

# 2025-2026 STUDENT HANDBOOK

Florida Agricultural and Mechanical University College of Law



# **Florida A&M University**

## **College of Law**

This Handbook supersedes all preceding Handbooks and any other documents or provisions relating to provisions contained within unless specifically authorized or exempted by the Dean of the College of Law.

All students are responsible for knowing and adhering to the guidelines and regulations contained in this Handbook.

**Revised November 2025**

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## INTRODUCTION

This Student Handbook (“Handbook”) contains the rules, regulations, and academic policies that govern students at the Florida A&M University College of Law. Students are responsible for the information contained in this Handbook, and all students are presumed to have knowledge of the Handbook’s contents. Accordingly, students should read this Student Handbook carefully.

The College of Law and Florida A&M University reserves the right to modify the academic policies, rules, regulations, curriculum, and degree requirements outlined in this Handbook. Students should acquaint themselves with the rules and modifications posted through the official College of Law and University communications and administrative offices.



## DISCLAIMER

The provisions of this Student Handbook do not constitute a contract, expressed or implied, between any applicant, student, or faculty member and Florida A&M University or the State University System. Florida A&M University and the State Department of Education reserve the right to withdraw courses at any time, to change fees, calendars, curricula, graduation procedures, and any other requirements affecting students. Changes will become effective whenever the proper authorities determine and apply to prospective students and those already enrolled.

While every effort is made to ensure accurate and up-to-date information, the College of Law and the Florida A&M University do not assume responsibility for any misrepresentation that may arise through error in the preparation of this or any other of its catalogues or through failure to give notice of changes in its requirements, policies, tuition and fees, course offerings, and other matters affecting students or applicants.



# MISSION STATEMENT

## Florida A&M University

The mission of Florida Agricultural and Mechanical University (FAMU), as an 1890 land-grant institution, is to provide an enlightened and enriched academic, intellectual, moral, cultural, ethical, technological, and student-centered environment conducive to the development of highly qualified individuals who are prepared and capable of serving as leaders and contributors in our ever-evolving society. The University seeks and supports a faculty and staff of distinction dedicated to providing outstanding academic preparation at undergraduate, graduate, doctoral and professional school levels, emphasizing integrity and ethical conduct. FAMU is committed to inspirational teaching, exemplary research and meaningful public and community service through creative partnerships at the local, state, national and global levels. The University is also committed to resolving complex issues that will enhance humankind.

While the University continues its historic mission of educating African Americans, people of all races, ethnic origins, and nationalities are welcomed and encouraged to remain lifelong members of the university community. The University provides a caring, nurturing, collegial, and respectful environment through its diverse faculty and staff.

Florida Agricultural and Mechanical University (FAMU) was founded in 1887, making it one of the three oldest institutions of higher education in the state of Florida. It is a comprehensive, coeducational, residential, multilevel Land Grant University offering a broad range of instruction, research, and service programs at the undergraduate, professional, and graduate levels.

## Core Values

Florida Agricultural and Mechanical University holds the following values essential to the achievement of the University's mission:

- Scholarship
- Service
- Excellence
- Fairness
- Openness
- Courage
- Fiscal Responsibility
- Integrity/Ethics
- Accountability
- Respect
- Collaboration
- Collegiality
- Diversity
- Freedom

## College of Law

The reestablished Florida A&M University College of Law reaffirms our historical legacy of excellence and responsibility to serve as a transformative force for the public good. Our mission is to serve as a beacon of hope and catalyst for change by providing access to excellent educational training and opportunities to generations of students seeking to serve the needs of traditionally underserved people and communities locally, nationally, and internationally. While we continue our historic mission of educating African- Americans, we embrace persons of all racial, ethnic, and national groups as members of the university community. We are dedicated to developing legal professionals and community leaders committed to equitable justice and the rule of law.

### Core Values

- Distinction in Teaching, Scholarship and Service
- Excellence with Caring
- Experiential Learning
- Professionalism
- Diversity

## ACCREDITATION

Florida A&M University College of Law is fully accredited by the American Bar Association (ABA).

Additional information regarding the Standards and Rules of Procedure for the Approval of Law Schools may be obtained from the ABA Section of Legal Education and Admissions to the Bar at

[https://www.americanbar.org/groups/legal\\_education/resources/standards/](https://www.americanbar.org/groups/legal_education/resources/standards/).

## NON-DISCRIMINATION STATEMENT

It is the policy of Florida A&M University that each member of the University community is permitted to work or attend class in an environment free from any form of discrimination, including race, religion, color, age, disability, sex, sexual harassment, sexual orientation, gender identity, gender expression, marital status, national origin, and veteran status as prohibited by State and Federal statutes. This commitment applies to all areas affecting students, employees, applicants for admission, and applicants for employment. It is also relevant to the University's selection of contractors, suppliers of goods and services, and employment conditions and practices.

# UNIVERSITY ADMINISTRATION

## Office of the President

**Marva Johnson, JD**

President

**Kelvin Lawson**

Executive Vice President

**Allyson L. Watson, Ph. D**

Provost and Vice President for Academic Affairs

**Donald Palm, Ph. D**

Executive Vice President for Health Sciences Enterprise and Research Innovation

**William E. Hudson, Jr., Ph. D**

Vice President for Student Affairs

**Nichole Murray**

Interim Vice President of Finance and Administration

**Avery McKnight**

Interim Vice President and General Counsel

**Cynthia Henry**

Executive Assistant to the President

## CONTACT INFORMATION:

### Office of the President

*Florida A&M University*

1601 Martin Luther King Jr. Blvd

Suite 400

Tallahassee, FL 32307

**Phone:** (850) 599-3225

**Fax:** (850) 561-2152

**Website:** [www.famu.edu](http://www.famu.edu)

# COLLEGE OF LAW ADMINISTRATION

## Office of the Dean

### Cecil Howard

Associate Provost and Interim Dean

Kentryce Wade ([kentryce.wade@famu.edu](mailto:kentryce.wade@famu.edu))

Sr. Administrative Assistant to Interim Dean Cecil Howard

**Location:** Third Floor, Dean's Suite

### Ann Marie Cavazos

Associate Dean for Academic Affairs and Professor of Law

DaeXia Modeste ([daexia.modeste@famu.edu](mailto:daexia.modeste@famu.edu))

Administrative Assistant to the Associate Dean for Academic Affairs

**Location:** Third Floor, Dean's Suite

### Mildred Graham

Acting Associate Dean for Administration

**Location: First Floor, Advancement & Alumni Affairs Suite**

### Randolph C. Reliford

Assistant Dean for Career Planning & Professional Development

**Location: First Floor, Career Services & Legal Clinic Suite**

### Dexter Smith

Assistant Dean for Admissions

**Location: Third Floor, Admissions Suite**

### S. Marjorie Thomas

Assistant Dean for Student Services

**Location: First Floor, Student Services Suite**

## CONTACT INFORMATION:

### Office of the Dean

*Florida A&M University College of Law*

201 FAMU Law Lane

Orlando, FL 32801

**Phone:** (407) 254-4010

**Fax:** (407) 254-2450

**Website:** [law.famu.edu](http://law.famu.edu)

# ACADEMIC CALENDAR

Academic Calendar is also available on the website ([CLICK HERE](#))

## Fall Semester 2025

Updated on 7/29/2025. Academic Calendar dates listed above are subject to change.

Priority Registration (By Appointment)	April 7 - April 10
Open Registration	April 11 - August 8
In-State Florida Residency for Tuition Purpose Re-Classification Request Period	June 30 - August 1
New Student Orientation	August 4 - 8
CLASSES BEGIN	August 11
State Employee registration begins (law students using State Employee Tuition Waiver form)	August 11
Add/drop period: Late Registration Fee assessed if not registered during priority or open registration period (\$100.00)	August 11 - 15
Intent to graduate application available. Prospective December 2025 graduates may apply for graduation (online through iRattler)	August 18 - November 14
Holiday – College of Law closed in observance of Labor Day (NO CLASSES)	September 1
Last day to pay all fees without a late fee assessment (\$100.00)	August 22
Last day to submit Health Insurance Waiver without incurring fee for health insurance Last day to submit State Employee Tuition Waiver (law students only) Last day to submit Veteran Enrollment Certification and Out-of-State Waiver Forms	August 15
Last day to withdraw from course(s) or for the semester without receiving failing grade(s)	October 24
Priority Registration for Spring 2026 (by appointment)	October 20 - 23
Open Registration for Spring 2026	October 24 – January 5
Holiday – College of Law closed in observance of Veterans' Day (NO CLASSES)	November 11
Labor Day Make-up (Monday classes meet on this Wednesday)	November 12
Veteran's Day Make-up (TUESDAY classes meet on this Thursday)	November 13
Classes end	November 13
<b><i>Reading Period/Make-up Days The reading period is subject to change in the event inclement weather or other extraordinary conditions occur during the semester and requires the addition of make-up days at the end of the semester. Classes will be scheduled on these days if needed. Students and faculty should not make travel plans during the reading period.</i></b>	November 13 - 25
Holiday – College of Law closed in observance of Thanksgiving	November 26 - 28
Final Examination Period	December 1 - 12
University Commencement	December 12



## Spring Semester 2026

Updated on 9/5/2025 Academic Calendar dates listed above are subject to change.

Priority Registration (By Appointment)	October 20 - 23
Open Registration	October 24 - January 11
In-State Florida Residency for Tuition Purpose Re-Classification Request Period	November 3, 2025 – December 12, 2025
CLASSES BEGIN	January 5
Add/drop period; Late Registration Fee assessed if not registered during priority or open registration period (\$100.00) State Employee registration begins (law students using State Employee Tuition Waiver form)	January 5 - 9
Last day to submit Health Insurance Waiver without incurring fee for health insurance Last day to submit State Employee Tuition Waiver Form (law students only) Last day to submit Veteran Enrollment Certification and Out-of-State Waiver Forms	January 9
Intent to graduate application available. Prospective Spring 2026 graduates may apply for graduation (online through iRattler)	January 16
Last day to pay all fees without a late fee assessment (\$100.00)	January 16
Holiday-College of Law closed in observance of Martin Luther King Day (NO CLASSES)	January 19
Priority Registration for Summer 2026 (By Appointment)	March 2 - 5
Open Registration for Summer 2026	March 6 - May 8
SPRING BREAK - NO CLASSES (College of Law open)	March 16 - March 20
Last day to withdraw from course(s) or for the semester without receiving failing grade(s)	March 13
Priority Registration for Fall 2026 (By Appointment)	TBD
Open Registration for Fall 2026	TBD
Martin Luther King Day Make-up (MONDAY classes meet)	April 13
Classes End	April 13
<b>Reading Period/Make-up Days</b> <i>The reading period is subject to change in the event inclement weather or other extraordinary conditions occur during the semester and require the addition of make-up days at the end of the semester. Classes will be scheduled on these days if needed. Students and faculty should not make travel plans during the reading period.</i>	April 14 - 19
Final Examination Period	April 20 - May 1
University Commencement	May 2
College of Law Hooding Ceremony	May 7

## Summer Term 2026

Updated on 8/27/2025 Academic Calendar dates listed above are subject to change.

Priority Registration (By Appointment)	October 20 - 23
Open Registration	October 24 - January 11
In-State Florida Residency for Tuition Purpose Re-Classification Request Period	November 3, 2025 – December 12, 2025
CLASSES BEGIN	January 5
Add/drop period; Late Registration Fee assessed if not registered during priority or open registration period (\$100.00) State Employee registration begins (law students using State Employee Tuition Waiver form)	January 5 - 9
Last day to submit Health Insurance Waiver without incurring fee for health insurance Last day to submit State Employee Tuition Waiver Form (law students only) Last day to submit Veteran Enrollment Certification and Out-of-State Waiver Forms	January 9
Intent to graduate application available. Prospective Spring 2026 graduates may apply for graduation (online through iRattler)	January 16
Last day to pay all fees without a late fee assessment (\$100.00)	January 16
Holiday-College of Law closed in observance of Martin Luther King Day (NO CLASSES)	January 19
Priority Registration for Summer 2026 (By Appointment)	March 2 - 5
Open Registration for Summer 2026	March 6 - May 8
SPRING BREAK - NO CLASSES (College of Law open)	March 16 - March 20
Last day to withdraw from course(s) or for the semester without receiving failing grade(s)	March 13
Priority Registration for Fall 2026 (By Appointment)	TBD
Open Registration for Fall 2026	TBD
Martin Luther King Day Make-up (MONDAY classes meet)	April 13
Classes End	April 13
<b>Reading Period/Make-up Days</b> <i>The reading period is subject to change in the event inclement weather or other extraordinary conditions occur during the semester and require the addition of make-up days at the end of the semester. Classes will be scheduled on these days if needed. Students and faculty should not make travel plans during the reading period.</i>	April 14 - 19
Final Examination Period	April 20 - May 1
University Commencement	May 2
College of Law Hooding Ceremony	May 7

# GENERAL INFORMATION

## Law School Location and Facilities

The Florida A&M University College of Law is located at 201 FAMU Law Lane, along Hughey Avenue between Washington Street and Robinson Street in downtown Orlando, Florida. The law library is housed on the first, second, and fourth floors, and classrooms are on the first, second, and third floors. The law school is adjacent to the United States District Court for the Middle District of Florida and across the street from the Zora Neale Hurston State Office Building. It is also within a few blocks of the Orange County Courthouse.

## Building Policies

- Smoking is prohibited in all the law school indoor areas and within 50 yards of the building except the area located just outside the student lounge facing Washington Street.
- Eating food is prohibited in all classrooms. Only bottled water will be permitted in the classrooms.
- Pets are not allowed in the building unless required to assist an individual with disabilities.
- Signs, notices, and posters should not be taped on the walls or posted except on designated bulletin boards.
- Thermostats should not be altered or adjusted.
- Furniture may not be moved without permission.
- Weapons are not allowed in the building.
- Bicycles should not be kept in the building.

## Student Lounge

The student lounge is located on the first floor of the law school. Students are asked to keep the lounge free of litter and clean up afterward. The lounge contains a Micro Market (for vending), a kitchenette, vending machines area, and tables and chairs where eating is permitted. The lounge also contains bulletin boards and an entertainment area with televisions, couches, and comfortable chairs.

## Restrooms

Restrooms are located on every floor and in both wings of the law school building.

## College of Law Communications Information and Policy

Communication is critical in the Florida A&M University (FAMU) College of Law. The College of Law Communication Policy is an important aspect of our continual efforts to increase the branding and marketability of the FAMU College of Law through a comprehensive communications strategy for both external and internal constituents. The Communication Policy of the FAMU College of Law is set forth below.

### Media and News Releases

Only an official spokesperson may comment on behalf of the law school or the university. All media members should be directed to the Executive Director of Community Relations; this includes telephone calls and visits. Media representatives should also be always escorted by a College of Law staff member while in the law school building. Unannounced media representatives should remain at the security desk until a staff member arrives to escort them.

Only the Advancement Office or the University Office of Communications may issue a news release to media organizations on behalf of the College of Law. College of Law students are encouraged to contact College of Law Student Affairs (COLSA) for assistance with publicizing events and programs.

The FAMU College of Law maintains four official electronic newsletters. The internal newsletter is distributed to the e-mail accounts of all FAMU College of Law students and employees. The alumni newsletter is released to all College of Law graduates. The external newsletter is distributed to College of Law community partners, including firms, area businesses, and media members. Individuals who wish to submit story ideas or achievements for either newsletter should consult the Office of Advancement. An additional weekly newsletter, "Dean's Digest", is distributed internally to College of Law students and includes time-sensitive information collected from various departments.

The FAMU College of Law also produces *Legal Connections*, a series of specialized legal programming in partnership with Orange TV. The taped video segments include interviews with FAMU Law faculty, students, administrators, lawyers, legal experts, professionals, and alumni. Individuals who wish to submit ideas for Legal Connections should consult the Office of Advancement. Additional information is available at <https://law.famu.edu/newsroom/legal-connections.php>.

### Bulletin Boards

All FAMU College of Law community members are encouraged to utilize campus bulletin boards to post information. Bulletin boards located by the main lobby and Law Library elevators are for use by the law school administration and various departments. Student organizations may use designated bulletin boards located in the student lounge, and the second and third floors of the classroom halls. Postings for these bulletin boards must be submitted to COLSA for approval prior to posting. Unapproved material is subject to

removal if posted.

## Election Posting

The FAMU College of Law will not endorse a candidate in any election, including campus elections. Students pursuing elective office in the Student Government Association, Student Bar Association or any other office are prohibited from posting material within the College of Law Atrium (including tables), along the walls or doors of any public area or restroom, or upon any bulletin board. Students may only distribute material to individual students. Election signs shall not be posted on College of Law property.

## Electronic Monitors – “The Docket”

All FAMU College of Law community members may submit information for posting on the Electronic Monitors dubbed “The Docket.” Anonymous posts are not permitted. A designated representative for each student organization is responsible for submitting announcements on behalf of that organization. Information submitted for entities outside the campus community will not be posted unless the law school administration grants approval. All submittals must adhere to the University’s policies outlined in appropriate materials, including the Student Handbook. Students are encouraged to submit their achievements for posting on “The Docket” and College of Law social media pages. Achievements include scholarships, fellowships, awards, recognitions, appointments, leadership roles, and other accomplishments. To submit your “Good News,” please click [here](#).

The Office of Advancement reserves the right to exclude submissions from posting and will review all submissions for “The Docket.” Submissions must be received at least two weeks before the effective date of the event, activity, or deadline to ensure inclusion. The posted item will be removed after the effective date has passed. The posted item can be removed before the effective date in the event of an emergency or as deemed necessary by the law school administration.

## E-Mail

All College of Law students must have an official FAMU e-mail account and address. **Students must use their famu.edu email account to communicate with College of Law faculty and staff and register for online learning platforms their professors use.** Students without an e-mail account should consult the Information Technology department. The e-mail accounts come with limited storage and usage space and must be maintained regularly to ensure receipt of important information. The Information Technology department is available to assist with locked and closed accounts.

FAMU and College of Law e-mails are matters of public record when sent using a FAMU e-mail account. All FAMU e-mail accounts are property of the University and the State of Florida and are subject to search by authorized parties without permission from the user.

## College of Law News

The FAMU Law e-mail account is the official account for relaying pertinent information to groups of students within the College of Law community. Requests for information distribution can be sent directly to [famulaw@famu.edu](mailto:famulaw@famu.edu). Student organizations, however, must send requests through COLSA. All requests received are subject to approval. Please allow no less than 48 hours for information to be released. The FAMU Law e-mail will not send information endorsing elections, individual activities closed, and exclusive events or events hosted by outside groups not associated with FAMU, the College of Law, or events that are not focused on law-related issues.

## Law School Website

The official website of the FAMU College of Law is <http://law.famu.edu>. The College of Law community is encouraged to visit the website regularly for updates and news. The College of Law Newsroom is located on the website. You will find pertinent news releases and information about students, faculty and the College of Law or University. Comments and concerns regarding content should be directed to the Director of Advancement. Technical concerns with the website should be addressed with the Information Technology department.

## Social Media

Social media is a general term used to reference sites like Facebook, Twitter, YouTube or any other virtual hub where users interact. The College of Law maintains official Facebook, Instagram, YouTube, Twitter, LinkedIn and Vimeo pages managed through the Office of Advancement. All College of Law students and employees active on social media platforms are encouraged to follow our official social media accounts, and to like and share our posts. The creation and maintenance of any social media account affiliated with Florida A&M University must adhere to the University's Social Media Guidelines. The University Style Guide can be found on the FAMU Communications Office's webpage or at the University Style Guide

Please note, misuse of the University's name, logo or identity on social media may be subject to legal action.

## Printing and Graphics

All members of the FAMU College of Law community must abide by the guidelines outlined by the FAMU Communications Office for designing and printing material for public use. This includes posters, flyers, recognition certificates, banners, and other items for viewing or distribution.

The FAMU Office of Communication guidelines can be viewed at the following link on the FAMU website: [University Style Guide](#). The Office of Advancement is available to review all material for appropriate usage of FAMU and College of Law logos, colors, and

name listings, and can make additional suggestions for small and large print needs. Items that are printed and that have not been approved by the Office of Advancement may be subject to recall if there is incorrect or unauthorized use of the FAMU or College of Law logos, colors, or name listings. For information on preferred College of Law print vendors, please contact the Office of Advancement. Student Organizations should consult COLSA for printing approval.

### **Business Cards**

Students cannot print personal business cards using the FAMU or College of Law logo without using the approved College of Law vendor. Please consult the Office of Advancement for a printing schedule of official student business cards.

### **Photography and Videography**

All students who enter the College of Law are asked to complete a non-compensatory waiver regarding the use of their likeness, as many official images are used in College of Law marketing and promotions in both print and electronic formats. The University and College of Law administration determine official photography and videography. Without approval, students cannot contract with outside vendors, including professional photographers and videographers, to capture still or motion images inside the College of Law building. **There is no exception to this policy.**

Students anticipating graduation will be photographed in regalia by a College of Law designated photographer for the official composite of successive fall, spring, and summer graduating classes known as the Hooding class. Photography for the composite takes place in a designated area and is organized by the Student Bar Association, the Office of Advancement, and COLSA.

Student groups may consult with the Information Technology department for permission to capture video images and with the Office of Advancement for still images at designated events and activities within the building. These departments can assist with officially capturing events and activities or direct individuals to approved vendors. Individuals who are not authorized to capture images or video will not have open accessibility at events and activities and will be subject to removal from the premises by security.

### **Identification Card (Rattler Card)**

Rattler Identification Cards are distributed during First-Year Orientation. To obtain a Rattler Card, students must present a valid picture ID (i.e., driver's license, passport, etc.) Students are required to carry their Rattler cards and to show them upon entering the building to gain further access to the facilities. The Rattler card is also necessary to borrow books from the law library.

### **Public Transportation**



The FAMU College of Law is conveniently located and may be reached by car or public transportation.

LYNX is Central Florida's regional transit authority. The main downtown bus terminal for the LYNX Transportation system is located just 4 ½ blocks from the law school. LYNX buses travel on more than 50 routes and offer service seven days a week, 365 days a year. Contact the LYNX Customer Service Center at (407) 841-8240 for information regarding schedules and rates. Information regarding LYNX also is available at <https://www.golynx.com/>.

In addition, LYNX operates LYMMO, a courtesy bus circulator that transports riders throughout the downtown Orlando area, traveling from the Amelia Street Garage to Orlando's City Hall and back. The LYMMO currently has a designated stop at the College of Law. Buses are free and run every 5-10 minutes on weekdays. Service hours vary on weekends and during special events.

SunRail is the area's local rail service system. SunRail currently operates over 49 miles with 16 stations through Volusia, Seminole, Orange, and Osceola counties. SunRail has several stations within walking distance of the law school.

For more detailed information, please visit <https://www.orlando.gov/Parking-Transportation>.

## **Telephone Access**

All telephones within the library, administrative or faculty offices are for staff use only.

## **Mobile Phones, Smart Watches, Tablets, and Other Electronic Devices**

To maintain a professional atmosphere in which members of the law school community can effectively learn and study, all mobile phones, smart watches, tablets, and other electronic devices must be kept silent or turned off while in classrooms, the law library, and the courtroom.

