

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 14, 2011

REGULATION TITLE:

Student Honor Code and Student Conduct Code: Interim
Suspension Pending Investigation and Hearing

REGULATION NO.:

4.044

SUMMARY: The amendment clarifies that an interim suspension may be effected either as to certain privileges of a student or student organization or as to all privileges, depending upon the nature of the alleged conduct at issue and the threat/safety issue the alleged conduct poses to the University, the student, the student organization, or others. This amendment also clarifies the right of a student or student organization to be heard and present information as to why the student or student organization believes that the interim suspension is not warranted.

AUTHORITY: BOG Regulation 1.001.

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: Rebecca J. Holt, Administrative Assistant, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION: Patricia Telles-Irvin, Vice President for Student Affairs

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED TO THIS NOTICE.

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

~~6C1~~4.044 Student Honor Code and Student Conduct Code: Interim Suspension Pending Investigation and Hearing.

(1) The Dean of Students or designee has the authority to determine if an alleged violation of the Student Conduct Code warrants the interim suspension of a student or student organization, or of a student or student organization's privileges pending the completion of an investigation and hearing regarding the alleged violation. The criteria to be used by the Dean of Students or designee in making this determination are:

(a) whether the student or student organization poses a danger of serious physical harm to himself/herself/themselves or others at the University; or

(b) whether interim suspension is otherwise necessary to protect the health, safety or, welfare, or property of the student, members of the student organization, others at the University, or members of the public.

(2) Upon determining that an interim suspension is warranted, the Dean of Students, with approval of the Vice President for Student Affairs, will suspend the student or student organization pending (a) completion of all investigations of the matter by the University and/or any outside entity or entities having jurisdiction over the matter, and (b) completion of a hearing conducted in accordance with University regulations, unless the Dean of Students determines prior to such time that interim suspension of the student or student organization is no longer necessary under the criteria set forth in subsection (1) above.

(3) Interim suspensions pending investigation and hearing will be immediately noted

on the suspended student's university transcript in accordance with University of Florida
Regulation ~~6C1-4.050~~.

(4) Generally, hearings conducted pursuant to this regulation will be scheduled after all investigations have been completed.

(5) No student or student organization may be removed from on-campus housing until the completion of the appropriate hearing unless it is determined by the Dean of Students that such removal is necessary to protect the health, safety and welfare of individuals, property or the public.

(6) Students or student organizations may appeal the interim suspension or loss of privileges decision of the Dean of Students by requesting a meeting within 48 hours of receiving notice of the decision. This meeting is an opportunity for the student or student organization to articulate why there is not a threat to the campus community under the criteria in subsection (1). The decision of the Dean of Students in this meeting is final.

~~Specific Authority: BOG Regulation 1.001 Resolution dated January 7, 2003.~~

History: New 9-24-08, Formerly 6C1-4.0162, 6C1-4.044, Amended.