

## NOTICE OF PROPOSED REGULATION AMENDMENT

**Date:** May 13, 2020

**REGULATION TITLE:**

Office of Student Conduct; Scope; Student Conduct  
Records

**REGULATION NO.:**

UCF-5.007

**SUMMARY OF PROPOSED REGULATION AMENDMENT:** Place in this regulation language regarding medical emergencies arising out of alcohol and other drug use, which was previously addressed in different regulations. The department name of Student Conduct & Academic Integrity has also been updated throughout.

**AUTHORITY:** BOG Regulations 1.001 and 6.0105

**NAME OF PERSON WHO INITIATED PROPOSED REGULATION AMENDMENT:**

Michael Gilmer, Director of Student Conduct & Academic Integrity

**COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT 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 AMENDMENT IS:**

Regulations Administrator  
4365 Andromeda Loop North  
Millican Hall, Suite 360  
Orlando, FL 32816-0015  
Phone: (407) 823-2482  
e-mail: [regulations@ucf.edu](mailto:regulations@ucf.edu)

**FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:**

**UCF-5.007 ~~Office of Student Conduct & Academic Integrity~~; Scope; Student Conduct Records; Medical Emergencies (Alcohol & Drug)**

(1) Scope

- (a) The 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. The Rules 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 Rules 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) These Rules of Conduct apply 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 Rules 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) 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 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 Rules 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 ~~the Office of~~ Student Conduct & 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 ~~the Office of Student Conduct~~ 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 ~~the Office of Student Conduct~~ 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 ~~the UCF Police Department~~ law enforcement officials or ~~the Office of Student Conduct~~ 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 UCF police department~~ 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 Office of Student Conduct Rules of Conduct Controlled Substance and Drug Violations and Alcoholic Beverages section:~~

- ~~(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 Rules of Conduct Section 10(a)-10(d) and/or 11(a)-11(c); however, exemption for other Rules 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 Rules of Conduct Section 10(a)-10(d) and/or 11(a)-11(c). However, exemption for other violations of the Rules 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: <http://osc.sdes.ucf.edu/notification>.~~
- ~~(e) Additional information regarding alcohol and/or other drug-related emergencies can be found on the SCAI website at <https://osc.sdes.ucf.edu/medicalemergencies/>.~~

*Authority: BOG Regulations 1.001 and 6.0105. History - Formerly 6C7-5.0041, New 6-18-09. Amended 9-5-13, 11-20-14, 10-29-15, 7-28-16, 7-20-17, 7-19-18, \_\_\_\_\_-20.*