Except as specifically approved in writing by a faculty member or required as reasonable accommodation for students with disabilities, students are prohibited from bringing mobile phones, smart watches, tablets, programmable calculators, cameras, scanning or document imaging devices, or any other electronic communications devices into examination rooms.

## **Fee Liability**

Students must pay all fees for which they are liable. Liability for fees is incurred for all credit hours that remain on the student's course schedule at the end of the add/drop period. Failure to pay fees will result in the cancellation of the student's schedule.

## **Audio-Visual Recording of Lectures or Presentations**

As provided in Florida Statutes Section 1004.097 a student may record a class lecture for the following purposes:

- For the student's own personal educational use;
  - In connection with a complaint to the University where the recording was made; or
  - As evidence in, or in preparation for, a criminal or civil proceeding.
- A recorded lecture may not be published without the consent of the lecturer.

## **Student Records Release**

All students are provided certain protections concerning the confidentiality of their educational records. Education records as defined by 20 USCS Section 1232g, Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, and student records and reports as defined in Section 228.093, Florida Statutes, shall be released only as provided by law. Directory information may be released and includes the following: the student's name, address, telephone number if it is a listed number, date and place of birth, major field of study, participation in officially recognized activities and sports, dates of attendance, degrees, and awards received, and the most recent previous educational agency or institution attended by the student.

Students must inform the Office of the University Registrar and the College of Law Registrar in writing if they do not wish to have the University release directory information about them. Such notification will result in the University's refusal to release any of this directory information to anyone except as provided by law. Students should inform the Office of the University Registrar and the College of Law Registrar of this decision before the first day of classes for any applicable term. Once made, the decision will remain in effect until the Office of the University Registrar and the College of Law Registrar receives written notification to the contrary.

## **Change of Address**

All students must indicate their current permanent address, local address, and emergency contact information at the time of enrollment. According to FAMU Regulation 2.012(27), students who have a subsequent change of address must file a change of address form at the Office of the College of Law's Registrar. Students are responsible for informing the College of Law Registrar of their current mailing address in writing. A student's mailing address on record in the College of Law Registrar's Office will be used to give written notification.

## **Notices**

In addition to postings on the electronic message monitors, class assignments and administrative notices may be posted on a board located in the student lounge on the library's first floor and in the student lounge. Students should check the boards regularly.

Official notices may also be posted on the glass- enclosed boards located near the elevators.

### **Children on Campus**

Unsupervised children are not allowed on campus. Students are expected to arrange for their personal childcare in such a manner as to prevent the involvement of the University. The University assumes no responsibility for the supervision of students' children. Students may not bring to class or leave children unattended on the University campus.

Children may be allowed on campus when the best interest of the University is served (i.e., to meet requirements of instructional programs, to attend University-scheduled events and/or activities open to the public, or other approved functions).

### **Service Animals on Campus**

As defined by Florida Statute 413.08, a service animal is an animal that is trained to do work or perform tasks for an individual with a disability, including physical, sensory, psychiatric, intellectual, or other mental disability. See FS 413.08(d) for definitions of the work or tasks a service animal can perform.

Accommodations can be made for Service Animals. Students with disabilities desiring to use a service animal on campus must contact the Equal Opportunity Programs staff at 674 Gamble Street, Tallahassee, Florida 32307, (850)-599-3076) and the Center for Disability Access and Resources ([CeDAR](#)) staff to register as a student with documented disability.

A student with a service animal is responsible for the following:

- Full control of the animal at all times;
- Full liability for the behavior and supervision of the animal;
- Any damage that the animal may cause;
- Care and supervision of the animal;
- Properly disposing of all animal waste; and
- To ensure that the animal is not disruptive to any program, service, learning environment, or College activity.

Law school administrators may ask the handler if the animal is required to accommodate a disability and what task or work the animal is trained to perform. The administrator may not ask for training documentation, licenses, or the nature or extent of the individual's disability.

The College may remove any animal from the premises, including a service animal, if:

- The animal is out of control, and the student does not take effective action to control it;
- The animal is not housebroken; and
- The animal's behavior poses a direct threat to the health and safety of others.

## Emotional Support Animals on Campus

There is much confusion about the role of ESAs, and they are often mistaken for Service Animals. ESAs are not considered service animals under the Americans with Disabilities Act. ESAs do not have special training to perform specific tasks that assist people with disabilities.

Unlike a service animal that has access to public places where pets are not typically allowed, an ESA has limited access to places of public accommodation. ESAs are not allowed in classrooms, campus buildings, common rooms or areas in the residence halls, or campus events.

# COLLEGE OF LAW DEPARTMENTS AND SERVICES

## Office of Advancement and Alumni Affairs

**Mildred Graham** ([mildred.graham@famu.edu](mailto:mildred.graham@famu.edu))

Executive Director of Community Relations

**Location:** First Floor, Advancement Suite

**Phone:** (407) 254-3206

**Claudine Beale** ([claudine.beale@famu.edu](mailto:claudine.beale@famu.edu))

Associate Director for Alumni Affairs

**Location:** First Floor, Advancement Suite

**Phone:** (407) 254-3266

**Robin Holmes** ([robin.holmes@famu.edu](mailto:robin.holmes@famu.edu))

Assistant Director for University Relations Coordinator for Advancement and Alumni Affairs

**Location:** First Floor, Advancement Suite

**Phone:** (407) 254-3290

**Gwendolyn Hayslip** ([gwendolyn.hayslip@famu.edu](mailto:gwendolyn.hayslip@famu.edu))

Coordinator for Advancement and Alumni Affairs

**Location:** First Floor, Advancement Suite

**Phone:** 407-254-3210

**Vacant**

Media Relations Coordinator

**Location:** First Floor, Advancement Suite

**Phone:** 407-254-3282

The Office of Advancement and Alumni Affairs is generally responsible for projecting and maintaining a positive image for the College of Law, through four main areas:

### (1) Communications and Marketing

- Internal communications, including design and publication of FAMU Law News;
- Rattlers for Justice monthly newsletter; television monitors (The Docket);
- Bulletin Boards, etc.
- Graphic design of posters, invitations, flyers, and official documents
- Publication coordination and production
- Photography coordination for events, programs, and headshots
- Marketing administration, including advertising design and development

### (2) Fundraising and Development

- Fundraising campaigns for scholarships, events, and law school activities
- Scholarship Endowment administration
- Student Organization Foundation Account management, including deposits

and reimbursements

- Student Organization Fundraising
- Grant development, writing, and management of public and private grants
- Prospect identification and cultivation
- Donor relations, including gift management and administration through database

Dean's Advisory Council

### **(3) Media Relations and External Affairs**

- External communications, including press releases, media management, student spotlights, and success stories, as well as faculty/staff promotion and media appearances
- Video production, including Legal Connections television
- Web content creation and management
- Social media coordination
- Community Partnership management

### **(4) Special Events and Alumni Affairs**

- Logistics coordination for non-academic events, including hooding ceremony,
- alumni and CLE events, and external events
- Room Scheduling and Campus Calendar coordination
- Catering management for law school events, including new student orientation,
- faculty recruiting, and academic events such as seminars, lectures, etc.
- Database management of alumni, including living alumni from the original College of Law, 1,500-plus recent COL graduates, and university alumni
- Alumni communications and networking events

## **CONTACT INFORMATION:**

### **Office of the Dean**

*Florida A&M University College of Law*  
201 FAMU Law Lane  
Orlando, FL 32801

**Phone:** (407) 254-4010

**Fax:** (407) 254-2450

**Website:** [law.famu.edu](http://law.famu.edu)

## Office of Admissions and Recruitment

**Dexter Smith**([dexter.smith@famu.edu](mailto:dexter.smith@famu.edu))

Assistant Dean of Law Admissions

**Location: Third Floor, Room 324**

The Office of Admissions and Recruitment develops and administers programs for recruitment and evaluating applicants for admission. The Florida A&M University College of Law seeks diligent, hardworking students with a broad array of talents and experiences who demonstrate an exceptional aptitude for the study of law and a strong history of or commitment to public service. Selection for admission is based on a thorough evaluation of all factors in an applicant's file. In reviewing the applications of individuals applying for admission to the College of Law, the Admissions Committee considered a multitude of factors, including:

- Law School Admission Test (LSAT) score
- Cumulative undergraduate grade point average (UGPA)
- Writing ability as evidenced by the LSAT writing sample and personal statement
- The academic reputation of the applicant's undergraduate and/or graduate institution
- The academic rigor of an applicant's undergraduate and/or graduate major(s)
- Record of community or public service
- Academic honors and personal achievements
- Work experience
- Extra-curricular activities
- Letters of recommendation
- Evidence of an applicant's motivation, character, and fitness for the practice of law

A limited number of scholarships are available through the College of Law for entering students enrolled at the law school. Most aid is awarded to new students based on merit and financial need. All entering students are automatically considered for any scholarships administered by the College of Law and need not submit a scholarship application. All continuing students are required to complete an application for College of Law scholarships.

### CONTACT INFORMATION:

#### **Office of Admissions and Recruitment**

*Florida A&M University College of Law*

201 FAMU Law Lane, Third Floor, Room 324

Orlando, FL 32801

**Phone:** (407) 254-3286

**Fax:** (407) 254-2455

**Website:** [law.famu.edu](http://law.famu.edu)

#### **Hours of Operation**

Monday – Friday: 8:00 a.m. – 5:00 p.m.



## Career Planning and Professional Development

**Randolph C. Reliford**

([randolph.reliford@famu.edu](mailto:randolph.reliford@famu.edu)) Assistant Dean  
for Career Planning & Professional Development

**Location: Room 149**

The Office of Career Planning and Professional Development (CPPD) is a comprehensive resource center, designed to assist students and alumni in every phase of their career planning process. The CPPD serves as a professional employment and preparation resource, offering year-round service to students, alumni, and employers

The Office is committed to advising and assisting students with job searches and professional skills development. A list of services includes:

- **12Twenty:** 12Twenty is an online platform designed to assist in your career planning and professional development. Students and alumni have access to post resumes and cover letters for review and feedback. Students and alumni may register for job fairs and sign up for on- campus interviews (OCI) with various employers. Additionally, students and alumni have access to job postings and information about all other programs and events conducted through the office.
- **Individual Counseling:** Career counselors are available, by appointment, to meet with students and alumni to offer suggestions for drafting an effective resume and cover letter, to assist in developing an effective job search and to provide insight on exploring available career opportunities. To make appointments, students may stop into the office, use the scheduling feature in 12Twenty, or email the office. The office also accepts walk-in appointments as necessary.
- **Programming:** Throughout the year, workshops on resume and cover letter writing, networking, job search strategies, interviewing techniques and how to dress for success are offered. In addition, panel presentations by practitioners on different practice areas and topics are offered for professional development. CPPD also provides opportunities to network with professionals.
- **Professional Identity Formation (PIF):** CPPD also works with you on your journey to developing a professional identity. We have a program series that addresses the values, guiding principles, and well-being practices that will make you successful attorneys. If you have questions about PIF or want to discuss anything you learned during a workshop, please schedule an appointment.
- **On-Campus Interview (OCI) Program:** Students may have the opportunity to interview with potential employers through CPPD. Employers are invited on campus to interview students for positions as law clerks, interns, summer associates, first year associates, and more.
- **Mock Interviews:** Students may have an opportunity to prepare for upcoming interviews through mock interviews. The students will be given feedback to improve their interviewing skills.

- **Employment Opportunities:** Employment opportunities are regularly posted in our online platforms and emailed in newsletters.
- **Reciprocity:** Reciprocity opportunities may be available to students and alumni searching for employment in other jurisdictions. If reciprocity is granted, students and alumni will have access to resources from other Career Planning offices around the state and country. For reciprocity access, requests must be made through CPPD.
- **Publications and Books:** Relevant employment and career search publications are located in the law library on the 4th floor and in the office common area. Subscriptions to the Government Honors & Internship Handbook, Public Policy Handbook, PSJD, and other career planning resources are available online.
- **Job and Career Fairs:** The College of Law participates in various recruitment programs in Florida and across the country. Information about such programs will be posted on 12Twenty and on the bulletin board in the office common area.
- **Other Resources:** Students and alumni have access to computer, printer, fax machine and copier for use in their job search only. Resume paper is also available upon request.

### **CONTACT INFORMATION:**

#### **Office of Career Planning and Professional Development**

*Florida A&M University College of Law*

201 FAMU Law Lane

Orlando, FL 32801

**Phone:** (407) 254-3212

**Fax:** (407) 254-2455

**Website:** [law.famu.edu](http://law.famu.edu)

#### **Hours of Operation**

Monday, Tuesday, Thursday, Friday: 8:00 a.m. – 5:00 p.m.

Wednesday: 8:00 a.m. – 6:00 p.m.

## Office of Financial Aid

**Tocoa Hampton** ([tocoa.hampton@famu.edu](mailto:tocoa.hampton@famu.edu))

Director of Law Financial Aid

**Location: First Floor, Room 144**

**Denise Rios** ([denise.rios@famu.edu](mailto:denise.rios@famu.edu))

Financial Aid Coordinator

**Location: First Floor, Room 144**

The Florida A&M University College of Law offers a comprehensive financial aid program that includes institutional scholarships and federal loan programs to help eligible students meet legal education expenses. All students are required to complete a Free Application for Federal Student Aid (FAFSA). Funds are awarded and administered by the Office of Financial Aid at the College of Law in conjunction with the University's Office of Financial Aid.

A limited number of institutional scholarships are available to students entering the College of Law, and those scholarships are administered through Admissions. All admitted students are automatically considered for available scholarships. A separate scholarship application is not needed. Additional donor scholarships that can be applied for are listed on the scholarship listing link on the Financial Aid College of Law Scholarship webpage. For most students, federally sponsored student loans will be the most common type of financial aid available.

Students who anticipate receiving any form of financial aid, including federally funded student loans, must complete either 1) the U.S. Department of Education RENEWAL Free Application for Federal Student Aid or 2) a standard FAFSA form. The information submitted on this application will determine your eligibility for loans under both the Federal Loan programs. To obtain the FAFSA online, please visit the Federal Student Aid website. The school code for FAMU is 001480.

Applicants who intend to apply for financial aid may contact the College of Law Financial Aid Office at (407) 254-3232 or 407-254-4004 for more information and assistance. Applicants are encouraged to begin the financial aid application process early. FAFSA open each year before Jan 1st. For answers to questions specific to the financial aid process at the College of Law, please visit Financial Aid.

### CONTACT INFORMATION:

#### Office of Law School Financial Aid

*Florida A&M University College of Law*

201 FAMU Law Lane

Room 143

Orlando, FL 32801

**Phone:** (407) 254-4032

**Fax:** (407) 254-2455

**Website:** [law.famu.edu](http://law.famu.edu)

#### Hours of Operation:

Monday, Tuesday, Thursday, Friday: 8:00 a.m. – 5:00 p.m.

Wednesday: 8:00 a.m. – 6:00 p.m.

## Office of Information Technology

**Theodore Greer** ([theodore.greer@famu.edu](mailto:theodore.greer@famu.edu))

Director of Information Technology Services

**Location: First Floor, Suite 110**

The Department of Information Technology develops and maintains the College of Law's computer facilities (hardware and software). The Department supports the planning, evaluation, securing, development and maintenance of computer applications and systems to facilitate efficiency in performance of computing operations.

A list of the current services is below:

- WiFi Network Access
- Computer Lab
- Free AntiVirus Software
- Email Services
- Free Computer Diagnostic
- Video Conferencing
- Video Recording and Duplication Services

### CONTACT INFORMATION:

#### **Office of Information Technology**

*Florida A&M University College of Law*

201 FAMU Law Lane

Room 110 (Day)

Library – 3rd Floor Computer Lab (Evenings)

Orlando, FL 32801

**Phone:** (407) 254-3270 or (407) 254-3275

**Website:** [law.famu.edu](http://law.famu.edu)

#### **Hours of Operation:**

Monday – Thursday: 8:00 a.m. – 8:00 p.m. Friday: 8:00 a.m. – 5:00 p.m.

## Office of the Registrar

**Deborah Holmes** ([deborah.holmes@famu.edu](mailto:deborah.holmes@famu.edu))

College of Law Registrar

**Location: Room 162**

The College of Law Registrar is the custodian of all student records. The Registrar's Office is responsible for registration, grading processes, letters of good standing, bar certifications, enrollment verification, deferment form processing, Veterans Affairs (VA) certification, official withdrawals, graduation certification, and the administration of final examinations, including distributing anonymous examination numbers each semester. General law school policies and procedures and information regarding registration, class schedules, and graduation may be obtained from the Registrar's Office.

The University's student web interface is called **iRattler** and serves as the University's umbrella system for all student administrative-related functions, including Registration, Student Accounts, Student Records, and Financial Aid. The **iRattler** system features self-service options for students that enable students to enroll in classes, change address and phone information, view a university bill, accept/decline financial aid, and view course schedules, grades, and transcript information.

All questions and concerns should be sent to [RegistrarCOL@famu.edu](mailto:RegistrarCOL@famu.edu)

### CONTACT INFORMATION:

#### Office of the Registrar

*Florida A&M University College of Law*

201 FAMU Law Lane

Orlando, FL 32801

**Email:** [RegistrarCOL@famu.edu](mailto:RegistrarCOL@famu.edu)

**Phone:** (407) 254-3287 or (407) 254-3279

**Fax:** (407) 254-3221

**Website:** [law.famu.edu](http://law.famu.edu)

#### Hours of Operation:

Monday – Tuesday: 8:30 a.m. - 5:00 p.m.

Wednesday: 8:30 a.m.- 6:00 p.m.

Thursday - Friday: 8:30 a.m. – 5:00 p.m.

**Please note:** Registrar's Office hours may vary during peak periods of the semester (e.g., final exams, registration, add/drop). If you plan to visit in person, we recommend contacting the office in advance to confirm hours of operation.

## Office of College of Law Student Affairs (COLSA)

**S. Marjorie Thomas** ([marjorie.thomas@famu.edu](mailto:marjorie.thomas@famu.edu))

Assistant Dean for Student Services

**Vacant**

Assistant Director

**Location: Suite 144**

**Keyona Williams** ([Keyona.williams@famu.edu](mailto:Keyona.williams@famu.edu))

Program Assistant

**Location: Suite 144**

COLSA is focused on providing exceptional services, facilities, programs, and experiences that enrich student learning and development, foster an inclusive campus community, and promote the core values supporting the educational mission of the Florida A&M University College of Law.

COLSA works with students regarding various matters affecting student life, including existing student organizations, and assisting students who wish to start a new organization. In addition, other functions relating to COLSA include program development; academic and personal advising; oversight of accommodations of students with disabilities; oversight of examination administration for accommodated and rescheduled examinations; review of student conduct issues; assisting College of Law students with mandatory health insurance; and assigning lockers.

The holistic health of the College of Law student is a primary concern for the COLSA staff.

### CONTACT INFORMATION:

Office of College of Law Student Affairs  
*Florida A&M University College of Law*  
201 FAMU Law Lane  
Orlando, FL 32801

**Phone:** (407) 254-3270

**Fax:** (407) 254-2455

**Website:** [law.famu.edu](http://law.famu.edu)

### Hours of Operation:

Monday – Friday: 8:00 a.m. – 9:00 p.m.

## Office of Counseling Services

**Daniel Garner-Quintero, LMHC** ([daniel.gquintero@famu.edu](mailto:daniel.gquintero@famu.edu))

Phone: 407-254-4048

**Location:** Fourth Floor of the Law Library

The mission of the Office of Counseling Services is to increase students' academic success, self-awareness, and knowledge of potential growth and challenges of collegiate experiences through outreach, counseling, consultation, and crisis intervention. The Office of Counseling Services exemplifies and seeks to foster the following values within those they serve: courage, diversity, ethics, excellence, respect, scholarship, and service.

### **Services Available:**

- Counseling
- Workshops and presentations
- Self-help information
- Community outreach
- Psychiatric consultation

**All services offered by the Office of Counseling Services are free for currently enrolled students and Bar-Takers.**

### **CONTACT INFORMATION:**

#### **Office of Mental Health Counseling**

*Florida A&M University*

Virtual Resources

Tallahassee, FL 32307

**Phone:** (850) 599-3145

**Website:** [law.famu.edu](http://law.famu.edu)

#### **Hours of Operation:**

Monday – Friday: 8:00 a.m. – 5:00 p.m.

Wednesday: 9:00 a.m. – 7:00 p.m.

#### **For after-hours assistance:**

Call Well-Connect at **(800) 326-6142** (School Code: **FAMU**)



## Support and Health Services

The College of Law provides academic and career counseling for its students. In addition, the administration and faculty are concerned with the welfare of the student body and often provide informal personal counseling, but we encourage our students to meet with a member of the Counseling Services team.

The Assistant Dean for Student Services and the Assistant Director of COLSA may assist during law school emergencies and other problems. The College of Law recognizes that the first year can be stressful and, therefore, periodically presents programs designed to help students recognize the symptoms of stress in themselves and others and develop strategies to cope with stress.

### Health Services

The student health fee entitles students to some basic health services without charge. Florida A&M University has contracted with the University of Central Florida to provide health services to law students. The University of Central Florida's Student Health Center (407-823-2701) is located on the UCF campus, behind the Biology Building, and is open from 8:00 AM to 8:00 PM Monday-Thursday, 8:00 AM to 6:00 PM on Friday, and 10:00 AM to 2:00 PM on Saturday.

The hours of operation during the holidays are 8:00 AM to 5:00 PM.

The Student Health Center is available to treat minor illnesses and injuries. Students who are found to have illnesses that require more detailed study will be referred to an appropriate specialist in the city. Additional medical needs would be at the expense of the student. In case of severe illness or accident, the student will be transferred by ambulance to the nearest local hospital.

Students are eligible for services during the semester for which they are officially registered and have paid their health fee. The student health fee allows students to visit the Health Center unlimited times. It does not provide for laboratory studies, X-rays, or medical supplies. All students taking six (6) credit hours or more must pay the student health fee.

Students must present their current student identification card and pay the health fee at the institution where they are seeking services. The student is financially responsible for any charges generated during their visit. Some clinics may accept insurance, so students should also bring their insurance card.

***After their visit, a student can provide COLSA with their receipt to request a refund to be processed, up to the health fee paid to FAMU for that semester.***

# Student Disabilities and COL Accommodations

## Policy

It is the policy and practice of the Florida A&M University College of Law to comply with the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, and state and local requirements regarding students and applicants with disabilities. Under these laws, no qualified individual with a disability will be denied access to or participation in services, programs, and activities of the College of Law. The College of Law works with the Center for Disability Access and Resources ([CeDAR](#)) to provide reasonable accommodations for students with disabilities.

