which reasonably allow the university to conclude that a violation of 5.008(5) or 5.012(5) may have occurred. If the Deputy Title IX Coordinator for Students or designee determines that there is not cause to charge the Respondent, the matter will be dismissed and the parties will be notified of the dismissal.

**(2.) Adjudication Process (Student Conduct Review Process):**

- (a) If the investigative process results in a recommendation to initiate the student conduct review process, at least seven business (7) business days before the formal hearing, the Respondent will receive timely written notice of the charges in sufficient detail to prepare for the formal hearing and the date, time, and location of the formal hearing. In addition to the timely written notice, Complainant and Respondent will be requested to attend a preliminary conference meeting with SCAI and be informed of the available resolution options in the student conduct review process.
- (b) At least five (5) business days before any formal hearing, both the Complainant and Respondent will be provided with all known information in the University's possession related to the allegations. This information will include all known witnesses and all known information that is related to the allegations, both

inculpatory and exculpatory. Also, at least five (5) business days before the formal hearing, the Complainant may submit a written statement describing the impact of the Prohibited Conduct on the Complainant and expressing a preference about the sanction(s) to be imposed. At least five (5) business days before the formal hearing, the Respondent may submit a written statement explaining any factors that the Respondent believes should mitigate or otherwise be considered in determining the sanction(s) imposed. SCAI will ensure that the Complainant and the Respondent each have an opportunity to review any statement submitted by the other party before the start of the formal hearing. The purpose of the statement(s) is to assist the hearing officer in proposing a sanction. Therefore, the statement(s) will be given to the hearing body for consideration only if the hearing officer makes a proposed finding of violation on one or more allegations of sex-based misconduct (other than Title IX sexual harassment) addressed in the formal hearing.

- (c) If the matter proceeds to a formal hearing, both the Complainant and Respondent may submit a list of proposed questions related to the alleged incident to be asked during the formal hearing. The relevancy of proposed questions will be determined by the hearing officer. During a formal hearing, all questions shall be asked through the hearing officer. The Complainant and Respondent should not be questioned directly by one another nor by either's advisor; instead, questions for each shall be asked by the hearing officer based on proposed questions submitted by the other party.
- (d) Both the Complainant and the Respondent will be provided access to participate, during the entire formal hearing in person, via videoconference, by telephone, or by other means available.
- (e) The results of any formal hearing shall be made available to the Complainant and the Respondent within five (5) calendar days following the hearing. Should SCAI need additional time, the deadline can be extended by the Director of SCAI or designee by notifying both the Complainant and the Respondent.
- (f) Any student found responsible for a violation of the Code of Conduct for sex discrimination is subject to disciplinary action from the University including but not limited to disciplinary probation, deferred suspension, disciplinary suspension, disciplinary dismissal, or disciplinary expulsion. In addition to issuing punitive sanctions, educational requirements may also be imposed. Any registered student organization found responsible for a violation of the Organizational Code of Conduct for sex discrimination is subject to disciplinary action from the University including but not limited to organizational probation, organizational deferred suspension, organizational suspension, or

recommendation of charter revocation. In addition to issuing punitive sanctions to organizations, educational sanctions may also be imposed.

- (g) Students and organizations may appeal the outcome of the student conduct review process. For more information, see UCF-5.010 and UCF-5.013.

**(3.) UCF Timeline of Action Steps Pursuant to Nondiscrimination Policy & Golden Rule Handbook**

<b>Action Step</b>	<b>Responsible Party</b>	<b>Timeline</b> <i>Timelines are subject to extension for good cause and impacts of circumstances not within University's control including but not limited to parties' and witnesses' responsiveness, rescheduling based on parties' and/or attorneys' schedules, parties' needs for extensions, University closures (I.e. holidays, winter break, hurricane closures), and deadline falls on a weekend</i>	<b>Cumulative Timeline</b> <i>Not including appeals</i>  <i>Timelines are subject to extension for good cause and impacts of circumstances not within University's control including but not limited to parties' and witnesses' responsiveness, rescheduling based on parties' and/or attorneys' schedules, parties' needs for extensions, University closures (I.e. holidays, winter break, hurricane closures), and deadline falls on a weekend</i>
<b>Receipt of report and issuance of case management email to Remedial Measures Specialist and/or Investigator</b>	Title IX Coordinator or designee	Within 2 days of receipt of incident report	2 calendar days
<b>Remedial measures outreach</b>	Remedial Measures Specialist	Within 3 days of case management email	5 calendar days
<b>Intake meeting with investigator</b>	Title IX Investigator or EEO Investigator	Within 7 days of case management email, unless declined by Complainant, Complainant is nonresponsive to outreach, or Complainant requests later meeting	9 calendar days
<b>Assessment of jurisdiction/action and subsequent issuance: Notice of investigation or Dismissal Memo</b>	Title IX Investigator or EEO Investigator	Within 15 days of receipt of signed formal complaint from Complainant	24 calendar days
<b>Conclusion of investigation and issuance of investigative report</b>	Title IX Investigator or EEO Investigator	Within 105 days of issuance of Notice of Investigation	129 calendar days
<b>Review and response by parties</b>	Complainant(s); Respondent(s); Title IX Investigator	3 days from issuance of investigative report; investigator then issues report and supporting documents to OSRR	132 calendar days
<b>Cause recommendation from OSRR and referral to SCAI</b>	Deputy Title IX Coordinator for Students	6 days from receipt of referral from OIE	138 calendar days
<b>Administrative Hearing</b>	Student Conduct & Academic Integrity	Within 30 days of cause recommendation	168 calendar days



<b>Issuance of outcome letter</b>	Student Conduct & Academic Integrity	Within 5 days of conclusion of the live hearing	173 calendar days
-----------------------------------	--------------------------------------	---	-------------------

**UCF Timeline for Appeals Pursuant to Golden Rule Handbook**

<b>Action Step</b>	<b>Responsible Party</b>	<b>Timeline</b> <i>Timelines are subject to extension for good cause</i>
<b>Party Appeal of Adjudication</b>	Complainant(s); Respondent(s)	Within 10 business days of issuance of outcome letter
<b>Adjudication Appeal</b> If one or more parties file an appeal within 10 business days of issuance of the live hearing or administrative hearing outcome letter; adjudication appeal review and issuance of appeal outcome letter	Appellate Officer:  Vice President of Student Success and Wellbeing or designee	Within 20 business days of receipt of the appeal(s)