

NOTICE OF NEW REGULATION

Date: May 19, 2009

REGULATION TITLE:

Office of Student Conduct; Scope; Definitions;
Student Conduct Records; Special Student Panels

REGULATION NO.:

UCF-5.007

SUMMARY OF REGULATION: The purpose of this new regulation is to set forth the scope of the UCF Rules of Conduct; provide definitions of commonly used terms; and discuss the maintenance and release of student conduct records.

AUTHORITY: BOG Resolution dated January 7, 2003

NAME OF PERSON WHO INITIATED REGULATION:

Nicholas Oleksy, Coordinator, Office of Student Conduct

COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS:

Regulations Administrator
4000 Central Florida Blvd.
Millican Hall, Suite 360
Orlando, FL 32816-0015
Phone: (407) 823-2482
Fax: (407) 823-6155
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FULL TEXT OF THE PROPOSED REGULATION:

UCF-5.007 Office of Student Conduct; Scope; Definitions; Student Conduct Records; Special Student Panels

(1) Scope

(a) The UCF Rules 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 and shall be deemed a part of the terms and conditions of admission and enrollment of all students.

(b) These rules apply to all student conduct that occurs on University premises which includes all land, buildings, facilities, and other properties in the possession of or owned, used, or controlled by the University.

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

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

(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.

(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 Development and Enrollment Services 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) Members of the University community, who commit offenses against the laws of municipalities, states, or the United States, are subject to prosecution by those authorities and may be subject to disciplinary action under University rules when their conduct violates institutional standards. 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.

(4) Definitions

(a) The term “Advisor” refers to the person of the charged students or organizations choice who may assist and/or accompany the charged student throughout the Student Conduct Review Process but shall not speak for or present the case on behalf of the charged student or organization.

(b) The term “Charged student” means any student that is charged with a violation of the Rules of Conduct.

(c) 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).

(d) The term “Director of the OSRR” refers to the Director of the Office of Student Rights and Responsibilities.

(e) The term “Disciplinary Sanction Review Committee” is a committee composed of an equal number of faculty/staff and students appointed by the Director of the OSRR to review the disciplinary probation/suspension status of a student.

(f) The term “Hold” refers to a service indicator placed on a student’s record.

(g) The term “Member of the University community” refers to any person who is a student, faculty member, staff member, University official or any other person employed by the University.

(h) The term “Off campus” refers to any location not defined as University premises.

(i) The term “Overlay” refers to a notification on a student’s university transcript that states the student is not in good standing.

(j) 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 Conduct Review Process.

(k) The term “Record Sealing” refers to when a student’s disciplinary record cannot be examined except by a court order or designated officials.

(l) The term “Sanction” refers to outcome(s) imposed on students found in violation of any Rules of Conduct of this University.

(m) The term “Student” means any person enrolled in one or more classes at the University, either full time or part time, including study abroad, pursuing undergraduate, graduate or professional studies.

(n) The term “Student Conduct Board” means any person or persons authorized by the Director of the OSRR or designee to determine whether a student has violated the Rules of Conduct and to recommend sanctions that may be imposed when a rules violation has been committed. Board members are selected through an annual application and interview process with the exception of the justices from the Student Government Association Judicial Council. All Student Conduct Board members, including justices, receive training from the Office of Student Conduct.

(o) The term “University” means the University of Central Florida.

(p) 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.

(q) The term “University premises” includes all land, buildings, facilities, and other properties in the possession of or owned, used, or controlled by the University.

(r) The term “VP of SDES” refers to the Vice President of Student Development and Enrollment Services.

(5) Student Conduct Records

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

(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.

(6) Evaluation of Student Conduct Review Process. The Student Conduct Review Process will be evaluated periodically by a committee, which shall be composed of students and staff members of the university.

Authority: Florida Board of Governors Resolution dated January 7, 2003. History - Formerly 6C7-5.0041, New _____.