## Americans with Disabilities Act (ADA)

It is the responsibility of the [EOP](#) Office, through the ADA Coordinator, to ensure the Florida A&M University follows the Americans with Disabilities Act. The ADA provides civil rights protection for persons with disabilities. These rights are parallel to those rights that the federal government has established for women and minorities. A qualified individual with a disability cannot be denied admittance to participation in or benefit from goods services, facilities, programs, privileges, advantages, or accommodations at FAMU. Americans With Disabilities Act of 1990 (PL 101-336) Summary. [The Americans with Disabilities Act \(ADA\) of 1990](#) extends to individuals with disabilities, comprehensive civil rights protection similar to those provided to persons on the basis of race, sex, national origin, and religion under the Civil Rights Act of 1964. Title III of the ADA prohibits discrimination based on disability in places of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation. Title III also establishes accessibility requirements for new construction and alterations in places of public accommodation and commercial facilities.

Disabled Student's Rights/Responsibilities Summarized

## Rights

- To not be denied access due to a disability
- To receive reasonable accommodations that provide equal opportunity.
- To have access to auxiliary aids/assistive technology.
- To not be counseled toward “more restrictive career objectives.
- To receive assistance from the Center for Disability Access and Resources ([CeDAR](#)) in removing any physical, academic and attitudinal barriers.
- To not be discriminated against due to a disability any retaliatory discrimination.

## Responsibilities

- To identify themselves to the disability service office, [CeDAR](#).
- To provide documentation of disability.
- To initiate request for accommodations by providing a certification of disability letter to faculty within the first two weeks of the semester.
- To provide a minimum of a two-week notice for major accommodations request (special accommodations of equipment may need more time).
- To provide one week notice to the instructor and [CeDAR](#) when they will be testing in the center.
- To assume responsibility for testing procedures and notifying faculty and [CeDAR](#) accordingly.
- To provide for his/her personal independent needs or other disability related needs.
- To assume personal responsibility for meeting with faculty, requesting assistance through supplemental services and meeting university standards.

## Faculty Rights/Responsibilities Summarized (when accommodating disabled students)

- Classroom Behavior – All university students must adhere to the university code of conduct regardless of whether they have a disability. Infractions of this code should be directed to the Assistant Dean of Student Services. If the student has been identified as a student with a disability, this information should be provided to the Assistant Dean (or designee) to facilitate collaboration with the Director of Disability Services.
- Alternative Testing – An alternative testing site is provided by [CeDAR](#) located at 667 Ardella Court. Students enrolled at the College of Law will be assigned to an alternate testing location provided by COLSA and will be located at the 201 FAMU Law Lane, Orlando Campus. Replicated research has been undertaken to determine the necessity of extended test taking time for individual with disabilities.
- Challenge Accommodations – A faculty member has the right to challenge an accommodation request if she/he believes the student is not qualified, the accommodation would result in a fundamental alteration of the program, the institution is being asked to address a personal need, or the accommodation would impose an undue financial or administrative burden. Accommodation requests are based on documentation on file in [CeDAR](#) (If warranted, interim services are provided while documentation is being obtained). Due to confidentiality, the nature of the disability may not be disclosed to the faculty unless there is a specific need to know. When beneficial to the faculty/student academic relationship, students are encouraged to self-disclose.
- Shared Responsibility – As an employee of Florida A&M University who has compliance obligations under federal laws, it is the responsibility of the faculty to assume a shared responsibility in providing reasonable accommodation for students

with disabilities. The university is responsible for implementation and, as an employee, faculty are required to adhere to the policies and procedures. The responsibility of meeting the academic needs of individuals with disabilities through reasonable accommodations has been assigned to the Director of [CeDAR](#).

- **Referral** – If a faculty member is notified by a student that she/he has a disability or if the student brings a medical statement to the instructor, it is the faculty member's responsibility to refer the student with his/her medical statement to [CeDAR](#). Also, if an instructor notices that a student is not performing up to standards and suspects there might be a learning disability, he/she must also refer the student.

### **Students with disabilities are protected under Family Educational Rights and Privacy Act (FERPA) and the civil rights laws.**

A faculty member should never make any statements or implications that a disabled student is any different from the general student population.

- Do not ask the student to come to the classroom and then leave with the test in hand.
- Do not place the student in the hallway or any other obvious place to take an exam because you want to be close to them in case they have a question.
- Do not ask the student for documentation other than the letter from [CeDAR](#).
- Do not discuss the student's needs or accommodation other than in a private place.
- Do not make comparisons between students and their needs.
- Do not use a grading standard that is any different from the rest of the class.
- Do not give students with disabilities an advantage over the rest of the class; the idea of the law is to give equal access or equal opportunity provided through the recommended accommodations.

### **Examples of Discriminatory Acts Against Disabled Employees**

Discriminatory acts against employees are defined as the failure on the part of the employer to take positive steps to employ and advance in employment qualified individuals with disabilities.

Examples of discriminatory acts are:

- Deciding concerning employment under any program or activity that limits, segregates, or classifies applicants or employees in any way and adversely affects their opportunities or status because of a disability.
- Participating in a contractual or other relationship that subjects applicants or employees with qualified disabilities to discrimination.

- This includes relationships with employment and referral agencies, with labor unions, with organizations providing or administering fringe benefits to employees of the university and with organizations, providing training and apprenticeship programs.
- Failure to recruit, advertise, process applications for employment, hire, upgrade, promote, or award tenure to a disabled person because of a disability.
- Failure to make reasonable accommodations for job assignments, job classifications, organizational structures, position descriptions, lines of progression, sponsored activities, including social or recreational programs, leaves of absence, unless the employer can demonstrate that the accommodation would impose an undue hardship.
- Failure to consider a person for selection of financial support for training, including apprenticeship, professional meetings. Conferences, and any other related activities, terms, conditions, or privileges of employment on the basis of a disability.

## CONTACT INFORMATION

All students requesting a reasonable accommodation under the Americans with Disabilities Act (ADA) must complete a Voluntary Self-Disclosure Statement and provide official documents pertaining to disability(ies).

## Procedure

Students whose disabilities may require some type of accommodation, including course content delivery, exam accommodation, or other accommodations should first contact the COLSA to discuss the process. It is the responsibility of the student to make these needs known in a timely fashion and to provide the appropriate documentation. Failure to request accommodations in any given semester waives the right to accommodations during that semester. Appropriate and reasonable accommodations will be arranged on a case-by-case basis. The College of Law does not make determinations of disabilities or possible accommodations; that function is handled solely by the Center for Disability Access & Resources.

Students must submit supporting documentation for their request through the [AIM Online Portal](#).

Students who do not require accommodations need not disclose their disabilities but are encouraged to notify COLSA of any conditions that may arise during your law school tenure. Students who do not file an application with [CeDAR](#), do not receive accommodations from [CeDAR](#), and have or should have prior knowledge of their disability may not claim accommodations for such disability in hearings, appeals, and other related procedures.

Information regarding a student's disability and accommodation is treated as confidential under applicable federal, state, and university laws and policies, and is provided only to individuals privileged to receive such information.

## How to Become a CeDAR Participant

Students should complete the steps listed below well in advance of the anticipated need for services and accommodations to allow for a reasonable period of time in which to evaluate those needs and requests.

- Students must be enrolled at the University to request accommodations each semester.
- Students requesting services may do so by first applying to be a [CeDAR](#) student by going to our [AIM Online Portal](#) tab and submitting an application via the student link. Students in the Law School should contact a member of the COLSA team.
- All students should be prepared to upload documentation of disability to your application through the [AIM Online Portal](#). Documentation is subject to verification by the University and may take 5-7 business days to process your application. Requests that require special funding, such as a need for specific software and adaptive equipment will be assessed for possible resources that might already provide for the request, such as Vocational Rehabilitation or Blind Services. If not duplicating an available resource, the University will provide reasonable accommodations for the documented request.
- After receipt of required documentation, the [CeDAR](#) professionals will make a case-by-case determination of the student's educational need for any requested auxiliary aids, accommodations, and/or other special services determined to be necessary.
- When notified that the documentation provided supports the student's disability claim and current need for accommodations, the student must do the following: (a) Contact [Ms. Johnson](#) as soon as possible to schedule an intake interview (b) Review [CeDAR](#) policies and procedures for services.
- Once accepted, the services and equipment (if deemed appropriate), will be provided at no cost to the student. However, to receive services from [CeDAR](#), the student is responsible for:
- Requesting accommodations each semester. Documentation is not necessary at this time unless significant changes have happened since initiating services.
- Following procedures and adhering to policies for specific accommodations and services.
- Monitoring student's own academic progress.
- If an accommodation is not effective, students should consult with a COLSA staff member.

## Documentation Requirements

To be eligible for disability-related services, students must have a documented disability as defined by the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973. Under the ADA and Section 504, a person has a disability if he or she has a physical or mental impairment that substantially limits one or more of the major life activities.

### Documentation must include the following

- Specific diagnosis of disability by a qualified professional
- Functional impact of the disability on academic performance
- Learning Disabilities and ADHD documentation must comply with [AHEAD \(Association on Higher Education and Disabilities\)](#) and [ETS \(Educational Testing Services\) guidelines](#).
- Completed online application by the student and an appropriate disability verification form completed by a qualified professional.

### Essentials of Documentation

- Documentation for a disability must be current, complete, and provided by a qualified professional.
- All documentation must be on letterhead, typed, dated, and signed by the qualified professional.
- Documentation varies depending on the specific disability and each student's documentation is individually reviewed.
- Minimally, the documentation must establish the current functional limitations resulting from the disability.
- The documentation must provide enough information about the history, scope, and depth of the disability for the University to determine the presence of a disabling condition which significantly impairs a major life function and imposes limitation on some activity associated with the academic process.
- A school plan such as an Individualized Educational Plan (IEP) or a 504 Plan is insufficient documentation in and of itself to determine eligibility. These school plans may be included as a part of a more comprehensive evaluative report and are often helpful in describing students' strengths as well as possible deficits.
- The qualifications of the professional providing documentation need to be clearly indicated and the language by which the disability is described must be consistent with standard practice within the profession. A formal diagnosis is expected.
- All documentation is reviewed by the professional staff of [CeDAR](#) and, when necessary, reviewed by consultants with expertise in specific disability areas. In some cases, students are requested to provide more documentation than originally submitted. Additionally, recommendations for accommodations to mitigate the impact of the disability are appreciated but are not essential.



## Other Policies

Students must adhere to [CeDAR](#) policies and stated rules, which are available upon request or may be viewed at the [FAMU CeDAR](#). This includes standards for documentation of a disability, procedures for notifying the appropriate parties of a disability, and any other policies and procedures instituted by [CeDAR](#).

If a student is afforded accommodations for their disability, the student must present the acceptance from [CeDAR](#) to the Assistant Director of COLSA for acknowledgement, review, and signature prior to receiving accommodations at the College of Law.

Applications for accommodations must be received by the COLSA prior to the final day to withdraw from the semester with a partial refund (See Academic Calendar - “Last day to withdraw with 25% refund of tuition/fees”). The College of Law will not grant requests for accommodations submitted after the deadline.

COLSA will send documentation confirming [CeDAR’s](#) approval of accommodations to the College of Law faculty. The faculty members are only informed of in-class accommodations because all testing accommodations are provided by COLSA to remain in accordance with the College of Law Anonymity Policy.

Failure to comply with any of the policies outlined in this handbook or by COLSA and [CeDAR](#) will result in a denial of accommodations for the exam or assignment in question.

## Recorded Lectures

The Center for Disability Access & Resources considers accommodation request for recording lectures and classroom presentations on a case-by-case bases for individual with disabilities. A reasonable classroom accommodation may involve use of a digital recorder or smart pen to record spoken lectures. In order to maintain the integrity of the [CeDAR](#) Classroom Accommodation Services the following rules apply to all requesters and recipients of this accommodation.

1. Students must request recorded lectures as an accommodation on the **Accommodations Request Form**.
2. If approved, COLSA will provide a Letter of Accommodations to each faculty member for which the student intends to record lectures.
3. If the faculty member has concerns about this accommodation, please ask him/her to contact the COLSA for more information.
4. By utilizing this accommodation, students are agreeing to the following policies:
  - Student will use these recordings solely in pursuit of your education program, and not for any commercial or non-educational purpose.
  - Student will not engage in any secret recordings of lectures or interactions.



- Student will not share the recordings with any other student.
- Student will erase the recordings at the conclusion of the course, within seven (7) days after issuance of a grade, unless the student obtains written authorization from the faculty member to retain the tapes beyond this period.

## **Grievance Procedure**

Students with disabilities who believe that their requests for accommodations have not been appropriately addressed by [CEDAR](#) should direct a complaint to the attention of the Assistant Dean of Student Services or their designee. Grievances filed with the Assistant Dean of Student Services must be in writing and will receive a written response.

# ACADEMIC SUCCESS AND ACADEMIC ADVISING

## Academic Success and Bar Preparation Program

**Eurilynne Williams** ([eurilynne.williams@famu.edu](mailto:eurilynne.williams@famu.edu))

Director, Academic Success and Bar Preparation/Associate Professor

**Room 335B, (407) 254-4002**

**Marlese Wells** ([marlese.wells@famu.edu](mailto:marlese.wells@famu.edu))

Instructor and Interim Assistant Director

**Room 335A, (407) 254-4045**

**Kambria Anderson** ([kambria.anderson@famu.edu](mailto:kambria.anderson@famu.edu))

Instructor

**Room 332D, (407) 254-3244**

**Claire Dew** ([claire.dew@famu.edu](mailto:claire.dew@famu.edu))

Instructor

**Room 332G, (407) 254-3223**

**Kafi Kennedy-Swanson** ([kafi.kennedyswanson@famu.edu](mailto:kafi.kennedyswanson@famu.edu))

Instructor

**Room 335C, (407) 254-2466**

The mission of the Academic Success and Bar Preparation Program is to help students achieve academic success through critical skills training that will transcend the law school experience and directly impact upon their preparedness to pass the bar and to become competent legal professionals.

The Academic Success and Bar Preparation Program (ASBP) is aimed at enhancing our students' analytical and critical thinking skills and ability to pass the Bar Examination by strengthening students' reading comprehension, issue-spotting, legal analysis, test-taking, course outlining, time management, stress management, and study skills through comprehensive critical skills courses and bar preparation workshops. ASBP offers two courses: one for first-year law students and the other for upper-level law students. Additionally, the ASBP faculty holds office hours to increase accessibility for students who desire one-on-one assistance with academic or bar preparation issues. Furthermore, supplemental reading materials and study aids are available at no charge to students in the FAMU Law Library Reserve Collection on the library's first floor.

In addition, ASBP provides individualized structure and support for FAMU graduates who are taking the bar exam in Florida or other jurisdictions. The bar preparation program is free, available to all full-time and part-time students, begins during orientation, continues

throughout law school matriculation, follows after students graduate, and continues to the bar examination.

### **CONTACT INFORMATION:**

#### **Office of Academic Success and Bar Preparation**

*Florida A&M University College of Law*

201 FAMU Law Lane

Orlando, FL 32801

**Phone:** (407) 254-3264

**Website:** [law.famu.edu](http://law.famu.edu)

## FACULTY ADVISORS

The College of Law faculty is committed to students' educational and professional growth. Faculty will be accessible to students both during class and office hours. In addition, the College of Law assigns each student a faculty advisor for the current academic year. Advising assignments are updated annually.

The Associate Dean for Academic Affairs also is available to advise students on academic matters. Students can drop in during the Associate Dean's office hours or schedule an appointment for advising.

# ACADEMIC POLICIES AND RULES

## Requirements for the Juris Doctor Degree

To be eligible for the award of the Juris Doctor (J.D.) degree, a student must:

- Successfully complete all required courses;
- Successfully complete at least 90 semester credit hours of coursework;
- Earn no more than 30 semester credit hours at any other law school;
- Satisfy the Upper-Level Writing Requirement;
- Satisfy the Experiential Learning Requirement;
- Earn a cumulative and semester grade point average of 2.00 or higher;
- Successfully complete at least 64 credit hours in courses that require attendance in regularly scheduled classroom sessions or direct faculty instruction; and
- Be approved by the College of Law faculty.

The College of Law prohibits the granting of credit towards a J.D. for coursework taken before matriculation in a law school. The prohibition includes pre-law program courses. The maximum period for a full-time law student to complete the requirements for a J.D. degree is five (5) years. The maximum period for a part-time law student to complete the requirements for a J.D. degree is six (6) years. The minimum period for any student to complete the requirements is twenty-four (24) months.

## Reliability, Character, and Fitness

In determining whether to approve a student for the J. D. degree, the College of Law Dean and faculty will consider the candidate's general reliability, character, and fitness. Honesty and integrity are core values of the College of Law and the legal profession. You play a key role in maintaining the accuracy and completeness of your permanent law school student record. The application for admission is part of your permanent record, and we may present it to law examiners when you seek admission to a state bar. You are responsible for ensuring that your law school application is complete and accurate. Omissions and inaccuracies can raise questions about your character and fitness to practice law.

If you determine your application is inaccurate or incomplete, you may submit a written request to amend your law school admissions application to the College of Law. Similarly, you are obligated to report any incidents relevant to the character and fitness process after submitting your law school application. Students who wish to amend their law school records may initiate the process through the College of Law Registrar's Office.

Misrepresentations and omissions of information on the Law School application and delays in amending an application may be grounds for discipline and/or expulsion. Misrepresentations and omissions of information on the Law School application are reported to Bar authorities and may be grounds for denial of admission to the Bar.

## State Employee Registration-Tuition Waiver Program

State Employees who are granted fee waivers may register for six (6) credit hours on a “space available basis only.” (F.S. 1009.265)

Students employed by the State of Florida and eligible to use the State Employee Tuition Waiver form may submit their completed and approved State Employee Tuition Waiver Form to [RegistrarCOL@famu.edu](mailto:RegistrarCOL@famu.edu) after enrolling in the semester. The State Employee Tuition Waiver Program covers in-state tuition up to six (6) credit hours. The Florida A&M University College of Law Tuition Waiver form can be downloaded from the College of Law Registrar’s webpage.

The designated registration period for State Employees is the add/drop week, and the specific dates are listed on the College of Law Academic Calendar. Attempts to register at any other time will impact the opportunity to use the waiver for the semester, and you will be responsible for paying the tuition and fees through different payment options (i.e., financial aid or self-payment).

**State Employees may only register for courses approved by their immediate supervisor, agency head, and Florida A&M University.**

## Application for Graduation

Applications for graduation are accepted each semester or term (Fall, Spring, Summer) in which all the requirements for the Juris Doctor (JD) degree are met. To be eligible to graduate, students must complete all degree requirements (including transfer credits) in the semester or term they intend to graduate and apply for graduation by the application deadline. Students are responsible for:

- Reviewing their transcript;
- Comparing the courses taken and credits earned with the course requirements outlined in the College of Law Student Handbook; and
- Completing a self-audit to verify that all requirements for the award of a Juris Doctor (JD) degree are met before submitting a graduation application.

The graduation application indicator allows students to submit a graduation application in the iRattler student system. Still, the graduation application indicator does not confirm that all requirements for graduation are met. Approval for certification of degree requirements is conducted after all final grades are submitted and posted to official records. Students who do not satisfy all requirements for graduation must reapply in the subsequent semester or term.

## Graduation Course Load

Any student in their graduating semester who needs less than the required course load to complete their program in the last semester should contact the College of Law Registrar’s Office to request a reduced course load for graduation purposes.

## Classification of Law Students

1L (P1) – earned 0 to 30

semester hours

2L (P2) – earned 31 to 60

semester hours

3L (P3) – earned 61 to 90

semester hours

## Required Curriculum

**All students** must pass all the courses and satisfy the requirements listed below:

- Appellate Advocacy – This course is required for students who entered the program between Fall 2021 and Spring 2025. Beginning Fall 2025, Appellate Advocacy will no longer be a required course and will instead be offered as an elective. Students entering in Fall 2025 or later are not required to take this course.
- Legal Drafting – This course is required for students entering in Fall 2025 or later.
- Business Organizations
- Civil Procedure
- Constitutional Law I
- Constitutional Law II
- Contracts
- Criminal Law
- Evidence
- Introduction to Analytical Skills
- Legal Research and Writing I
- Legal Research and Writing II
- Professional Responsibility
- Property
- Torts
- Experiential Learning Requirement (requires a minimum of six (6) credits in simulation courses, law clinics, or field placement)
- Upper-Level Writing Requirement

### **Additional Requirements for Students with a Cumulative Grade Point Average 2.7 and Below After Completion of the Foundational Curriculum**

Additional requirements apply to students who earn a cumulative grade point average of 2.7 and below after completing the foundational curriculum. The foundational curriculum consists of the following courses: Civil Procedure, Constitutional Law I, Contracts, Criminal Law, Property Torts, Legal Research and Writing I, Legal Research and Writing II, Introduction to Analytical Skills.

*This requirement does not apply to students who began their studies at the College of Law in Fall 2020 or earlier.*

## Upper-Level Writing and Experiential Learning Requirements

### Upper-Level Writing Requirement

All students must satisfy the Upper-Level Writing Requirement. Students may satisfy the requirement with a research paper as part of a seminar, an **approved** advanced drafting course, an **approved** two (2) credit independent research paper, or through a note written by a FAMU Law Review member, as certified by the law review faculty advisor for the FAMU College of Law.

A **Florida A&M University College of Law full-time faculty member** must supervise independent research projects and all research papers. Adjunct faculty members are not eligible to supervise independent research projects or research papers to satisfy this requirement. Advanced drafting courses that satisfy this requirement fall into the following categories: transactional legal drafting, litigation-oriented legal drafting, legislative drafting, and appellate legal drafting (the required Appellate Advocacy course is not an advanced drafting course that satisfies the Upper-Level Writing Requirement). The faculty member must certify that the student's work product satisfies the Upper-Level Writing Requirement in the semester the grade is recorded and submit the certification form to the College of Law Registrar's office. **\*Please note that students may not repeat Law 6910 Independent Research. The University is now coding this course as one that may only be taken once for credit.**

Drafting courses may satisfy either the Experiential Learning or Upper-Level Writing requirements but not both. Written work approved for satisfaction with the Upper-Level Writing Requirement must earn a B- or above grade and meet the minimum standards listed below.

#### Requirements for Advanced Drafting Courses

- Length of writing - in combination, the final versions of the work product must exceed 25 pages. The number of writing projects may vary depending on the type of course (e.g., a litigation drafting course might have five or more instruments, while an appellate drafting course might have one to three).
- A significant portion of the writing must be reviewed by the instructor and reworked by the student in one or more revised drafts.
- The written work must be of the nature that a lawyer practicing in the field would prepare.

#### Requirements for Research Papers

The research paper must be a minimum of 25 pages in length, including footnotes, and the paper must meet all the standards listed below, as certified by the faculty supervisor of the paper in the semester the paper is completed:



**Significant analytical paper:**

- Reflects substantial legal research;
- Contains original thought;
- Displays proper writing style; and
- Uses correct citation form.

**Students may not satisfy the Upper-Level Writing Requirement based on work completed at any other institution or non-FAMU sponsored program, under any circumstances.**

**Experiential Learning Requirement**

Every student must complete six (6) credit hours of experiential learning. Credits earned in legal clinics, the field placement program, or simulation courses may be used to satisfy the Experiential Learning Requirement.

**Simulation Courses**

A simulation course provides students with experience reasonably similar to a lawyer advising or representing clients, working with sets of facts and circumstances devised by a faculty member. The College of Law regularly offers the following simulation courses which are designated as courses that count toward satisfaction of the Experiential Learning Requirement.

- Advanced Trial Practice
- Contract Drafting
- Domestic Violence Workshop
- Environmental Practice Workshop
- Interviewing, Counseling, and Negotiation
- Law Office Management
- Mediation Theory and Practice
- Pretrial Practice Workshop
- Trial Practice
- Estate Planning

In addition, the College of Law may offer other courses that may satisfy the Experiential Learning Requirement. The Associate Dean for Academic Affairs may designate additional courses as meeting the Experiential Learning Requirement on a case-by-case basis where the course meets the ABA standards for experiential learning.

Students are not permitted to use any one course to satisfy more than one requirement. Consequently, although a course offered may satisfy either the Upper-Level Writing Requirement or qualify as an experiential course, a student cannot use that one course to satisfy both the Upper-Level Writing requirement **AND** the Experiential Learning Requirement.

## **Field Placements**

Field Placements offer students semester-long opportunities to leave the traditional classroom setting and, under the supervision of a clinic faculty member and licensed attorney at an approved site, engage directly in legal work. Students may receive up to four (4) credits during the fall and spring semesters and up to six (6) credits in the summer term. Enrollment requires clinic faculty approval. Students can earn no more than nine (9) total Field Placement credits.

The Field Placement course requires both direct legal work at the placement site and a seminar that requires submission of weekly time logs, written assignments, and class attendance and participation. Students must timely complete both the on-site hours required and all seminar assignments to earn credit for a Field Placement. The Clinic maintains a list of Field Placement sites that regularly host externs from FAMU. The Clinic Director must approve all Field Placement sites. Students wishing to enroll in Field Placement must have successfully completed the Professional Responsibility course.

## **Legal Clinics**

The Legal Clinical Program offers eligible upper-level law students the opportunity to serve traditionally underserved clients under the supervision of a faculty admitted to practice law. There currently are three in-house clinics:

- Mediation
- Guardian Ad Litem
- Economic Justice

*Students wishing to participate in any Legal Clinic must have completed 48 credit hours, including Professional Responsibility, and an application. The required application is available from the Legal Clinic. Students applying for Legal Clinics will be subject to a character and fitness evaluation.*

## **Certified Legal Intern**

The College of Law strongly recommends that students interested in enrolling in a clinic or field placement become Certified Legal Interns (“CLI”) pursuant to the requirements of the **Student Practice Rule** of the Florida Bar. Students must be enrolled in a FAMU Legal Clinic or in Field Placement at a CLI-approved site to become certified. Then they can appear and argue in court, sign legal documents, and handle a range of case advocacy and litigation responsibilities.

For further information on experiential learning at the College of Law, please see the website at <https://law.famu.edu/students/current/experiential-education.php>. If you have questions or want more information regarding CLI, Law Clinics, and Field Placement, please contact Professor Mark Dorosin, Director of Legal Clinic and Field Placements at [mark.dorosin@famu.edu](mailto:mark.dorosin@famu.edu) or 407-254-4043.

## **Additional Requirement for Students Who Earn a Cumulative Grade Point Average 2.7 and Below After Completion of the Foundational Curriculum**

Students with a cumulative grade point average of **2.7 or below**, after completing the foundational curriculum (“foundational GPA cohort”) must complete additional requirements to earn the J.D. degree. These requirements include prescribed courses, intensive advising, and advisor approval of course schedules before registration.

### **Required Additional Course Work – Cumulative GPA 2.7 and Below After Foundational Curriculum**

#### **Specific Courses in Bar-Tested Subject Matter**

Students in the foundational GPA cohort **must** take the following courses:

- Criminal Procedure Survey (3 credit hours), Florida Bar Law and Skills (4 credit hours, appropriate subject matter substitutions may be made for students who do not intend to take the bar examination in Florida) and, Multistate Bar Law and Skills (4 credit hours)<sup>1</sup>
- Criminal Procedure: Arrest and Investigation<sup>2</sup>
- Legal Analysis -2L Skills Course (2 credit hours)<sup>3</sup>
- Advanced Legal Analysis- 3L Bar Prep (3/2 credit hours)<sup>4</sup>

*Students who do not intend to take the bar examination in Florida may substitute an appropriate course in lieu of Florida Bar Law and Skills, subject to advisor approval.*

#### **Analytical Skills Modules**

Students must complete the Advanced Analytical Skills (AAS) modules (non-credit bearing) as part of their academic support plan.

#### **Advising and Course Schedule Approval**

Students in the foundational GPA cohort will be assigned an advisor (Academic Success and Bar Preparation Program faculty, COL faculty, or faculty dean). Students in the foundational GPA cohort **must** obtain their advisor’s approval (including to add or drop classes during open registration or the official add/drop period) of course schedules before registering for classes.

This policy is designed to ensure that students receive appropriate academic guidance and support as they progress throughout the JD Program.

#### **Elective Courses in Bar-Tested Subject Matter Areas**

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<sup>1</sup> Requirement for students who entered **before** Fall 2025 **only**. Course will no longer be offered as part of curriculum after Fall 2028.

<sup>2</sup> Required for all entering students Fall 2025 and after.

<sup>3</sup> Required for all entering students Fall 2025 and after.

<sup>4</sup> Required for all entering students Fall 2025 and after,

The elective courses listed below cover subject matter tested on the Florida Bar Examination. Faculty advisors, Academic Success and Bar Preparation faculty, the Associate Dean for Academic Affairs, or the Associate Dean for Student Learning and Assessment can guide students in determining the bar-tested subjects to take to be ready for the bar examination and for their careers.

### **Courses in Other Bar-Tested Subjects**

In addition to the three courses specified in the previous section, students in the foundational GPA cohort must take a minimum of three additional courses in bar-tested subject matter. The list currently includes the courses listed below and is subject to change based on changes in the areas tested on the bar exam.

Course	Credit Hours
Advanced Torts: Dignitary and Economic Harms	3
Constitutional Law: First Amendment	3
Criminal Procedure: Pretrial	3
Family Law	3
Florida Constitutional Law	2
Florida Practice	3
Payment Systems	3
Products Liability	3
Real Estate Law	3
Remedies	3
Sales	2
Secured Transactions	3
Trusts and Fiduciary Administration	3
Wills and Estates	3

## **Maximum and Minimum Course Loads**

### **Full-Time Program**

#### Fall and Spring Semester

No full-time student may register for more than sixteen (16) credit hours or less than twelve (12) credit hours in any Fall or Spring semester. This credit hour total includes any transient student credits in the same semester.

#### Summer Term

No full-time student may register for more than nine (9) credit hours in any Summer Term. There is no minimum course load for full-time students in a Summer Term, except as necessary to qualify for financial aid. Based on federal regulations, students must be enrolled at least half-time to be eligible for federal student aid. Consequently, all students seeking federal student aid during a Summer Term must enroll in at least four (4) credits to receive financial aid. This credit hour total includes any transient student credits in the

same semester.

## Part-Time Program

### Fall and Spring Semester

No part-time student may register for more than eleven (11) credit hours or less than eight (8) credit hours in any Fall or Spring semester. This credit-hour total includes any transient student credits in the same semester.

### Summer Term

No part-time student may register for more than nine (9) credit hours or fewer than four (4) credit hours in any Summer Term. This credit-hour total includes any transient student credits in the same term. **PART-TIME STUDENTS ARE REQUIRED TO ENROLL IN SUMMER TERM CLASSES**

## Additional Credit Hour in Semester of Graduation

### Fall or Spring Semester

Any full-time student scheduled to graduate in the fall or spring semester may enroll in 17 credit hours in the semester of graduation. Any part-time student seeking to use this maximum course load exception must promptly request a program change from part-time to full-time (see Transferring Between Day to Evening Program). **This credit-hour total includes any transient student credits in the same semester.**

### Summer Term

Any student who is scheduled to graduate in the Summer Term may enroll in ten (10) credit hours in the term of graduation. **Under no circumstances will a student be allowed to enroll in more than ten (10) credit hours in any Summer Term.** This credit-hour total includes any transient student credits in the same term.

## Credit Hour Policy

Under ABA Standard 310, a “credit hour” is an amount of work that reasonably approximates not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks or the equivalent amount of work over a different amount of time.” Interpretation 310-1 states, “[f]or the purposes of this Standard, fifty minutes suffices for one hour of classroom or direct faculty instruction. An ‘hour’ for out-of-class student work is sixty minutes. The fifteen-week period may include one week for a final examination.”

Per ABA Standard 310, the College of Law defines a “credit hour” as an amount of work that reasonably approximates:

- 1) no less than an aggregate of 15 hours of classroom time or direct faculty instruction and an aggregate of 30 hours of out-of-class work per semester or term, or a total time

of 45<sup>5</sup> hours per credit hour. For example, for a three-credit course, students will spend a minimum of 45 hours per semester in the classroom (including time spent completing a final exam) and an aggregate minimum of 90 hours of out-of-class work.

2) For other academic activities, including simulation courses, field placements, clinical courses, moot court, law review, independent research, directed individualized study, competition teams, and research associates, a student must complete at least 45 hours of work per credit hour.

These requirements apply to coursework that extends over any period, including the fall, spring, and summer semesters.

Please see the Credit Hour Policy on the College of Law website for more information.

## Registration

Students register for classes online via their iRattler account. Therefore, students are responsible for ensuring that their registration is correct. Students must also adhere to all deadlines listed on the College of Law Academic Calendar. This requirement includes the deadline to submit official transcripts in the first year of law school. Your admission will be revoked if the official transcript is not submitted by the deadline.

### First Year Students

First-year students are assigned to sections for all their Fall and Spring semester courses before classes start. First-year students must enroll in the assigned sections of each course. First-year students must remain enrolled in their assigned sections for the entire first year.

### Requirement to Register

Any student who fails to register or fails to attend class by the end of the first week of any semester and has not been approved for a leave of absence will be presumed to have withdrawn from the College of Law. The student will be administratively withdrawn and may be required to reapply for admission.

### Priority Registration by Appointment Times

The College of Law conducts Priority Registration before each term. After their first semester of attendance, students may register during Priority Registration. During the Priority Registration period, registration becomes available on designated appointment days based on credits earned and program (full-time or part-time). Students cannot register before their designated appointment day. After the designated appointment day,

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<sup>5</sup> Students should note that ABA Standard 310 states, “at least 42.5 hours of work per credit hour. That figure represents a *minimum* requirement. The College of Law instituted a local minimum of 45 work hours per credit hour, given the number of weather events. Still, certain academic activities may require more hours, including simulation, field placement, clinical, moot court, law review, independent research, directed individualized study, competition teams, and research associates. These requirements will enhance your skills and prepare you for a successful legal career.

registration remains available through Open Enrollment, which begins immediately after Priority Registration and runs through the end of the Add/Drop period.

**Student Priority Registration appointments are published in iRattler each semester or term.**

### **Veterans Priority Registration**

Florida Statutes 1004.075 requires, “each Florida College System institution and state university that offers priority course registration for a segment of the student population to provide priority course registration for each veteran of the United States Armed Forces who is receiving GI Bill educational benefits or for the spouse or dependent children of the veteran to whom the GI Bill educational benefits have been transferred.”

The College of Law provides priority registration to Veterans and dependents with transfer benefits who provide proof of a military connection. Veteran priority registration assignments include all priority appointments.

Priority Registration does not prevent students from adhering to all other registration policies and regulations.

### **Veteran Services Information**

Veteran Students and Veteran Dependents using Veteran Affairs benefits are to provide a current Veteran Affairs Certificate of Eligibility (COE) and complete the Florida A&M University College of Law Certification Request for Veteran Benefits Form each semester and no later than the first day of classes for the intended enrollment term and submit documents to the College of Law Registrar’s Office.

All forms may be found on the College of Law website at <https://law.famu.edu/college-of-law-registrar/forms.php>.

### **Delayed VA Payments**

Veteran students with current COEs on file and appropriate certification documents are expected to pay tuition and fees by the published payment deadlines. These veteran students will not be restricted in any way due to the delay in receipt of benefits from the VA. Under S2248 PL 115-407 Section 103,

Florida A&M University College of Law School Certifying Official Representative will assist beneficiaries of Chapter 31 (Vocational Rehabilitation & Employment) or Chapter 33 (Post 9/11 GI Bill) in ensuring the delay of VA payments does not cause penalties such as late payment fees, denial of access to facilities, or other penalties up to 90 days after the date the institution certified tuition and fees following the receipt of the certificate of eligibility. Any portion of the student bill not covered by VA benefits is still expected to be settled by the payment due date published in the College of Law Academic Calendar.



## Add/Drop Procedures

### First Year Students

First-year students may not change their assigned course schedules or sections.

### Upper-Level Students

Upper-level students who decide to add, drop, or change their course schedule after registration for any course may do so until the last day of the add/drop period for the semester or term. (Refer to the published Academic Calendar for specific add/drop dates each semester). A student's ability to make changes is subject to the minimum and maximum number of credits required for the student's particular program. (See page 49, Minimum and Maximum Course Loads.)

After the add/drop period, students may no longer add a course. Additionally, if a student wishes to withdraw from a course after the add/drop period, the student must obtain written approval from the Assistant Dean of Student Services on the appropriate form. If approved, the dropped course will be assigned a grade of "W" on the transcript, and students are fee-liable for the course. The last day to drop a course in any given semester with a grade of "W" is published each semester on the Academic Calendar.

### Attendance Policy

Following Standard 308 of the American Bar Association for Approval of Law Schools, the College of Law shall adopt, publish, and adhere to sound academic standards, including those for regular class attendance, good standing, academic integrity, graduation, and dismissal.

Under the attendance policy adopted by the faculty of the College of Law, students must attend at least 80% of the classes for each course. Any student who attends fewer than the 80% minimum of course classes will be administratively withdrawn and assigned a grade of "F" for the course.

**The 80% minimum attendance policy does not preclude faculty members from imposing stricter, more demanding course attendance requirements.** Faculty must take attendance. It is the obligation of each student to ensure that his/her attendance has been recorded. Please note that a student registering or adding a course after classes have begun will be counted absent for classes missed before registering for the course.

Each student is responsible for maintaining his or her own records of attendance. As a courtesy, some faculty may have their program assistants keep attendance records for each class, and some may send absence notices when a student is approaching or has reached the maximum number of allowable absences. The fact that a program assistant did not have attendance records or a courtesy notice was not sent or received will not relieve a student of the consequences of violating the attendance policy. Falsifying class attendance is a



violation of the Student Code of Conduct.

**The College of Law has no “excused absences.”** The attendance requirement is a “no-fault rule” – that is, the faculty member shall not take account of any medical or other excuses in computing the number of absences any student may have accumulated in the course. Students should not contact faculty members requesting an excused absence or a waiver of the attendance policy. Any communication regarding absences should be limited to questions regarding course materials. Please note the faculty member is not required to produce any materials missed due to an absence.

However, upon a showing of compelling hardship and in exceptional circumstances, the Assistant Dean for Student Services may relieve a student of the attendance requirement. Requests for relief from the attendance requirement must be submitted in a timely manner – ordinarily within three days of notification of excessive absences. The Assistant Dean for Student Services may recommend the student be permitted to take the examination or give no relief at their discretion. Under no circumstances will the Assistant Dean be permitted to grant a waiver to any student who has missed more than 30% of the class sessions for any course.

### Maximum Absences

Maximum Absences Fall and Spring Classes (13 weeks)			
Total Credits	Meetings per Week	Total Classes	Absences
2	1	13	3
2	2	26	5
3	1	13	3
3	2	26	5
3	3	39	8
4	1	13	3
4	2	26	5
4	3	39	8
4	4	52	10

Maximum Absences Summer Classes (9 weeks)			
Total Credits	Meetings per Week	Total Classes	Absences
2	1	9	2
2	2	18	4
3	1	9	2
3	2	18	4
3	3	27	6
4	1	9	2
4	2	18	4
4	3	27	6
4	4	36	8

### Student Employment Recommendations

The College of Law believes a full-time course load is challenging for any student. This challenge is amplified for new students. Consequently, the College of Law discourages all employment by first- year, full-time students.

The College of Law highly recommends that full-time students do not work for more than 20 hours per week in any semester in which the student is enrolled in 12 or more credit hours.

## Grading Standards

### Grades and Quality Points

The Florida A&M University College of Law uses the following grading system, which uses both letter grades and quality points:

A	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C-	1.67
D+	1.33
D	1.00
F	0.00

### Transcript Notations

The following grades or symbols may also appear on a student's record:

- I** Incomplete; not included in the computation of grade point average
- S** Satisfactory; credit earned, but not included in computation of grade point average
- U** Unsatisfactory; no credit earned
- W** Withdrew from the course or University after the deadline for dropping a course

### Minimum Cumulative Grade Point Average

Students are required to maintain a *minimum* cumulative grade point average of 2.0. Students who fail to maintain this average are subject to academic probation or dismissal.

### Grading Curve

#### First-Year Courses (Foundational Curriculum) -- Grade Distribution

All required first-year courses will be graded across the entire grading spectrum, with an expected distribution of grades as follows:

First Year (Foundational Curriculum) Course Grade Distribution	
Earned Grade	Min. / Max. Allowed
A	up to 10%
A-	up to 10%
<b>Total A range: 5% to 12%</b>	
B+	up to 10%
B	up to 20%
B-	up to 25%
<b>Total B range: 20% to 40% Total A&amp;B range: 25% to 50%</b>	
C+	up to 30%
C	up to 20%
<b>Total C+ &amp; C range: up to 45%</b>	
C-	up to 10%
D+	up to 10%
<b>Total C- &amp; D+ range: 5% to 12%</b>	
D	up to 10%
F	up to 10%
<b>Total D &amp; F range: 5% to 12%</b>	

## Second-Year Part-Time Grade Distribution

The First Year (Foundational Curriculum) Course Grade Distribution also applies to the required courses offered in the fall semester in the second year of the part-time program.

## Upper-Level Courses

All other required upper-level courses and upper-level elective courses with more than 25 enrolled students will be graded on a “B / B-” median grade curve.

## Extensions

In a **seminar or an independent study project**, the faculty member may grant an extension of the due date upon a student's written request.

If the due date under the extension is no later than three weeks from the end of the examination period, the terms of the extension are determined between the faculty member and the student. Submitting any forms to the College of Law Registrar for extensions of three weeks or less from the end of the examination period is unnecessary.

If the due date under the extension is later than three weeks from the end of the examination period, the student and faculty member must complete an Extension Request Form and submit the form to the College of Law Registrar. The Extension Request Form is available on the Registrar's webpage. Any extension greater than six (6) weeks from the end of the examination period must also be approved in writing by the Assistant Dean for Academic Affairs and with the faculty member's written consent.

### Grade of Incomplete

An incomplete grade ("I") shall be submitted only in a **seminar or for an independent study project** where the student has received an extension of time to submit his or her paper.

In the event a grade of incomplete ("I") is not removed from a student's transcript by the last day of classes of the following semester or term, the grade shall be changed to a failing grade ("F") in the course. The "F" grade is counted in computing the student's grade point average.

A grade of incomplete ("I") is not computed in a student's grade point average, and therefore, student records with "I" grades are not included with rankings.

### Failed Courses

A student who fails a required course must retake the course during the next semester or term the course is offered. A student who fails an elective course may retake it if he or she wishes.

The College of Law does not have a grade forgiveness policy. Therefore, when a student retakes a failed course, both grades will appear on the student's transcript and will be computed in the student's cumulative grade point average.

A student may not retake a course in which he or she received a passing grade unless directed to do so by the Academic Standards Committee and approved by the Assistant Dean of Academic Affairs.

### Grade Concerns

Students who may have concerns about a specific grade shall refrain from contacting the Professor teaching the course until after the final grade has been posted.

## Grade Change Policy

Grades are considered final upon submission to the College of Law Registrar. A final grade submitted to the College of Law Registrar cannot be changed due to a faculty member's substantive reevaluation of a student's examination answers or other work. A faculty member may change a final grade **ONLY** if it is incorrect due to a mathematical or scrivener's error or involves the removal of an incomplete grade. If a faculty member determines a grade change is necessary, a grade change form accompanied by a justification letter must be submitted to the College of Law Registrar by the end of the next semester or term.

## Transfer Credits

All candidates for the J.D. degree are required to complete at least 60 credit hours at the Florida A&M University College of Law. A maximum of 30 credit hours may be given for work at another ABA- approved law school. Credit for work taken at another school will only be granted for courses in which the student received a "C" or better grade. **Credits for such work can only be awarded for courses that are not offered at Florida A&M University College of Law.** Students must take all required courses at the Florida A&M University College of Law.

Students must receive prior approval from the Associate Dean for Academic Affairs to receive credit for courses taken at another law school or through another law school's study abroad program. Students interested in any study abroad program should review all policies and procedures before applying. Interested students should be proactive, thorough, and knowledgeable to ensure a successful study abroad experience.

Transient courses taken for degree completion are eligible for financial aid only when the student registers for study abroad courses at Florida A&M University College of Law.

All grades received for courses at another law school will appear on the Florida A&M University College of Law transcript as an "S" without any quality points and will not be used to compute the student's grade point average. **Note: The student must document that the student earned a "C" or better for all transient credits. A "P" or "S" cannot satisfy this requirement. Credits will not be granted without official documentation that the minimum grade was earned.**

## Transcripts

A transcript is the student's official academic record. Official transcripts are issued upon request to the main University Registrar's Office or for pick up at the College of Law Registrar's Office. The transcript fee is \$10.00 each. To order a transcript, students may choose one of the following options:

1. Place a request online at [www.parchment.com](http://www.parchment.com) (a convenience fee may apply).
2. Submit a paper request in person or mail a request to the main University Registrar's Office.

Requests for official transcripts (in person or by mail) should be made to the main campus at:

Florida A&M University Office of University Registrar  
Tallahassee, Florida 32807  
(805) 561-3115

## Program Changes - Transferring Between Day and Evening

**Students must complete the first-year foundational courses of their program (full-time or part-time)** before they are eligible to transfer from one program to another. For part-time students, the foundational courses are distributed throughout the first and second year of the evening program, which are the first three semesters and the first summer term.

Students must be in good standing to transfer from one program to another.

Students may be asked to meet with the Associate Dean for Student Services and Administration.

Students must complete the “**Request to Transfer between Programs**” form. The completed form, including all required signatures and approvals, must be signed by the Associate Dean for Student Services and Administration and submitted to the College of Law Registrar’s Office.

- Students must apply before **March 1** for their transfer request to be effective for the following Summer term, **by June 1** for the request to be effective for the following Fall semester, and by **November 1** for the request to be effective for the following spring. If either date falls on a holiday or weekend, the deadline will be the next business day. If students do not have an approved program change before priority registration deadlines, they will not have priority status for the program in which they seek to start.

Part-time students are required to attend Summer sessions. Part-time students seeking a program change for the Fall must still enroll for the preceding Summer. If part-time students wish not to attend classes during the Summer session, they should apply before **March 1**.

- The College of Law will approve one program transfer request per student.

## Withdrawing from Courses

(See Add/Drop Procedures for Schedule Changes During the Add/Drop Period)

A student may not withdraw from a course in his or her first year of study, a course required to be taken in sequence in that semester, or when withdrawal from a course would violate the maximum or minimum course requirement. Once the add/drop period has passed, students are expected to complete the requirements for all courses they are enrolled in.

All course withdrawal requests will be considered only for good cause, such as illness or circumstances beyond the student's control. Enrolling in too many credits, fear of an undesirable grade, journal participation, not needing a course to graduate, faculty changes, changes in course expectations, extracurricular or job-related activities, and similar circumstances do not justify withdrawing from a course after the drop/add period has ended.

Students must meet with the Assistant Dean for Student Services to determine if they meet the qualifications. **Under no circumstances will a student be able to withdraw from a course after the FINAL day to withdraw as designated on the Academic Calendar.** Please see the Academic Calendar to confirm that date.

Where a student is permitted to withdraw, a grade of "W" will be reflected on the student's transcript. The "W" does not count as an attempt at coursework and is not computed in the grade point average.

**Students who withdraw after the add/drop period will be held liable for all fees assessed.** There is no refund of fees for withdrawn courses.

The withdrawal is effective when the Registrar records the W on the official record.

### **Withdrawal from the College of Law**

With approval, a student may withdraw from the College of Law. A student must be in good standing (either during or between semesters) at the time of the request. A student must obtain, complete, and return a School Withdrawal form to the College of Law Registrar. The withdrawal is effective when the Registrar has received all required signatures.

A withdrawal request filed between semesters and after the withdrawal deadline for the semester or term does not preclude posting of end-of-term grades for the student requesting withdrawal.

Students who withdraw after the add/drop period will be held liable for all fees assessed. A student who withdraws after the add/drop period will receive "W" grades on the student's transcript. A failure to complete the withdrawal process will result in "F" grades being recorded.

Students who withdraw from the University after filing the appropriate withdrawal forms and making formal application for a refund of registration and tuition fees will have their tuition adjusted according to the following schedule:

- A 100% fee refund/charge adjustment if the withdrawal is approved prior to the end of the add/drop period and written documentation is received from the student.
- A 25% refund/charge adjustment if the withdrawal is approved prior to the end of the fourth week of classes and written documentation is received from the student.
- A 100% refund/charge adjustment of the registration and tuition fees if a student

withdraws and drops all courses due to circumstances determined by the university to be exceptional and beyond the control of the student, including, but not limited to:

- i Illness of a student of such severity or duration, as confirmed in writing by a physician, to preclude completion of the course(s);
- ii Death of the student or death in the immediate family (parent, spouse, child, or sibling);
- iii Involuntary call to active military duty; or
- iv A situation in which the university is in error.

A formal refund application in the instances specified above must be made to the University Registrar on forms provided by that office.

Students who withdraw from all classes during a semester or Summer session without filing for withdrawal from the college, fail to register for the succeeding term in the program to the minimum limit of their required coursework, or fail to enroll following the end date of an approved leave of absence, will be administratively withdrawn from the College of Law.

A student who withdraws from the College of Law will be considered a new applicant and may reenter only with the approval of the Admissions Committee and must comply with all the steps and procedures required of all new applicants to the College of Law.

## Leave of Absence

College of Law students are expected to pursue the course of study each semester without interruption or breaks. This includes the fall and spring semesters for full-time students and the fall semester, spring semester, and summer term for part-time students. If a student cannot attend for good cause, he or she must submit a request for a Leave of Absence as described below. **Students must be in good academic standing and have completed at least 30 credits to be eligible for a leave of absence. Only one approved leave of absence will be allowed.**

A student who wishes to take a leave of absence must complete a Leave of Absence Request form and submit the form to the Assistant Dean of Student Services. Only in extraordinary circumstances, e.g., those involving severe medical problems, military service, or death in the immediate family (parent, spouse, child, or sibling), will permission be given for leave to begin during a given semester. If a student is incapacitated due to medical/psychological problems, a petition for a health leave of absence may be submitted by a parent, spouse, or any other person designated by the student in advance.

A student may be asked to meet with the Assistant Dean of Student Services to discuss the circumstances that necessitate the leave. The student may also be required to provide documentation substantiating his or her circumstances. A full-time student may take a leave of absence for up to two semesters. A part-time student may take a leave of absence for up to two semesters and one summer term.



**Students who fail to register or fail to attend class in any semester and have not been approved for an extended leave of absence will be presumed to have withdrawn from the College of Law and will be required to reapply through the admissions process.**

Any student who has an approved leave of absence from the College of Law shall return as a matter of right provided he or she has completed the first full year of study, was eligible to continue at the time of the leave and has not committed acts or offenses that would have prohibited his or her admissions under current admissions standards. To confirm the intent to return, the student must complete [a Return From Leave of Absence Form](#). The student will be required to satisfy graduation requirements outlined in the Student Handbook in force at the time the student returns.

## Sequencing for Required Courses

### Full-Time (Day) J.D. Program

#### Foundational Curriculum and Course Assignment Policy for the First -Year Full Time Students

First-year students enrolled in the full-time program must complete the foundational curriculum in the sequence prescribed by the College of Law.

To support consistency in instruction, promote academic success, and foster effective cohort-based learning, the College of Law assigns students to specific sections for all foundational courses. Students may not modify their assigned course schedules or switch sections under any circumstances.

FALL SEMESTER		SPRING SEMESTER	
Courses	Credit Hours	Courses	Credit Hours
Civil Procedure	4	Contracts	4
Criminal Law	3	Legal Research and Writing II	3
Introduction to Analytical Skills I	2	Property	4
Legal Research and Writing I	3	Constitutional Law I	3
Torts	4	<b>Total Credits</b>	<b>14</b>
<b>Total Credits</b>	<b>16</b>		

#### Additional Academic Requirements

**BARBRI Diagnostic Testing:** Full-time students are required to complete mandatory BARBRI diagnostic testing at the conclusion of spring classes, prior to the start of final examinations.

#### Sequencing of Upper-Level Required Courses

##### Required Fall Semester Course - Second Year

Students **must** enroll in the following required courses listed below in the fall semester of the second year of study:

COURSES	CREDIT HOURS
Constitutional Law II	3
Evidence	4
Professional Responsibility	2

##### Second Year or Third Year

Students **may** enroll in the following required courses listed below in the second or third year of study:

COURSES	CREDIT HOURS
Appellate Advocacy <sup>6</sup>	2
Legal Drafting <sup>7</sup>	2
Business Organization	4
Experiential Course(s) <sup>8</sup>	6

The courses above are part of the required upper division curriculum and is essential for academic preparation for the bar examination.

## Academic Dismissal Policy for First Year Full-Time (Day) Students

All academic dismissal decisions will be based on the **FAMU College of Law transcript Grade Point Average (GPA)**.

### I. Academic Dismissal During the First Year of Law School

#### Full-Time Students:

A full-time student who earns a **cumulative GPA of 1.60 or below** at the end of the **first semester** of the first year (i.e., after attempting 15 credits) shall be **academically dismissed** from the College of Law.

- **No petition for reinstatement** will be permitted.
- The student may **reapply for admission** to the College of Law as a **new entering student** after a period of **two years** from the date of dismissal.

### II. Academic Dismissal After the First Year of Law School

Any student who has attempted a **minimum of 30 credit hours** and has not achieved or maintained a **cumulative GPA of 2.0** at the end of the **Spring semester of the first year**, or **any semester or term thereafter**, will be **automatically dismissed** from the College of Law.

- **Dismissal is effective immediately** upon the **official posting of the student's final grade** for the semester.

### III. Timing and Enrollment Consequences

The College of Law posts grades on a **rolling basis**. Because of the time required to

<sup>6</sup> This course is required for students who entered the program between Fall 2021 and Spring 2025. Beginning Fall 2025, Appellate Advocacy will no longer be a required course and will instead be offered as an elective. Students entering in Fall 2025 or later are not required to take this course.

<sup>7</sup> This course is required for students entering in Fall 2025 or later.

<sup>8</sup> All students must satisfy the Experiential Learning Requirement and Upper-Level Writing Requirement.

process and record final grades, dismissal may occur **after classes have commenced** for the **subsequent semester or summer term**.

- Once dismissal is effective, the student will be **automatically dropped from enrollment**, and **no credit will be awarded** for any courses taken after dismissal.
- However, a student who is **eligible to petition for readmission** and submits a **timely petition** may **continue attending classes\*** pending the outcome of the petition and **will not be dropped** from enrollment during that period.

**\*Such continued attendance may result in adverse financial consequences to the student if readmission is denied, including remaining liable for tuition and fees. In addition, a student who is readmitted with a CGPA below 2.0 may not meet the Satisfactory Academic Progress requirements for receiving financial aid.**

## Petition for Reinstatement to Continue After Academic Dismissal

### Students Ineligible to Petition for Reinstatement

An academically dismissed student with a CGPA below 1.85 is ineligible to petition for reinstatement and may not seek readmission until two academic years have elapsed following his or her dismissal.

### Students Eligible to Petition for Reinstatement

Any student who has been dismissed from the College of Law for academic reasons with a CGPA above 1.85 but below 2.0 after attempting 30 or more credit hours may petition the Academic Standards Committee for reinstatement.

### Reinstatement Petition Procedure

- A. The College of Law Registrar's Office must receive a petition for reinstatement by the seventh (7th) day following the date of the correspondence from the College of Law advising of the student's academic status. The Committee will not consider late petitions. Petitions must be submitted via email to [RegistrarCOL@famu.edu](mailto:RegistrarCOL@famu.edu).
- B. An eligible student may petition the Academic Standards Committee for reinstatement by sending a letter to the College of Law Registrar's Office. The petition should set forth specific reasons for the petitioner's substandard performance.
- C. The College of Law Registrar's Office shall forward the petition to the Academic Standards Committee for consideration and any documentation relevant to the petitioner's performance and petition.
- D. The Academic Standards Committee will meet as soon as possible after receipt of the petition.
- E. The petitioner shall have a right to appear at a time set by the Committee. The petitioner is burdened to demonstrate that extraordinary circumstances resulted in his or her substandard academic performance. Extraordinary circumstances are those that do not ordinarily occur. Financial concerns, employment obligations, family illness, or commuting distances are not normally extraordinary circumstances. The petitioner must demonstrate that the extraordinary circumstances have been resolved and that, if reinstated, he or she can successfully handle the rigors of legal education. If physical or psychological conditions are indicated, the petitioner must submit written documentation to substantiate any physical or psychological conditions described in the petition.
- F. The student has the burden of persuading a majority of the Committee that he or she should be admitted by providing, at a minimum, a summary of:
  - i relevant law school history (grades, community service, student organization involvement, legal work experience, etc.);
  - ii perceived causes of his or her poor academic performance; actions taken and the

- plan for corrective measures for dealing with problems interfering with academic performance;
- iii why he or she will likely succeed if re-admitted; and
  - iv why he or she has the capacity to be admitted to the bar after completing the College of Law's program of legal education.
- G. If a majority of the Committee, present and voting, *favours* reinstatement, then the student is reinstated. The Office of the Dean, upon recommendation by the Academic Standards Committee, may place conditions on that reinstatement.
- H. In all cases, the Office of the Dean shall inform the petitioner by letter of the disposition of his or her case.
- I. All communication will be made through the contact information on file with the Registrar's Office; it is the responsibility of the petitioner to provide updated contact information as necessary.

The decisions of the Academic Standards Committee regarding petitions for reinstatement are final decisions.

### **Reinstatement Standards**

There shall be a strong presumption against reinstatement, and the Academic Standards Committee shall deny a student's petition except under the most compelling and extraordinary circumstances and then only if the Committee is clearly convinced that:

- The student can achieve a 2.0 cumulative grade point average by the end of the semester in which the student will be reinstated;
- The student will be able to complete the remaining curricular requirements successfully and has demonstrated capacity to be admitted to the bar; and,
- Any personal problems or other factors that contributed to the student's poor academic performance are not the kind that are likely to recur.

The Academic Standards Committee may impose additional conditions that it deems appropriate, including, but not limited to, requiring that a student seek prior approval of his or her schedule. Although the Academic Standards Committee's decision on whether to reinstate is final, the imposition of conditions upon that reinstatement is a recommendation to the Dean for the Dean's final approval.

Any student who has been conditionally advanced after attempting 30 or more credit hours who then fails to achieve a 2.0 CGPA at the end of the semester in which the student is reinstated, or at the end of any subsequent term, shall be academically dismissed and is ineligible to petition for reinstatement.

## **Readmissions: Full-Time Ineligible Petitioners, Unsuccessful Petitioners, and Subsequent Academic Dismissals**

### **Students Ineligible to Petition – Readmission Period**

An academically dismissed student who was ineligible to petition for reinstatement because he or she obtained a CGPA below 1.85 may not seek readmission until two academic years have elapsed following his or her dismissal. To be eligible for readmission after the two-year period, the academically dismissed student with a CGPA below 1.85 must apply as a new entering student through the College of Law Admissions Office.

### **Unsuccessful Petitions – Readmission Period**

An academically dismissed student whose petition for reinstatement is denied may not seek readmission until two academic years have elapsed following his or her dismissal. To be eligible for readmission after the two-year period, the student must apply as a new entering student through the College of Law Admissions Office.

### **Conditionally Reinstated Student with Subsequent Dismissal – Readmission Period**

A student who has been conditionally reinstated and subsequently is academically dismissed may not seek readmission until two academic years have elapsed following his or her dismissal. To be eligible for readmission after the two-year period, the student must apply as a new entering student through the College of Law Admissions Office.

## Sequencing of Required Courses Part-Time (Evening) J.D. Program

### Foundational Curriculum and Course Assignment Policy for the First -Year Part-Time Students

Part-time students must follow the prescribed course sequence within their designated program for all first-year required courses and second-year required courses scheduled for the fall semester. With the exception noted below, part-time students will receive registration priority for evening sections of all other courses. Enrollment in daytime courses is permitted on a space-available basis during the open registration period.

Part-time students are required to enroll in classes during the fall semester, spring semester, and summer term.

### Foundational Curriculum Sequence for Part-Time Students

(First and Second Year Required Courses):

Students enrolled in the part-time program complete the foundational curriculum over the course of their first year of study and the fall semester of the second year. The College of Law assigns students to specific sections for all foundational courses. Students are not permitted to make changes to their assigned course schedules or sections.

The required sequence for the foundational curriculum is outlined below.

**Note:** Students **may not enroll in elective courses** during the **fall or spring semesters of their first year**.

FALL SEMESTER	
Courses	Credit Hours
Contracts	4
Introduction to Analytical Skills (IAS)	2
Legal Research and Writing (LRW)	3
<b>Total Credits</b>	<b>9</b>

SPRING SEMESTER	
Courses	Credit Hours
Civil Procedure	4
Legal Research and Writing (LRW)	3
Criminal Law	3
<b>Total Credits</b>	<b>10</b>

SUMMER TERM	
Courses	Credit Hours
Required courses as offered Students may enroll in <b>elective courses</b> during the summer term	
<b>Total</b>	<b>4-8</b>



2L FALL SEMESTER (Completing the 1L year)	
Courses	Credit Hours
Constitutional Law I	3
Torts	4
Property	4
<b>Total Credits</b>	<b>11</b>

**Mandatory BARBRI Diagnostic Testing** is required for all part-time students and will be administered at the conclusion of the fall semester, prior to the commencement of final examinations

## Recommendation on Scheduling of Required Courses

### Upper-Level Required Courses for Part-Time Program

Students **must** complete the upper-level required courses and requirements listed below.

SPRING SEMESTER	
Courses	Credit Hours
Constitutional Law II	3
Evidence	4
Professional Responsibility	2
<b>Total Credits</b>	<b>9</b>
Students may enroll in <b>elective courses beginning in the spring semester of the second year</b> , provided they have satisfied and applicable prerequisites.	

### Second, Third, or Fourth Year

Students **may** enroll in the following required courses listed below in the second, third or fourth year of study:

COURSES	Credit Hours
Appellate Advocacy <sup>9</sup>	2
Legal Drafting <sup>10</sup>	2
Business Organization	4
Experiential Course(s) <sup>11</sup>	6

<sup>9</sup> This course is required for students who entered the program between Fall 2021 and Spring 2025. Beginning Fall 2025, Appellate Advocacy will no longer be a required course and will instead be offered as an elective. Students entering in Fall 2025 or later are not required to take this course.

<sup>10</sup> This course is required for students entering in Fall 2025 or later.

<sup>11</sup> All students must satisfy the Experiential Learning Requirement and Upper-Level Writing Requirement

The courses **above** are **part** of the required upper division curriculum and is essential for academic preparation for the bar examination.

## **I. Academic Dismissal During the First Year of Law School**

### **Part-Time Students**

- A part-time student who earns a **Cumulative Grade Point Average (CGPA) of 1.60 or below** after attempting **at least 15 credit hours** shall be **academically dismissed** and **may not petition for reinstatement**. These students may reapply as **new entering students** after a **two- year waiting period**.
- A part-time student who has attempted at least **15 credit hours** and has a **CGPA below 2.0 but not less than 1.60** may continue in the program on **academic probation** until the student has attempted **30 credit hours**. If the student does not achieve a **2.0 CGPA** after completing 30 credit hours, they are subject to dismissal. Dismissed students may reapply to the College of Law for admission as a new entering students two (2) years after dismissal.

## **II. Academic Dismissal After the First Year- Part-Time Student**

Any **part-time student** who has attempted a **minimum of 30 credit hours** and has **not achieved or maintained a CGPA of 2.0** at the end of the **Fall semester of their second year, or any subsequent semester or term**, shall be **automatically dismissed** from the College of Law.

## **III. Timing and Enrollment Consequences**

- The College of Law posts grades on a **rolling basis**. Because of the time required to process and record final grades, dismissal may occur **after classes have commenced** for the **subsequent semester or summer term**. Once dismissal is effective, the student will be automatically dropped from enrollment, and no credit will be awarded for any courses taken after dismissal.
- However, a student who is eligible to petition for readmission and submits a timely petition may continue attending classes pending the outcome of the petition and will not be **dropped** from enrollment during that period.
- Such continued attendance may result in adverse financial consequences to the student if readmission is denied, including remaining liable for tuition and fees. In addition, a student who is readmitted with a CGPA below 2.0 may not meet the Satisfactory Academic Progress requirements for receiving financial aid.

## Petition for Reinstatement to Continue After Academic Dismissal

### Students Ineligible to Petition for Reinstatement

An academically dismissed student with a CGPA below 1.85 is ineligible to petition for reinstatement and may not seek readmission until two academic years have elapsed following his or her dismissal.

### Students Eligible to Petition for Reinstatement

Any student who has been dismissed from the College of Law for academic reasons with a CGPA above 1.85 but below 2.0 after attempting 30 or more credit hours may petition the Academic Standards Committee for reinstatement.

### Reinstatement Petition Procedure

J. The College of Law Registrar's Office must receive a petition for reinstatement by the seventh (7th) day following the date of the correspondence from the College of Law advising of the student's academic status. The Committee will not consider late petitions. Petitions must be submitted via email to [RegistrarCOL@famu.edu](mailto:RegistrarCOL@famu.edu).

K. An eligible student may petition the Academic Standards Committee for reinstatement by sending a letter to the College of Law Registrar's Office. The petition should set forth specific reasons for the petitioner's substandard performance.

L. The College of Law Registrar's Office shall forward the petition to the Academic Standards Committee for consideration and any documentation relevant to the petitioner's performance and petition.

M. The Academic Standards Committee will meet as soon as possible after receipt of the petition.

N. The petitioner shall have a right to appear at a time set by the Committee. The petitioner is burdened to demonstrate that extraordinary circumstances resulted in his or her substandard academic performance. Extraordinary circumstances are those that do not ordinarily occur. Financial concerns, employment obligations, family illness, or commuting distances are not normally extraordinary circumstances. The petitioner must demonstrate that the extraordinary circumstances have been resolved and that, if reinstated, he or she can successfully handle the rigors of legal education. If physical or psychological conditions are indicated, the petitioner must submit written documentation to substantiate any physical or psychological conditions described in the petition.

O. The student has the burden of persuading a majority of the Committee that he or she should be admitted by providing, at a minimum, a summary of:

- i Relevant law school history (grades, community service, student organization involvement, legal work experience, etc.);
- ii the perceived causes of his or her poor academic performance;

- iii actions taken and the plan for corrective measures for dealing with problems interfering with academic performance;
  - iv why he or she will likely succeed if re-admitted; and
  - v why he or she has the capacity to be admitted to the bar after completing the College of Law's program of legal education.
- P. If a majority of the Committee, present and voting, *favors* reinstatement, then the student is reinstated. The Office of the Dean, upon recommendation by the Academic Standards Committee, may place conditions on that reinstatement.
- Q. In all cases, the Office of the Dean shall inform the petitioner by letter of the disposition of his or her case.
- R. All communication will be made through the contact information on file with the Registrar's Office; it is the responsibility of the petitioner to provide updated contact information as necessary.

The decisions of the Academic Standards Committee regarding petitions for reinstatement are final decisions.

### Reinstatement Standards

There shall be a strong presumption against reinstatement, and the Academic Standards Committee shall deny a student's petition except under the most compelling and extraordinary circumstances and then only if the Committee is clearly convinced that:

- The student can achieve a 2.0 cumulative grade point average by the end of the semester in which the student will be reinstated;
- The student will be able to complete the remaining curricular requirements successfully and has demonstrated capacity to be admitted to the bar; and,
- Any personal problems or other factors that contributed to the student's poor academic performance are not the kind that are likely to recur.

The Academic Standards Committee may impose additional conditions that it deems appropriate, including, but not limited to, requiring that a student seek prior approval of his or her schedule. Although the Academic Standards Committee's decision on whether to reinstate is final, the imposition of conditions upon that reinstatement is a recommendation to the Dean for the Dean's final approval.

Any student who has been conditionally advanced after attempting 30 or more credit hours who then fails to achieve a 2.0 CGPA at the end of the semester in which the student is reinstated, or at the end of any subsequent term, shall be academically dismissed and is ineligible to petition for reinstatement.

## **Readmissions: Part-Time Ineligible Petitioners, Unsuccessful Petitioners, and Subsequent Academic Dismissals**

### **Students Ineligible to Petition – Readmission Period**

An academically dismissed student who was ineligible to petition for reinstatement because he or she obtained a CGPA below 1.85 may not seek readmission until two academic years have elapsed following his or her dismissal. To be eligible for readmission after the two-year period, the academically dismissed student with a CGPA below 1.85 must apply as a new entering student through the College of Law Admissions Office.

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A student who has been conditionally reinstated and subsequently is academically dismissed may not seek readmission until two academic years have elapsed following his or her dismissal. To be eligible for readmission after the two-year period, the student must apply as a new entering student through the College of Law Admissions Office.

# ACADEMIC STANDING

## Academic Progress

Both a cumulative grade point average and a semester grade point average of 2.0 is required to be considered in academic good standing during the matriculation period. In any semester in which the student's cumulative and / or semester grade point average drops below 2.0, appropriate action will be taken, and the student will be placed on academic probation or will be academically dismissed.

## Academic Probation and Standing Policy

A student who earns a **semester grade point average below 2.0** in any semester is placed on **academic probation** and is considered "**not in good academic standing.**" Notice of probation is automatic upon the **official posting of final semester grades.**

As soon as practicable after all grades are posted, the **Associate Dean for Academic Affairs** shall provide written notification to any student placed on academic probation. However, **failure to receive this notice does not exempt a student from the consequences** of failing to meet the minimum academic standing requirements.

The College of Law is committed to the success of all students and supports those facing academic challenges in their effort to return to good standing. To promote academic improvement, **students placed on probation are required to comply with specific terms and conditions** as determined by the Associate Dean for Academic Affairs.

## Terms of probation may include, but are not limited to:

- Mandatory academic advising sessions;
- Required meeting with the student's assigned probation advisor;
- Complete all task assigned by the student's probation advisor, including but not limited to, workshops or study plans;
- Satisfactory participation in and completion of the Advanced Analytical Skills (AAS) modules. (Upper-level Students Only)
- Review and approval of course schedule prior to registration
- Retaking any required course in which the student received a grade of F;
- Restrictions on course load or elective enrollment.
- Mandatory class attendance and participation requirements.
- Prohibition on serving as an officer in any student organization or taking on any other leadership role in a student organization or student organization project.

Failure to comply with the terms of probation may result in further academic sanctions, including dismissal, in accordance with the academic policies of the College of Law.

*The Associate Dean for Academic Affairs may impose **additional requirements** for students on academic probation as deemed necessary to support academic improvement and success.*

### **Continuation and Compliance Requirements for Students on Academic Probation**

A student on academic probation must achieve **both a semester and cumulative grade point average (GPA) of 2.0 or higher** in order to **continue enrollment** at the College of Law and shall be subject to all applicable academic policies and regulations.

- **Full-time students** placed on academic probation at the end of the **Fall Semester** are **not permitted to enroll in Summer term courses**.
- Students placed on academic probation at the end of the **Spring Semester** must comply with all conditions of probation during the **immediately following Fall Semester**, regardless of any Summer enrollment.
- **Compliance remains mandatory** even if the student earns a Summer term GPA and/or cumulative GPA of 2.0 or higher.

The **Academic Standards Committee** may consider a student's **compliance with all probation terms**, including those established by the Associate Dean for Academic Affairs, when reviewing a **petition for readmission** submitted by a student who remains below the required cumulative GPA of 2.0 at the end of a probationary semester.

***Academic Standing** is determined only after the Fall and Spring semesters only and is unaffected by the Summer term.*

### **Class Rank**

Until the student's final semester, class rankings are based on the number of graded credits (0-30 credits; 31-60 credits; 61 and above). The College of Law Registrar's Office will distribute official class ranks as numerical class standing (not by percentage) to indicate where the student ranks compared to the student's ranking group (e.g., 13/135). The Registrar's Office will distribute class ranks after the end of every Fall and Spring semester but not after the summer term.

Upon completing all graduation requirements at Florida A&M University College

of Law, students will receive a final class rank. The final class ranking is computed twice yearly for Spring and Fall graduates after all grades have been entered. Official Transcripts will be denoted as *final class ranking*.

**Students who receive an “I” grade in any semester will be ranked in the next ranking session (Fall/Spring).**

## **Dean’s List Designation**

All students with a semester grade point average of B+ (3.33) or above will have a Dean’s List designation posted on their transcript for that semester. To be eligible for the Dean’s List, full-time students must earn 12 hours for the semester with a minimum of eight (8) graded hours. Part-time students must earn eight (8) hours for the semester with a minimum of six (6) graded hours.

The Dean’s List designation will be applicable for the Summer term for part-time evening students. It will not be applicable for full-time day students during the Summer term.

Graded credit hours are those for which quality points are awarded. Incomplete grades are not computed when determining the Dean’s List designation.

## **Graduation Honors**

Candidates for the Juris Doctor degree who maintain high cumulative grade point averages graduate with honors. To graduate with honors, a student must earn a minimum of 75 credit hours at the Florida A&M University College of Law. **Note: Transfer students are not eligible to graduate with honors.**

The criteria for graduating with honors is as follows:

### **Summa cum laude (highest honors)**

Summa cum laude shall be awarded to all students who earn a grade point average of 3.8 or higher.

### **Magna cum laude (high honors)**

Magna cum laude shall be awarded to all students who earn a cumulative grade point average of 3.50 – 3.79 or higher in the graduating class.

### **Cum laude (honors)**

Cum laude shall be awarded to all students who earn a cumulative grade point average of 3.10 – 3.49 in the graduating class.

For the graduation and hooding ceremonies, honors will be based upon the graduate’s cumulative grade point average earned at the end of their penultimate semester. Adjustments will be made to the transcript upon the posting of all final grades.



# EXAMINATIONS

## Examination Information

Final examinations generally are administered during the semester's end and designated examination period. Midterm examinations and other assessments may also be administered at the instructor's discretion.

### Final Examination Schedule and Assigned Rooms

A schedule of final examinations is prepared each semester. The final examination schedule will be available on the College of Law website throughout the semester. Room assignments will be posted on the day of the exam. Except for take-home examinations, all examinations must be taken in the designated examination rooms.

All students must be present for and take examinations on the scheduled date, time, and designated location, except when a rescheduled exam is authorized by COLSA or in the case of students requiring accommodations for documented disabilities.

A student who arrives late for an examination will be permitted to take the exam, but the time for completing the exam will not be extended. A student who begins an examination but decides not to finish the exam will be graded on the work submitted by the end of the examination period. **An unexcused absence from a final examination will result in a failing grade (F) in the course, and the failure is counted in computing the student's grade point average.**

Faculty members may not make exceptions to the final examination schedule, and students should not ask them to entertain requests to reschedule.

Due dates and times for take-home examinations are established by the faculty members teaching courses with take-home exams.

Except as specifically approved in writing by a faculty member or required as a reasonable accommodation for students with disabilities, students are prohibited from bringing the following into the final examination room:

- Food (unless there is a medical condition that warrants it), hats, hoodies, digital wristwatches, purses or pocketbooks, cell phones, and electronic devices of any kind. Further, no bags will be allowed in the exam room or on the second or third floors of the building. Bags must be secured in a locker or automobile *before* the start of the exam.

Students should bring with them the following items in a clear plastic bag:

- A pen and/or pencil, keys, money, bottled water, a sweater or jacket, if using [ExamSoft](#), a laptop (without the carrying case), power cords, ear plugs without cords, and specified materials allowed for open-book exams if applicable.

Students will not be admitted to the final exam room and allowed to sit for exams unless they comply with only those allowable items listed above. Book bags or any other materials left in the hallway may be confiscated.

## **Examination Rescheduling**

Students may request the Assistant Dean of COLSA to reschedule exams only in compelling circumstances. No examination will be administered before the time outlined in the examination schedule unless approved by a faculty member or required based on policy. Once an examination is rescheduled, the date will not be changed again except in extraordinary circumstances.

### **Delayed Exam Taking: Rescheduling Required in Advance**

The student must submit an [Examination Reschedule Request](#) Form to the Assistant Dean of COLSA by the following dates:

- **Fall Semester Examinations: September 30**
- **Spring Semester Examinations: February 24**
- **Summer Session Examinations: June 16**

### **FAILURE TO MEET THE ABOVE DEADLINES WILL RESULT IN DELAYED DETERMINATION AND A POSSIBLE DENIAL OF THE REQUEST**

The Assistant Dean (or designee) of COLSA will determine which exam(s) to reschedule. The student will not be permitted to choose which examinations are rescheduled or the rescheduled dates and times.

Delayed Taking: Serious Illness, Emergency, or Other Compelling Circumstances. All requests for exceptions to the final examination schedule must be made to the Assistant Dean (or designee) of COLSA **BEFORE** the examination and will be granted only upon a documented showing of an emergency, serious illness, or a sufficiently compelling circumstance. An examination **WILL BE RESCHEDULED** in the following circumstances:

1. When a student is scheduled to take two examinations on the same day (not including take-home exams if there is sufficient time to take the exam that does not pose a conflict) or scheduled to take one exam each day for three consecutive days (not including take-home exams if there is a sufficient time to take the exam that does not pose a conflict).
2. When illness of the student prevents a student from taking an exam or when a student becomes ill during an exam and is unable to complete the exam, documented by a physician's written certification.
3. When a member of the student's immediate family becomes critically ill during the exam period.

4. When a member of the student's immediate family or the student's significant other has died, and the student is attending the funeral or grieving.
5. When a Sabbath or other religious observance precludes a student from taking an exam.
6. When a student is attending the birth of the student's child.
7. When a student is attending a wedding, graduation, or other such ceremony of the student's immediate family, and the student could not have known before the last day to drop a course that the exam and the special ceremony were in conflict.

An examination **WILL NOT BE RESCHEDULED** in the following circumstances:

1. When a student has a professional opportunity that conflicts with a scheduled exam.
2. When a student is late due to oversleeping, being caught in traffic, having automobile difficulties, forgetting about the scheduled exam, and all similar circumstances, the student will be allowed to sit for the exam in the time remaining for that exam. No extra time will be allowed when starting an exam late.
3. When a student wishes to leave early for winter or summer break.

### **Final Date for Rescheduled Examinations**

Rescheduled examinations must be taken as soon as possible and must be taken no later than one week from the end of the examination period for the semester. No rescheduled exam will be administered before the scheduled date of the exam, unless approved by faculty member.

### **Accommodations on Examinations**

It is the policy of the College of Law to provide reasonable accommodations for students with disabilities. Where appropriate, additional examination time can be provided, as well as the use of auxiliary services, such as readers, interpreters, and other aids. COLSA will make the appropriate accommodations. Students are encouraged to request examination accommodations immediately to ensure timely and prompt processing. Students **must** submit requests for accommodations at least two weeks before the beginning of the exam period. Still, CeDAR does not guarantee that all requests will be processed before any scheduled final exam. A student who fails to request accommodations in any given semester waives the right to accommodations during that semester.

## Anonymous Grading

All examinations, including take-home examinations, are graded anonymously. The College of Law Registrar will assign each student anonymous examination numbers each semester: one for midterm exams and a second for all final exams taken in the given semester. Students must use the assigned anonymous number on their exams and bluebooks and are not to use their names or other identifying information on examinations.

Introduction to Analytical Skills I, Introduction to Analytical Skills II, Legal Research and Writing I, Legal Research and Writing II, Appellate Advocacy, clinics, field placements, simulation classes, and other courses and seminars in which papers and projects are the basis for the grade ***are not subject*** to the anonymous grading system.

Students have the ultimate responsibility to maintain the anonymity of their exams. **Students must not contact faculty members during the exam period or prior to the posting of their grades.** Any inquiries students have concerning grades, their performance on an exam, or any other topic that may possibly allow a faculty member to identify their work should be directed to the Assistant Dean for Student Services.

## ExamSoft

Florida A&M University College of Law utilizes [ExamSoft](#) as an alternative to handwritten law school exams. Examplify is an exam delivery module licensed by [ExamSoft](#) Worldwide Inc. The program is a simplified word processor that enables students to take an examination on a laptop computer. To avoid the vulnerabilities of most computer-based testing solutions, Examplify allows instructors to lock down all open applications, thereby providing exam security and reducing the risk of violating the student Code of Conduct.

The Registration Process involves the 4-steps needed to sign up to use and register Examplify.

Step 1: Visit the College of Law of ExamSoft page at <http://www.examsoft.com/famulaw>.

Step 2: Log in by using your Student ID# and password. Your password will be emailed to your FAMU email account before exams begin.

Step 3: Download the Examplify software by choosing the “**download button**”.

Step 4: Install the Examplify software program.

Step 5: After installing Examplify, open it and login in. The institutional ID is “**famulaw**”.

Step 6: Once logged in, download your exams if they are available or download the mock exam to test your computer and become familiar with the software.

If you have any questions or issues with registration, contact [ExamSoft](#) technical support at [support@examsoft.com](mailto:support@examsoft.com) or call toll-free 866.429.8889 ext. 114.

### Important Notices

- Use of [ExamSoft](#) falls within the rules, regulations, and academic policies that govern students at the Florida A&M University College of Law. Any attempt to disable or tamper with Examplify's security features will be considered a violation of the student Code of Conduct.
- Student use of [ExamSoft](#) is a privilege and not a right. The College of Law cannot guarantee that all exams can be administered through [ExamSoft](#) or that all faculty will permit students to use the software in taking their exams.
- **Students use ExamSoft at their own risk.** Students are responsible for becoming familiar with their equipment and the Examplify software and instructions provided by [ExamSoft](#) on its website before the start of their exam. Students should allow themselves sufficient time to become familiar with their laptop and the application.
- Commencement of the exam will not be delayed due to a hardware problem with a laptop.
- While the College of Law proctors would like to resolve a computer or software problem during the exam, they are prohibited from assisting you. If a computer or software problem occurs, you must finish writing the exam by hand. **Please note: you will not receive additional time to take your exam if you experience computer or software problems. You are responsible for keeping track of the time and completing the exam in the allotted time.**
- Exams taken on [ExamSoft](#) will be administered in the same room with all other students.

**The College of Law strongly encourages you to bring your own earplugs.**

# FINANCIAL AID OVERVIEW

## Receiving Financial Aid

Office of Financial Aid at the College of Law is responsible for federal financial aid awards, internal scholarships awards including graduate waivers, retention scholarships, fellowships and graduate assistant awards. The office handles student financial concerns involving tuition and fees, and account inquiries while serving as the liaison for student account services known as student accounts on main campus.

**Students receiving financial aid are responsible for any adjustments or cancellations resulting from course withdrawals, additions, or changes in residency status. Any excess funds disbursed must be reconciled and returned accordingly.**

Incoming scholarships for first year enrolled students are offered through the Office of Admissions and Recruitment only. Incoming scholarships cannot be awarded to returning students that have been re- admitted after dismissal.

## Free Application for Federal Student Aid (FAFSA)

**All students are required to complete this application upon acceptance.** The Free Application for Federal Student Aid (FAFSA) must be completed annually to receive federal and/or institutional financial aid funding. The FAFSA is utilized to determine a student's financial aid eligibility. Students receiving scholarships must have a FAFSA on file to be awarded and considered for other scholarships. The FAFSA becomes available each year prior to the end of the year. Students are encouraged to complete the FAFSA by Florida A&M University's priority date of May 1<sup>st</sup> of each year. Completing the FAFSA by the priority date aids in expeditious processing of financial aid. The FAFSA may be completed at [www.studentaid.gov](http://www.studentaid.gov). Our law school code is **001480**, the same as the university.

## Requirements to Receive Federal Financial Aid

To receive federally funded financial aid at Florida A&M University College of Law, a student must:

- Have completed an accredited undergraduate degree and all other requirements to be admitted in the College of Law.
- Be working toward a law degree.
- Be a U.S. citizen or [eligible noncitizen](#);
- Have a valid Social Security Number (unless you're from the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau).
- Maintain Satisfactory Academic Progress once in school.
- Enroll in at least the equivalent of half-time status for all terms enrolled.

- Certify that you are not in default on a federal student loan and do not owe money on a federal student grant.
- Certify that you will use federal student aid only for educational purposes.

Additionally, students can receive Federal Direct Unsubsidized/Subsidized Stafford Loan funds up to the federally mandated **Stafford Loan Aggregate limit of \$138,500**. Graduate students only qualify for Unsubsidized Stafford Loans.

### Cost of Attendance

The Cost of Attendance is the educational expenses budget provided to students. The Cost of Attendance includes tuition, books, and living expenses associated with being a student. The Cost of Attendance is determined by a student's enrollment status, not program (full-time or part-time), residency status, and housing status. ***A student may not receive a financial aid package that exceeds the student's Cost of Attendance. If a student receives any aid beyond their cost of attendance due to any adjustments, they must return those funds as required by the institution, state, and federal government.***

### Type of Aid Available

Financial aid is divided into two categories: gift aid and self-help aid. Gift aid is funding given to students that does not require the student to repay any portion of the funds received. Gift aid is typically provided through grants or scholarships (including waivers). Self-help aid requires that a student either earns the financial aid funding via employment or the funds received must be repaid later.

#### Gift-Aid (Grants or Scholarships)

A limited number of institutional scholarships are given to students based on merit. The criteria for receiving a scholarship vary based on the specific award and the resources available for the academic year. Recipients of institutional funding will be notified, and awards will be added to the student's financial aid packages. **All students are required to complete a FAFSA to receive the award.**

#### Self-Help Aid (Loans and Student Employment)

Federally funded financial aid available to professional/graduate students is limited to self-help financial aid programs. Self-help financial aid programs are not gift aid. Hence, the funds received from the federal loan programs offered at Florida A&M University College of Law must be repaid.

There are two types of federal student loans you can receive while attending Florida A&M University College of Law. Students at the College of Law may take advantage of the Federal Direct Unsubsidized Stafford Loan Program and/or the Federal Direct Graduate PLUS Loan Program.



## *Unsubsidized Stafford Loans*

Graduate/Professional students who meet the requirements to receive federal aid may borrow from the Federal Direct Unsubsidized Stafford Loan Program. Stafford loan funding is available to assist students with educational expenses. The Stafford Loan is offered at a low interest rate determined annually and does not require a credit check. Students may borrow up to \$20,500 per academic year in the Stafford Loan Program. The Unsubsidized Stafford Loan is not need based. Interest begins accruing on the principal balance of the Stafford Loan after the loan is disbursed. The Stafford Loan has an aggregate loan limit of \$138,500. Payment for the Stafford Loan is deferred while students are enrolled at least half-time and up to 6-months after the student ceases to be enrolled at least half-time (i.e. graduates). ***All federal loans require completion of a master promissory note and loan entrance counseling before being disbursed. This loan is offered at the maximum eligibility and can be reduced and accepted on iRattler.***

## *Federal Grad PLUS Loans*

A Direct PLUS Loan is commonly referred to as a grad PLUS loan when made to a graduate or professional student. Graduate/Professional students who meet the requirements to receive federal aid may borrow from the Federal Direct Plus loans offered by the Department of Education. The low interest rate for new Grad PLUS loans is determined annually and requires a credit check. **To borrow a Grad PLUS a separate application is required annually and separate application is required for summer term due to the credit expiration timeframe. Loan applications are not available until July 1 each new year.** All federal loans require completion of a master promissory note and loan entrance counseling before being disbursed. This loan is offered at the maximum eligibility and may be accepted and or reduced in the student portal. Specific loan information is available at [www.studentaid.gov](http://www.studentaid.gov).

Advantages to the Federal Stafford Loans include:

- Ability to consolidate with other federal loans
- Fixed interest rate
- Income sensitive repayment plans, as well as potential loan forgiveness

## *Private and Bar Study Loans*

Students that do not wish to take the federal Stafford loans that are offered or do not qualify for federal Stafford loans may borrow from private lenders after being counseled on loans from the Office of Financial Aid. Private lenders may provide loans to students that do not qualify for federal Stafford loans. Students may borrow up to the cost of attendance. ***Credit checks are required*** for all these loans and do not involve the College of law. Private loans are receipted directly from main campus student accounts office and once transmitted to the Office of financial aid on main campus the student funds can be processed through the regular process for disbursement.



- Private Loans are offered through various banks and lenders. They are typically variable interest rate loans, and to get the best rates, require that the borrower have excellent credit and/or have a cosigner. Origination fees for these loans are often determined by credit history. Students should be informed that private loans are not eligible for the government's Income Based Repayment (IBR) or Pay as You Earn (PAYE), or Federal Public Service Loan Forgiveness.

*To borrow a private loan a separate application from the required FAFSA is required with your choice of lender and it is your responsibility to communicate with the lender and the college. Since credit approvals expire, consult your lender for the earliest date you should apply.*

- Bar loans are for students studying to take the bar after graduation. These loans are also with private banking institutions and require a credit application check. The funds disburse directly to the student, and our office verifies the enrollment information as part of the certification process. We certify bar loans applications for graduating students only.

### **Tuition and Fees Deadline and Late Fee Waivers with Financial Aid**

***Tuition payments are deferred for awarded financial aid recipients who have already accepted financial aid that exceed tuition and fees until financial aid disburses each semester. The late fee will not be waived if students do not pay their portion of tuition and fees that are due prior to the fee deadline.***

### **Attendance Verification (ATD) and Financial Aid**

Financial aid begins the disbursement process after the add/drop period of each term after attendance verification. All students shall have an attendance (ATD) hold placed on their accounts until attendance is verified by each professor. Funds are eligible for disbursement when ATD holds are cleared.

Students are required to submit all requested documentation and requirements with the U.S. Department of Education to receive financial aid disbursements.

### **Disbursement of Funds**

Students are required to submit all requested documentation and have a valid Master Promissory Note on file and have completed loan entrance counseling with the U.S. Department of Education to receive financial aid disbursements. The Office of Financial Aid authorizes the disbursement of student funds to the accounts of students who meet disbursement criteria. After funds are authorized, Student Financial Services (Student Accounts) pays the tuition and fees that are due for the current term and refunds any remaining funds to the students by their selected delivery option.

***At the beginning of each semester, students should be financially prepared with the first two months of living expenses.***

Federally funded student loans are disbursed in two substantially equal disbursements during the Fall and Spring. For financial aid purposes, the Summer is a non-standard academic term. Hence, the Summer Term serves as a separate loan period.

## SUMMER FINANCIAL AID

Students who have received the maximum Federal Direct Stafford Loan for the academic year (\$20,500) will not have remaining Federal Direct Stafford Loan eligibility during the Summer Term. However, students who have not exhausted the maximum academic year amount may receive the remaining amount up to the cost of attendance or maximum loan eligibility for the loan and term. Students, who do not have remaining Stafford Loans available in the Summer, may apply for the Federal Direct Graduate PLUS Loan.

Summer financial aid begins the disbursement process after the add/drop period of each term and once attendance verification has been verified. Tuition payment is deferred for awarded financial aid recipients with accepted financial aid that exceeds the tuition and fees until financial aid disburses the same as Fall and Spring.

However, summer awards consist mainly of federal Graduate plus loan offers that are credit-based loans and the offer is the maximum amount that the student can apply for summer not an actual award. Apply for loans at [www.studentaid.gov](http://www.studentaid.gov).

### Satisfactory Academic Progress Policy

Per federal regulation, **students must meet Satisfactory Academic Progress (SAP) to remain eligible to receive federally funded financial aid and any scholarships.** Florida A&M University's Satisfactory Academic Progress Policy has the following requirements:

- Students must maintain a 2.0 cumulative GPA.
- Students must successfully complete 67% of courses attempted (Successful completion of a course requires a grade of A; B; C; D; or S).
- Students attempted course hours must be within 150% of the hours required for degree completion.
- Students who do not meet standards of SAP may submit a SAP Appeal based on extenuating circumstances. For assistance with SAP appeals contact the Academic Planning for Success Advisor. The appeal form can be found on the main campus financial aid website: [Financial Aid](#).
  - Select the current year for Forms and Publications
  - Select Satisfactory Academic Progress (SAP)
  - Select the relevant form (Reinstatement Form and/or Appeal Form)
- Students who were academically dismissed and readmitted or reinstated, subject to probation, are subject to SAP requirements. Eligibility to enroll in classes is a separate standard and not binding for financial aid purposes. In all cases, students must meet with a representative in the Office of Financial Aid.

## **Withdrawal and Return to Title IV Policy**

Students who withdraw from all courses or fail all courses in a given semester may require Return to Title IV calculations. During the Return to Title IV process, the Office of Financial Aid must determine financial aid for a student who has withdrawn from all courses or failed all courses. Unearned funds must be returned to the appropriate federal financial aid program. As a result, students may incur a debt with the University that must be repaid.

## **Financial Aid for Study Abroad and Visiting Students**

Students enrolled in eligible ABA-approved study abroad programs and meet all other eligibility requirements will be qualified to receive financial aid via the Florida A&M University Office of Student Financial Aid and Registrar's Office. Financial aid awards must be approved prior to matriculation in study abroad courses. Funds are disbursed through regular financial aid processing based upon attendance verification and enrollment dates.

For these students, financial aid is awarded through the Office of Financial Aid via a required completion and approval of the financial aid consortium agreement. Students are required to meet with and complete the Financial Aid Guide for Study Abroad and Consortium to receive aid for the term the student is requesting aid. A student is not eligible without a signed transient form by the Law School Registrar's Office, which has been signed and approved by the Associate Dean for Academic Affairs.

# THE LAW LIBRARY

## Rules and Regulations

The policies of [FAMU College of Law Library's](#) are intended to ensure a quiet and pleasant study environment for its faculty, staff, and students, while also helping to preserve the [Library's](#) collection, equipment, and furnishings for all users. General housekeeping rules are listed below:

- **All students are required to carry a valid identification card (Rattler Card).** Students may be asked to present their card to access library facilities and services.
- Smoking and eating are not permitted. Drinks are allowed only in spill-proof containers.
- Animals, other than service dogs, are not permitted.
- Cell phones may only be used in the central atrium, outside the library. The use of any other audible device is not permitted.
- Any patron who disrupts the library may be subject to action by Security.
- All personal belongings should remain in the user's sight at all times. The library is not responsible for items left unattended.
- While the library welcomes all College of Law students and community members, children under the age of 18 must always be accompanied by an adult. The library is not responsible for supervising children left unattended while an adult uses College of Law facilities.

For more detailed information about the Law Library's policies, please see the **FAMU LAW LIBRARY GUIDE** at <http://library.famu.edu/lawlibrary/lawstudents>.

## Library Hours

The College of Law Library will be open during the hours listed below, unless otherwise posted, throughout the Summer, Fall, and Spring semesters:

### Hours of Operation:

Monday-Friday: 7:00 a.m. - 9:00 p.m.

Saturday: 10:00am – 7:00 p.m.

Sunday: Closed

The Law Library will also set extended hours for reading and exam periods.

**Library Circulation Desk:** (407) 254-3263

**Library Reference Desk:** (407) 254-3289

**Library Email:** [famulawlibrary@gmail.com](mailto:famulawlibrary@gmail.com)

**Library Website:** <http://library.famu.edu/lawlibrary>

## Access to the Law Library

The College of Law Library occupies the entire first, second, and fourth floors of the south wing of the law school, with a computer lab on the third floor. The arrangement of the library is as follows:

### First Floor

- Circulation and Reference Desk
- Reserve Desk
- Library Staff Offices
- Public Computer Terminals
- Book magnifiers/readers
- Microfiche Room
- Law Review Offices
- Restrooms
- Library Technical Services Department

### Second Floor

- Library Stacks, including Florida and Federal Case Reporters, Statutes, and Regulations \*
- Legal Fiction collection
- Orange County Legal Collection
- Study Carrels
- Group Study Rooms
- Restrooms
- Reading Room

### Third Floor

- Law Library Printers and Lexis Nexis Printers are located within the Writing Lab

### Fourth Floor

- Library Stacks, including subject-specific books, treatises, and law reviews
- International Law Collection
- Virgil Hawkins Collection
- Special Collections Room
- Study Carrels
- Group Study Rooms
- Library Offices
- Restrooms

## Collections and Checkouts

### Textbook and Reserve Collection

The library has a reserve collection of one to two textbooks per class. These textbooks are available for **checkout for two hours and NOT permitted to leave**

**the library. The reserve collection is not intended to be a replacement for students purchasing their own books.** All students must show ID when checking out books. Fines for late return are 25 cents per hour, to a maximum of \$20. If a book is not returned after the maximum has been reached, the student will be charged for the replacement of the book plus administrative costs. All fines are calculated by the library system and are submitted to Accounts Receivable in the Student Financial Services Office on main campus, where they will appear on students' financial statements. To clear the fine, the student must send a check to Accounts Receivable.

The address can be found on the FAMU main website. Please contact the circulation desk for assistance with library fines.

### **Library Collection**

Students may check out books from the Textbook and Reserve Collection on the first floor of the Law Library for a limited number of hours per day. The books on the second floor are for reference and may not be checked out. Most of the books on the fourth floor may be checked out for three weeks at a time (21 days). Fines for late return are 25 cents per day, to a maximum of \$5. Please see the Textbook and Reserve Collection section for fines and payment procedures. If a book is not returned after the maximum has been reached, the student will be charged for the replacement of the book plus administrative costs.

### **Interlibrary Loans (ILL)**

If you cannot find what you are looking for in our library we can see if it is available from other libraries. An interlibrary loan request form is available for this purpose and it is available at the Circulation Counter. The ILL requests take time, usually 5 to 7 days.

### **Food, Beverages, and Smoking**

Eating and smoking are prohibited in the Law Library. Beverages are permitted in the Law Library  
**ONLY** in approved spill-proof containers.

### **Computer - Aided Legal Research**

The Law Library maintains subscriptions to numerous databases, including Westlaw, LexisNexis, Bloomberg Law, HeinOnline, and Florida Law Weekly, to assist with legal research. Students may obtain database information and passwords from a Public Services Librarian. The Law Library webpage contains additional information regarding legal and main campus databases available to law students, as well as links to those resources at <https://library.famu.edu/lawlibrary/lawdatabases>.

The Center for Computer-Assisted Legal Instruction (<http://www.cali.org>) hosts a

library of over 1,000 interactive legal tutorials written by law faculty and geared towards law students. To obtain the account creation code, see a Public Services librarian.

## Computers

The Law Library has six computer terminals, one ADA-compliant workstation, and two book magnifiers/readers on the first floor. The computers are intended for use by public patrons. The microfiche room on the first floor houses a computer with a Microform reader to access the microform collection.

## Printers and Photocopiers

Printers are operated by the Pay for Print System. A Jamex card dispenser machine will allow students to add credit to the card. The Jamex machines are on the first and third floors adjacent to the copier/printers. Students may print documents from LexisNexis **ONLY** to the designated printer in the Writing Lab at no charge. This printer belongs to LexisNexis and is serviced by LexisNexis. Library staff do not have access to its paper or toner.

Cash-operated photocopiers/printers are located on the library's first, second, and third floors. It costs 10 cents per page to print or photocopy in black and white and twenty-five cents for color. You may use coins, singles, or five-dollar bills in these machines. The Library does not have an ATM or change machine on the premises.

## Group Study Rooms

Group study rooms are to be used by FAMU College of Law students on a first-come, first-served basis. Study rooms may only be used during the library's business hours. For current students to use a group study room, the following conditions must be met:

- A group consisting of at least two (2) students must be present at the time of reservation, and each must present a FAMU identification card.
- The names of all students using the room must be listed in the reservation book. Misuse of identification or personal information, including, but not limited to, naming students who are not physically present in the study room, is considered a violation of the Student Code of Conduct. Student Code of Conduct violations are reported to the Assistant Dean for COLSA and Administration.
- Group study rooms are available for checkout for a period of two hours. The reservation is nonrenewable. If any group study rooms are available when the first reservation ends, a group may sign up for another room at that time.
- Rooms may not be reserved before their availability. If a room is occupied, it may only be reserved when that period of occupation is up.
- Group study rooms are not open to the public and may not be sublet.

## Reference Services

Reference librarians can assist students in-person at the reference desk from 9:00 am to 6:00 pm on Monday through Friday. Many reference questions can be answered via email and Reference librarians can assist students with email responses between 9:00 am to 6:00 pm on Monday through Friday, email requests outside of this time will be answered the next business day.

## **Institutional Repository**

The [bepress institutional repository](#) is an online digital archive that hosts faculty papers, scholarship, and student scholarly publications such as the Florida A&M University Law Review. It consolidates and showcases College of Law research, publications, history, news, and events and presents them to a global audience. The Virgil Darnell Hawkins Archive is particularly interesting, celebrating the life of legal pioneer Virgil Hawkins, who played a pivotal role in creating the College of Law. The Scholarly Commons can be seen at <http://commons.law.famu.edu>.

## **Photography**

Professional photography is only permitted in the Law Library with official approval. See the **Photography and Videography** policy for more information.

A list of the current services is below:

- WiFi Network Access
- Email Services
- Free Computer Diagnostic
- Video Conferencing

## **CONTACT INFORMATION:**

Florida A&M University College of Law Library  
201 FAMU Law Lane  
Orlando, FL 32801

**Library Circulation Desk:** (407) 254-3263

**Library Reference Desk:** (407) 254-3289

**Library Email:** [famulawlibrary@gmail.com](mailto:famulawlibrary@gmail.com)

**Library Website:** <http://library.famu.edu/lawlibrary>

## **Hours of Operation:**

Monday-Friday: 7:00 a.m. - 9:00 p.m.

Saturday: 10:00am – 7:00 p.m.

Sunday: Closed



## STUDENT ORGANIZATIONS

Student organizations are an essential part of life as a law student. These organizations contribute significantly to the law school community's educational, social, service, and cultural enrichment. The organizations and their activities vary and range from academically related to service and socially related to the subject matter. Students are encouraged to become involved in one or more student organizations, but they are cautioned against overextending in extracurricular activities as it may negatively affect academics. A student must maintain a minimum cumulative law school grade point average of 2.5 to be eligible to hold any leadership in a student organization.

All student organizations must be registered through the University's Office of Student Activities after being approved by the Assistant Dean (or designee) of COLSA. Students who wish to start a new student organization should discuss official recognition and registration requirements with the Office of the College of Law Student Affairs.

When persons are functioning in the capacity of members of a registered student organization, they will be held accountable for their organizationally related conduct, individually and collectively.

### Student Bar Association (SBA)

The Student Bar Association's mission at the College of Law is to improve all students' overall quality of life.

All recognized organizations fall under the jurisdiction of COLSA and the SBA. The student body elects the SBA Executive Board and Assembly and is responsible for assisting in the policymaking decisions that affect organizations. All organizations are required to follow all policies and decisions of the SBA and the administration.

All recognized student organizations shall follow the procedures and guidelines outlined in the Student Handbook and the university's regulations. For information about recognized student organizations, establishing a new organization, or reactivating an organization, contact your Student Bar Association Leadership or COLSA.

### iStrike

[iStrike](#) is the official student club and organization management and social media platform at Florida A&M University. All student clubs and organizations are required to use [iStrike](#) for the basic business functions associated with COLSA and the Office of Student Activities (main campus) which includes but is not limited to registration and renewal; event scheduling; membership rosters; intake requirements, office space requests; and general communication with COLSA.

- Student clubs and organizations are permitted to use all available functions of [iStrike](#) to further the missions of their respective groups.
- Student clubs and organizations are not permitted to use [iStrike](#) to promote or support non university organizations or entities without written permission from the Assistant Dean of .
- Student clubs and organizations are not permitted to post images, graphics or language that conflicts with national, state, local, or university policies and regulations.

## Student Organization Registration and Renewal

Florida A&M University has many organizations to offer, but if we do not offer one you would like to see on campus, you can form your own. If you have any questions, contact the COLSA at (407) 254-4035.

### Registration Requirements

- **Student Members** - At least five (5) currently enrolled students. At least five students must serve as officers and maintain a 2.5 GPA. **Please note, officers cannot have any conduct violations reported within the last academic year.** At least three (3) students must be general body members and remain in good-standing with the university and College of Law.
- **Advisor** - A Full-Time (1.0 FTE) FAMU faculty or staff member to serve as an advisor.
- **Constitution** - A current constitution and/or bylaws which includes the current university AntiHazing Policy. (see sample constitution in [iStrike](#))
- **iStrike Profile** - Create an organization portal on [iStrike](#).

### Renewal Requirements

Each semester, every student organization at FAMU must renew their organization to become active on campus for the current academic semester.

2. **Updated iStrike Profile** - This is done by clicking on the orange bar on your page and updating the necessary information. After you submit it online, your advisor will be sent a message to approve the information. Once you have completed all parts of the renewal process, this profile will be turned to “active”.
3. **Updated and Currently Dated Constitution** - Constitutions must be updated in [iStrike](#) and they must include the current university Anti-Hazing Policy.
4. **Organization Leader and Advisor Training** - Two representatives of the organization must attend a Leadership Training Workshop. Advisors for student organizations are encouraged to attend.

## Student Organization Officer Requirement

“Officer” is defined as anyone who takes on a leadership role within the organization that requires them to conduct business on behalf of the organization during internal meetings, regional meetings, and national meetings, meetings with university officials or meeting with COLSA.

- Currently enrolled full-time undergraduate/graduate student at Florida A&M University
- Maintain a minimum cumulative GPA of 2.5
- Must not have been found responsible in any judicial or other university disciplinary cases within the last calendar year.

### Active Organization Status

- Must maintain a minimum of eight (8) currently enrolled active members in good standing.
- Maintain an organizational GPA of 2.3 (calculated by an average GPA of currently enrolled active members).
- Must attend Leadership and Advisor Training Workshop.
- Provide documentation of events and activities through [iStrike](#).

### FAMU Student Government Association ([SGA](#)) Elections

- Graduate Senator and Graduate Attendant positions
- All information regarding SGA administration related to appointments will be communicated by the SGA administration
- All election information and updates are shared through our university official & courtesy communication channels and the student elections schedule is proposed by the Electoral Commission.
- Resources:
  - [Student Governments](#)
  - [@FAMUElections Instagram](#)2 courtesy channel
  - [Electoral Commission iStrike page](#)- official channel
  - Chapter 600 of the [SGA Statutes](#), which outlines all election timelines and processes.

### Service on Faculty Committees

- Students serving on faculty committees may be elected by the student body or appointed by the SBA President, subject to the approval of the College of Law Dean.
- The names of the elected or appointed students must be submitted by the SBA President, or his or her designee, no later than September of the Fall semester of the academic year to the Office the Dean.
- The normal term of service on faculty committees ends on the following June 30, except for students who have completed the requirement for graduation. A graduating student's terms end at the end of his or her graduating semester. Temporary vacancies may be filled by the SBA President, subject to approval by the College of Law Dean.

# ADDITIONAL UNIVERSITY POLICIES

## Policy on Student Observance of Religious Holy Days

All University students shall be allowed to observe holy days of their religious faith. The University shall reasonably accommodate the religious observance, practice, and belief of individual students regarding admissions, class attendance, and the scheduling of examinations and work assignments.

### **Accordingly, the following procedures are in effect:**

- A student who wishes to observe a religious holy day of their religious faith shall notify all of the student's faculty two weeks prior to the religious observance.
- The student shall be held responsible for any material covered during the absence but shall be permitted a reasonable amount of time to make up any work missed. Where practical, major examinations, major assignments, and university ceremonies will not be scheduled on a major religious holy day.
- A student who is absent from academic or social activities because of religious observances shall not be penalized by their instructors and/or university administrators.
- In those instances where a faculty member wishes to observe a religious holy day, the faculty member shall make arrangements to have another faculty member conduct the class in their absence, if possible, or reschedule the class.
- Any student who feels that they have been denied educational benefits because of their religious belief or practice may seek redress by notifying, in writing, the Dean of the nature of the student's grievance.
- The Dean shall investigate each occurrence (grievance) and ensure that appropriate corrective action is taken to ensure compliance with this policy.

## Policy on Discrimination

It is the policy of Florida A&M University that each member of the University community is permitted to work or attend class in an environment free from any form of discrimination including race, religion, color, age, disability, sex, sexual harassment, sexual orientation, gender identity, gender expression, marital status, national origin, and veteran status as prohibited by State and Federal Statutes. This commitment applies to all areas affecting students, employees, applicants for admission, and applicants for employment. It is also relevant to the University's selection of contractors, suppliers of goods and services, and employment conditions and practices.

Questions concerning this policy and procedures for filing complaints under the policy should be directed to Dr. Latrecha Scott (EOP Director) located in the Office of Equal Opportunity Programs. Please also see [University Regulation 10.103 Non-Discrimination Policy and Discrimination and Harassment Procedures](#) and [University 10.112 Consensual Relationships](#).

The Affirmative Action Plan/Programs for *Minorities and Women* is available for review ONLY at the Office of Equal Opportunity Programs by anyone, upon request, during regular business hours (Monday through Friday, 8am-5pm).

The Affirmative Action Plan/Programs for *Veterans and Persons with Disabilities* is available for review by anyone, upon request, during regular business hours (Monday through Friday, 8am-5pm) at the following locations:

### **Office of Human Resources**

Florida A&M University  
211 Foote-Hilyer Administration Center (FHAC)  
Tallahassee, FL 32307  
(850) 599-3611

### **Office of Equal Opportunity Programs**

Florida A&M University 674 Gamble Street  
Tallahassee, FL 32307  
(850) 599-3076; TDD (850) 561-2998

Copies of the Affirmative Action Plans will be provided pursuant to Chapter 119 of the Florida Statutes.

## Title IX

**Eliminating Discrimination Against Students Based on Sex: Responses to Sexual Violence Against a Student** *“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 educational program or activity receiving Federal financial assistance.”*

Title IX of the Education Amendments of 1972 to the 1964 Civil Rights Act

Florida Agricultural and Mechanical University (FAMU) promotes access to its educational programs and activities consistent with federal statutes; state regulations; and University regulations, policies and procedures. The University takes prompt action to investigate student complaints of sex discrimination pursuant to federal, state, and local statutes.

### Background

Title IX of the Education Amendments of 1972 and its implementing regulations prohibits discrimination on the basis of sex in educational programs or activities operated by recipients of Federal financial assistance. Title IX protects students from sexual harassment, which is one type of sex discrimination, which is prohibited by Title IX. The United States Department of Education, Office of Civil Rights, issued a “The Dear Colleague Letter” dated April 4, 2011. As of August 14, 2020, the Department of Education implemented a new regulation which affords additional due process rights for both parties.

### University Assistance Provided to FAMU Students

To faculty members, athletic coaches, administrators and staff who receive notice that a student has been the victim of sexual harassment, including sexual violence; the University’s practice is to offer the student six resources.

1) **Affirmation.** The student who discloses is sharing a confidence, perhaps for the first and only time. FAMU strongly encourages the following responses, “I am glad you shared this with me”; “I will do everything I can to assist you”; or “What would you like me to do next?” The University advises recipients of disclosure to avoid responses such as, “You should try to get over this” or “It is best to get on with your life.” **The University prohibits employees who receive disclosures of sexual violence from withholding the information.**

2) **Safety.** The goal is to ensure that the student has an opportunity to avoid contact with the alleged perpetrator. The University may need to prohibit contact with the student by the alleged perpetrator, if necessary. The student may need overnight shelter to avoid a residence hall or apartment where the alleged perpetrator also lives. The University may need to arrange within campus housing to separate the alleged perpetrator from the victim.

- 3) **Health Services.** A victim may need care for physical or mental injuries; testing for sexually transmitted diseases; or reproductive-related care, just as examples. If the student agrees, FAMU Student Health Services (Clinic) can provide such care at (850) 599-3777. For employees, the University suggest that the victim seek medical treatment with their local physician or at a medical facility as soon as possible.
- 4) **Counseling and Victim Advocate Program.** The victim may need counseling or psychological services, whether the sexual violence was recent or long ago. If the student agrees, FAMU Counseling Services can provide individual and group counseling. It is available to students at no charge. The contact number is (850) 599-3145. Employees may consult with Human Resources at (850) 599-3611, regarding counseling services available through the Employee Assistance Program (EAP). The Victim Advocate Program serves as a confidential resource and support resource for anyone in the University community who has been a victim of a crime. For more information about Victim Advocate Program, please call (850) 412-5667.
- 5) **Academic Adjustments.** The goal is to ensure that the student has an opportunity to avoid contact with the alleged perpetrator. The student who experiences trauma or who must relocate for some period may need to miss one or more classes without the results being punitive. The student may request administration of an exam at a location unknown to an alleged perpetrator who attends the same class; completion of the class via online assignments; or a grade of Incomplete with a schedule for making up coursework. The Counseling Center or Student Clinic can document the student's request(s) to professors.
- 6) **Criminal or Administrative options.** Students, who have been victims of sexual harassment, may choose one or more:
  - File a police report with FAMU Police Department at (850) 599-3256
  - File a police report with the Orlando Police Department, if the sexual harassment occurred off campus
  - File a complaint with the FAMU Office of Judicial Affairs at (850) 412-7223
  - File a discrimination complaint with the Office of Equal Opportunity Programs (850-599- 3076).

### Training Programs

Florida A&M University will include the following in its training programs, but are not limited to:

- Training all university law enforcement personnel on the university's Title IX responsibilities and handling of sexual harassment or sexual violence complaints;
- Training all employees who interact with students regularly on



recognizing and appropriately addressing allegations of sexual harassment or violence under Title IX;

- Training the Title IX Coordinator and any other employees who are involved in processing, investigating, or resolving complaints of sexual harassment or sexual violence;
- Informing students of their options to notify proper law enforcement authorities, and the option to be assisted by university employees in notifying those authorities; Designating an individual from the university's counseling center to be "on call" to assist victims of sexual harassment or violence whenever needed; and
- Offering counseling, health, mental health, or other holistic and comprehensive victim services to all students affected by sexual harassment or violence, and notifying students of campus and community counseling, health, mental health, and other student services.

### **Training Videos**

[Title IX Regulations Training Requirements](#)

[Title IX Recorded Training Sessions](#)

[Title IX Training Video Zoom 1](#)

[Title IX Training Video Zoom 2](#)

### **Applicable Regulations and Policies**

Title IX Sex Discrimination and Sexual Misconduct Prohibition and Formal Hearing Process

[University Board of Trustees Regulation 1.022](#)

Non-Discrimination Policy and Discrimination and Harassment Complaint Procedures

[University Board of Trustees Regulation 10.103](#)

Student Code of Conduct

[University Board of Trustees Regulation 2.012](#)

Due Process, Other Rights and Responsibilities

[University Board of Trustees Regulation 2.013](#)

Sexual Misconduct

[Sexual Misconduct Policy](#)

[Hazing Policy](#)

For additional questions and resources for filing a report or complaint, please contact:

***Office of Equal Opportunity Programs 674 Gamble Street  
Florida Agricultural and Mechanical University Tallahassee, FL 32307  
(850)599-3076***



## Campus Safety and Parking

### Student Parking

#### Student Parking Accommodations

All College of Law students are eligible to park in garages and lots designated for their respective cohorts. Students must display a current, location-specific FAMU Law parking decal affixed to the rear driver's-side window of the registered vehicle. Please note that back-in parking is not permitted in any designated garage. Parking violations, including parking outside assigned areas, may result in ticketing, towing, and disciplinary action under the Student Code of Conduct.

Parking for first-year, full-time students is located in the Zora Neale Hurston Parking Garage, adjacent to the State Buildings across from the College of Law. Eligible parking areas include floors six and seven and the connecting ramp. Access beyond the first floor begins after 7:00 a.m. and is accessible through the access card.

Full-time, upper-level students are assigned to the City of Orlando Amelia Street Garage at 355 Alexander Place, Orlando, FL 32801. The garage operates daily from 5:30 a.m. to 12:00 a.m., providing unlimited in-and-out access during those hours. Upper-level day time students may also park in the grass-surface lot on Robinson Street, directly across from the College of Law, on a first-come, first-served basis.

Part-time student parking is available in the Zora Neale Hurston Parking Garage after 5:00 p.m., where eligible students may park in any open space. Access to the garage for part-time students is provided through a proxy card issued during decal registration.

#### Student Safety

The top priority of the College of Law is ensuring your safety. The guards at the College of Law are committed to doing everything they can to make the College of Law a safe and secure environment. However, your safety is a shared responsibility between law enforcement and you. Consequently, they ask you to help them keep you and other students, staff and faculty safe using your common sense. The University Department of Public Safety's website has resources intended to provide you with information to ensure your safety.

#### Safety Tips in Downtown Orlando

Students, faculty, and staff in a major U.S. city have a different experience than those attending or working at a college in a more rural setting. Downtown Orlando certainly qualifies as one of those urban environments. There certainly are opportunities associated with attending law school in an urban environment, but there can also be challenges. Recently some students have been confronted with aggressive behavior around the law school. The College of Law is concerned with the safety of the entire law school community; no matter where it occurs. With that

said, we need everyone to stay vigilant, and if you see something or experience something, please say something. Please remember to call law enforcement immediately and stay safe. Below are safety tips for navigating the downtown environment: Familiarize yourself with the downtown area.

- Plan the safest route to your destination; choose well-lighted, busy pathways and streets.
- Use the campus escort or shuttle services at night.
- Stick to well-lighted areas whenever possible and avoid alleyways or "shortcuts" through isolated areas at night.
- Travel in groups and avoid going out alone at night.
- If you are being followed, change direction, go to the nearest business and request that someone call the Police. Note the description of the person following you.
- Walk near the curb and avoid shrubbery or other places of potential concealment.
- Stay alert to your surroundings and the people around you.
- Carry your purse or backpack close to your body and keep a firm grip on it; carry your wallet in an inside coat pocket or your front pant pocket.
- Keep your keys separate from your purse or backpack.
- Don't overload yourself with bags or packages, and avoid wearing shoes restricting your movements.
- Walk with a confident stride; keep your head up and look around.
- If a motorist stops and asks for directions, keep your distance from the car.

### **If You Sense Trouble**

- Move away from the potential threat if possible; cross the street and increase your pace. Join a group of people nearby.
- If a threatening situation is imminent and people are close by, yell, scream or do whatever you can to get their attention. Remember, dialing 911 and or/activating a fire alarm are both part of the personal safety system.
- Dial 911 immediately and give a description of the suspect.

### **If You are Attacked**

- Go with your instincts but be realistic about your ability to fight off someone; your instinct may be to run, scream, kick, hit or bite.
- If a weapon is displayed, don't resist. Give up your property and save your life.
- Do what you are told and don't make any sudden moves.
- Try to remember as many details as possible and alert the police as soon as possible.
- Your goal should be to escape safely and survive; cooperate if you think that resisting may lead to further harm.
- Remember every situation is different; you are the only one who can decide the appropriate course of action.

## Important Numbers

### College of Law Public Safety

Front Desk Number: 407.254.4040

Non-Emergency Number: 407.254.3275 (8:00 am – 3:00 pm)

### Orlando Police Department

EMERGENCY: 9-1-1

Non-Emergency Number: 321.235.5300

### Orange County Sheriff's Office

EMERGENCY: 9-1-1

Non-Emergency Number: 407.836.4357

### City of Orlando Amelia Street Garage

Non-Emergency Number: 407.246.2155

*\*tips listed courtesy of Manhattan College and Fort Hays State*

## Fire and Emergency Evacuation Drills

### Authority

The Florida Fire Prevention Code (Florida Statute 633.0215) requires fire drills in all high hazard buildings to occur at least annually to ensure occupant safety. High hazard occupancy is defined as any building:

- That contains combustible or explosive matter or flammable conditions dangerous to the safety of life and property;
- In which persons receive educational instruction;
- In which persons reside, excluding private dwellings; or
- Containing three or more floor levels.

### Policy

These drills are important in making sure all students, staff and faculty can safely and quickly evacuate the building in an orderly manner. All fire drills are to be taken very seriously. Your life depends on knowing what to do and where to go in case of a fire or other serious incident requiring an immediate evacuation.

- All occupants must participate and evacuate when an alarm is sounded, or when authorities initiate an evacuation order. Occupants with disabilities, who cannot independently evacuate, must evacuate to the nearest emergency exit stairwell landing to await emergency personnel assistance.
- You will NOT be notified in advance when a fire drill is scheduled.
- Both primary and secondary escape routes are posted next to all pull station alarms near most exits in the building. FAMILARIZE YOURSELF WITH THE LOCATIONS OF THE EMERGENCY EXITS AND ROUTES, BOTH PRIMARY AND SECONDARY, NEAR YOUR CLASSROOMS, IN THE LIBRARY and other parts of the College of Law.

- DO NOT USE THE STAIRS TO THE ATRIUM TO EXIT THE BUILDING DURING AN EMERGENCY. YOU MUST USE THE EMERGENCY EXIT STAIRS. The atrium stairs are not safe to use during an actual fire as exhaust fans located above the atrium automatically activate to draw out any smoke and will make breathing difficult.
- DO NOT ATTEMPT TO USE THE ELEVATORS. ONCE AN ALARM HAS SOUNDED ALL ELEVATORS AUTOMATICALLY GO TO THE FIRST FLOOR.
- When the alarm sounds you will be expected to immediately stop what you are doing and evacuate to the closest emergency exit or as directed by a Floor Marshall or your faculty member, as quickly as possible. Depending on circumstances, this may NOT be the primary emergency exit, but a secondary exit.
- Do not take time to pack up your belongings or replace books. If you are in your class, follow the instructions given by your faculty member when the alarm sounds.
- Take ONLY your keys and cell phone with you.
- Leave your computer and book wheelie or backpack. Taking these will slow down your and others ability to get down the emergency exit stairs quickly and safely and out of the building.
- Once you have exited the building cross the street and walk quickly south on Beggs Avenue towards Washington Street. Go right on Washington to the meeting point area located at the corner of Washington and Chatham. DO NOT WALK IN THE STREET. REMAIN ON THE SIDEWALK AND OUT OF THE WAY OF RESPONDING EMERGENCY VEHICLES. Walk quickly and do not congregate on the sidewalk until you reach the meeting point.
- Do not go to a different area or leave the area. Go to the designated meeting point. A headcount will be taken by the Floor Marshals and/or your instructor to ensure everyone has evacuated and no one is left in the building.
- Remain at the meeting point until the Fire Department notifies law enforcement that the building is safe. Law enforcement will advise you when it is safe to return to the building.
- Handicapped persons should go to the nearest emergency exit stairwell and remain in the stairwell until contacted by fire or other emergency personnel. In case of actual emergency your location will be given to the emergency operator and/or first responding emergency personnel.

## Consequences

Your participation in any evacuation is required. Students who fail to evacuate will be considered violating student policies and may be referred for disciplinary action.

## COLLEGE OF LAW WEATHER-RELATED EMERGENCIES

Should the National Weather Service or local weather service issue a “severe weather warning” that is expected to directly impact the College of Law, the following will apply:

- Upon notification of a dangerous weather situation that will directly affect the safety of the students, staff and faculty at the College of Law, the Dean of the College of Law will advise as to whether and/or when classes will be cancelled.
- Students who have later scheduled classes on the active weather day will be notified by email or by local radio/TV stations as to whether classes have been cancelled.
- When the weather is questionable, students should periodically check their FAMU email and/or monitor local radio and TV stations for information on any cancellation of classes.

The College of Law administration recognizes that under certain extreme weather conditions, students cannot and should not attempt to come to campus. However, if classes are not officially canceled, it is the responsibility of each student to decide whether it is safe to drive in the inclement weather. This decision ultimately must be made by each student. Safety and personal judgment are required in each individual case, and students must assume responsibility for deciding if weather conditions are too hazardous to permit safe driving regardless of college announcements.

### Notices and Alerts

Special security and emergency notices are available through the FAMU ALERT. FAMUALERT is a communications system that provides timely and accurate information about emergency situations that could impact the university. The goal is to help keep the campus safe and informed during an emergency. FAMU Department of Emergency Management, Police Department, and Communications team determine which communications tools are used during an emergency. These offices work together to provide timely and accurate information to the FAMU community (students, faculty, staff, family, alumni, etc.)

*Examples* of situations where text messages, calls, and e-mails might be sent include, but are not limited to:

- Bomb threats
- Gas leaks
- Chemical spills
- Significant traffic or parking issues due to first response activity
- Extreme weather alerts
- Dangerous situations involving an immediate threat to the FAMU community

**You will receive time-sensitive messages wherever you specify, such as your mobile, email address, text messages and more. You pick where, you pick how.**

# GRIEVANCES AND PETITIONS

Grievances involving members of the staff, other students, and student organizations should be discussed initially with the Assistant Dean for Student Services. Grievances involving the Law Library staff members should be discussed initially with the Director of the Law Library. Grievances involving faculty members should be discussed initially with the Assistant Dean for Academic Affairs. Grievances about any of the Associate or Assistant Deans should be directed to the Dean. An attempt will be made to informally resolve the grievance, but if that is unsuccessful, the student will be advised on the next appropriate step.

## Student Grievance and Petition Procedures

### Informal Non-Academic Grievance or Complaint

An informal non-academic grievance or complaint is a non-written claim by a student alleging improper, unfair, or arbitrary treatment by an administrator, faculty member, and/or staff member or an attempt to seek guidance on how to find the appropriate office or person to assist in informally resolving a complaint with an administrator, faculty member, and/or staff member. Although a student may contact the University Ombuds at any time, it is recommended that the student first attempt to address their complaint by discussing it with the person most directly involved with their complaint. If the complaint is not resolved, the student may initiate a formal non-academic grievance as set forth below. If the student chooses to contact the Ombuds, the Ombuds may redirect the student to the appropriate office for review or formal resolution.

### Formal Non-Academic Grievance or Complaint

A formal non-academic grievance or complaint is a written claim raised by a student alleging improper, unfair, or arbitrary action by an administrator, faculty member, and/or staff member involving the application of a Florida A&M University (or Florida Board of Governors) regulation, policy, or procedure. The procedure below outlines this Formal Non-Academic Grievance Process.

#### 1. Definitions:

a. **Time Limits:** “Time” shall mean “academic time,” that is, periods when Florida A&M University classes are in session, exclusive of weekends. The person vested with authority at the appropriate level may extend any of the time periods contained herein for good cause. Extensions must be communicated in writing to all parties. For the purposes of this Policy, each step shall be afforded two (2) weeks as a standard time limit. If the complaint or grievance is not presented within the established limits, it shall not be considered. If a complaint or grievance is not appealed to the next step within the established time limits, it shall be considered settled (based on the last answer). If, after presentation at any step, an administrator, faculty member, and/or staff member does not discuss and/or answer the complaint or grievance with the student within the established time limits, the student may treat the complaint or grievance as denied at that step and may appeal the complaint

or grievance to the next step.

b. **Written Communication**: Where written communication is required, either e-mail or postal mail will be acceptable.

## **2. Formal Non-Academic Grievance Process Steps:**

a. The student must first attempt to address his/her complaint by discussing it with the person most directly involved with their complaint. If the complaint is unresolved, the student may elect to initiate a formal grievance in writing within the timeline defined above to the Assistant Dean for Student Services. The timeline shall begin at the time of the first occurrence or at the time a student, using reasonable due diligence, should have obtained knowledge of the first occurrence of the event giving rise to the grievance.

b. The Assistant Dean will meet with the student (and any relevant parties) and produce a fact- finding “complaint report.” The student is responsible for providing copies of all relevant documents including emails and previous determinations from the incident and any attempt at resolution.

c. If possible, the Assistant Dean should respond by meeting with the student to attempt an agreement or resolution.

d. The Assistant Dean will review previous resolution steps, discuss the complaint with the student and other appropriate individuals, and communicate a final answer to the student in writing.

e. If the student feels that the answer or action of the Assistant Dean has violated published policies and procedures or has been applied to the student in a manner different from other students, the student may file a written grievance to the Dean of the College of Law within ten (10) days of the decision rendered.

f. The decision of the Dean of the College of Law will be final and binding. If the student feels the answer of the Dean has violated published policies and procedures or has been applied to the student in a manner different from other students, the student may file an appeal to the next appropriate administrative officer (e.g., the Provost and Vice President of Academic Affairs) referred to below as “Administrator” within ten (10) days of the decision rendered.

g. At this level, the Administrator will review the material submitted by the student to see if the material constitutes a grievance.

h. If the Administrator determines that the material does not constitute a grievance, the Administrator will communicate to the student (in writing) and the involved administrator, faculty member, and/or staff member, that the matter is not a grievance, and no recommendation will be forthcoming.

i. If the Administrator’s review produces a conclusion that the matter constitutes a grievance (the rights of the student may have been violated), this will be communicated in writing to the student. Specific remedies will be proposed, and corrective action



will be recommended by the Administrator. It is important to note that the Administrator can only recommend corrective action and assist in communicating that action to the parties.

### **Confidential Assistance on Procedures**

The University Ombuds provides confidential, impartial, independent, and informal assistance to students, staff, and faculty in addressing academic and non-academic concerns at the University that established procedures and processes have not resolved. The University Ombuds is located at 1735 Wahnish Way, CASS Building, Suite 303, Tallahassee, Florida 32307. The phone number for the University Ombuds is (850) 599-3183. For the web address [Click Here](#).



## COMPLAINTS INVOLVING ACCREDITATION STANDARDS

ABA Standard 510 requires that accredited law schools provide students the opportunity to submit complaints implicating compliance with the ABA Standards. Standard 510 provides the following:

- (a) A law school shall establish, publish, and comply with policies for addressing student complaints.
- (b) A law school shall maintain a record of student complaints submitted during the most recent accreditation period. The record shall include the resolution of the complaints.

Under Interpretation 510-1, a “complaint is a communication in writing that seeks to bring to the attention of the law school a significant problem that directly implicates the school’s compliance with the Standards.”

Interpretation 510-2 provides that “a law school’s policies on student complaints must address, at a minimum, procedures for filing and addressing complaints, appeal rights, if any, and timelines.”

Florida A&M University College of Law invites students to share any concerns they might have about the Law School’s program of legal education relating to matters that directly connect to ABA Standards.

### **Any person may make a complaint alleging a implicating compliance with the ABA standards by:**

- Filing a written complaint with the Associate Dean for Academic Affairs or the Assistant Dean for Student Services.
- Every such complaint must be signed and must identify the program, process or matter that is the subject of the complaint and should explain how the matter implicates the law school’s program of legal education and its compliance with a specific, identified ABA Standard(s).

### **Upon receipt of the complaint, the relevant Associate/Assistant Dean:**

- Will acknowledge receipt of the complaint within three business days of its receipt.
- Within two weeks of acknowledging receipt of the complaint, the relevant Associate/Assistant Dean will either meet with the complaining student and/or respond to the complaint in writing informing the student of the steps being taken to address the complaint, or the steps being taken to further investigate the complaint.
- If further investigation is necessary, the relevant Associate/Assistant Dean will conduct and complete that investigation within a reasonable time.

### **If the student is dissatisfied with the response to, or resolution of, the complaint, the student may file an appeal by:**

Filing a written appeal with the Dean of the Law School. The appeal must be filed no later than three weeks after being advised of the Associate/Assistant Dean's response to the complaint or of the steps being taken to address the complaint.

- The Dean's decision regarding the appeal will be communicated to the student within three weeks of receipt of the appeal. The Dean's decision shall be final.

***To further comply with the standard, the College of Law shall maintain a complete written record of each complaint and how it was investigated and resolved. Written records shall be maintained in a confidential manner in the Office of the Dean for ten years.***

### Introduction

The College of Law recognizes its obligation to Florida A&M University and to the legal profession to ensure that the degree of Juris Doctor (J.D.) is conferred not only to those who successfully complete our program of legal education but to those who fully and completely meet the standards of academic achievement, integrity, and professionalism.

Students at the College of Law are members of both the law school community and the larger University community. The College of Law adopts as its Honor Code the [University's Code of Conduct](#) now and as might be later amended. As such, the University's Student Code of Conduct shall govern all academic and non-academic misconduct that are not expressly addressed or covered by the College of Law Student Handbook.

All students should review and be knowledgeable about FAMU Regulation 2.012 – 2.013. [University Student Code of Conduct](#) students will be asked to sign statements saying that they have read, understand, and will abide by the [Student Code of Conduct](#) of the Florida A&M University and the Rules and Regulations.

Matriculation in the College of Law constitutes de facto acceptance of this [Code of Conduct](#) and the policies and procedures involved in administering the [Code of Conduct](#). A copy of each student's signed [Student Code of Conduct](#) Agreement will be retained in his or her permanent educational record.

### Implementation of the Code

The College of Law is principally responsible for implementing and administering this Code of Conduct and is responsible for:

- Gathering relevant evidence;
- Meeting with the accused student(s),
- Presenting the matter to the Student Disciplinary Committee (SDC) and ensuring that the student complies with the decisions of the Committee.

To facilitate the process, the University has made the following designations:

- Assistant Dean for COLSA/Student Services– Conduct Officer
- Law School Dean – Appellate Hearing Officer

# EXAMPLES OF ACTS OF ACADEMIC DISHONESTY

Florida A&M University College of Law expects that its students will act with honesty and integrity at all times. Any behavior or set of inappropriate behaviors that violates the academic and professional integrity of Florida A&M is taken very seriously.

Because of the seriousness of any violation of this Code, the College of Law has provided the list below as examples of acts of academic dishonesty. The following examples are meant to be instructive and not exhaustive:

## Example of Examination Violations

- 1.1. To give to a student any unauthorized information concerning the characteristics or content of an examination prior to the time the student who receives the information has taken the examination;
- 1.2. To obtain or to receive any unauthorized information concerning the characteristics or content of an examination prior to taking the examination;
- 1.3. To communicate with anyone in any manner during an examination the student is taking, except the dean in charge of examinations, the persons involved in administering the examination, or a faculty member;
- 1.4. To communicate at any time with another student who is taking an examination;
- 1.5. To copy or read another student's examination paper or book, or to consult any unauthorized material during an examination, or to possess any unauthorized material in the examination room;
- 1.6. Without proper authorization, to begin an examination before the prescribed time, or to continue working on an examination after the announced conclusion of the examination period; or
- 1.7. Failure to submit all bluebooks and examination questions by the end of the examination or removing bluebooks or examination questions from the examination room unless authorized to do so by the faculty member giving the examination.

## Example of Others' Acts of Misconduct

- 1.8. To make a material misrepresentation to obtain a benefit in connection with any matter for which academic credit is given;
- 1.9. To steal, damage, destroy, conceal, or use without authority another student or faculty member's notes or books;
- 1.10. To submit the same or a significantly similar work for credit in more than one course without disclosing that fact as early as is feasible and without obtaining the consent of the faculty members to whom the work is submitted;

To submit a paper or other work for credit that has been edited (or significantly or substantially edited) by another;

1.11.To make a material misrepresentation concerning the student's law school performance and activities on a resume or other written communication to a potential employer;

1.12.To withhold information or furnish false or misleading information to a law school official, or without proper authorization to reproduce, copy, forge or attempt to forge, tamper with or alter in any way any record, document, or identification used or maintained by the law school;

1.13. To falsify class attendance records;

1.14. To open or remove the mail of another person without authority;

1.15.To disturb faculty mailboxes in anyway, including delivering, removing or opening mail in any faculty member's mailbox without the express permission of the faculty member;

### **Examples of Plagiarism**

1.16.To purposely or knowingly plagiarize or aid another student to plagiarize. Plagiarism includes, but is not limited to:

1.16.1. Copying or substantially copying someone else's words without both citing the author of the quotation and using either quotation marks or an indented block quotation; and,

1.16.2. Paraphrasing someone else's words or work without citing the source.

1.17. To plagiarize with knowledge of circumstances, which should alert a reasonable student that there is a substantial risk that the student would be plagiarizing.

# BAR ADMISSIONS AND RELATED INFORMATION

## General Information

Several states require any law student who intends to sit for the bar examination to register with the appropriate state agencies prior to or during his/her legal studies. Students who desire admission to the Bar of a particular state should contact that state's Board of Bar Examiners to learn more about the state's admission requirements. It is important that this is done upon entering law school to prevent delaying admission to the Bar. Websites and addresses for all relevant state agencies and Boards of Bar Examiners is available through the National Conference of Bar Examiners at [www.ncbex.org](http://www.ncbex.org). Information regarding Bar admission requirements is available in the Office of the College of Law Registrar.

## Deadlines and Fees

The Florida Board of Bar Examiners administers the rules and regulations regarding admission to the Florida Bar. The requirements for admission are contained in the "Rules of the Supreme Court of Florida Relating to Admissions to the Bar." Students interested in admission to the Florida Bar upon graduation are encouraged to avoid additional registration fees by filing a Beginning Student Application within 180 days of their matriculation in law school. The applicable fee schedule is listed below.

**"2-23 Application Fees.** All fees are set by order of the Supreme Court of Florida and are subject to change by published order of the court. The total application fee is due and payable to the Florida Board of Bar Examiners by the applicant when filing the Bar Application, the Registrant Bar Application, or the Supplement to Registrant Bar Application, and no application will be considered complete without the full fee. Any fee paid by an applicant or registrant will not be refunded.

**2-23.1 Student Registrant Fee.** Except as provided below, every law student filing a Registrant Bar Application with the board must file with the completed Registrant Bar Application the fee of \$400. For any law student who files a Registrant Bar Application by the deadlines established, discounted early registration fees are available as follows:

- (a) **\$100.** For those students who commence the study of law in:
  - (1) August or September and who file a Registrant Bar Application by the following January 15; (2) January or February and who file a Registrant Bar Application by the following June 15;
  - (3) May or June and who file a Registrant Bar Application by the following October 15.
- (b) **\$350.** For those students who commence the study of law in:
  - (1) August or September and who file a Registrant Bar Application by the

following March 15; (2)  
January or February and who file a Registrant Bar Application by the following  
August 15; or  
(3) May or June and who file a Registrant Bar Application by the following  
December 15.

**2-23.2 Student Applicant Fee.** Applicants who did not file the Registrant Bar Application with the board as law students and who have not been admitted to the bar in any jurisdiction for a period in excess of 12 months, excluding time spent in military service of the United States, must file with the Bar Application the fee of \$1,000."

The information above was obtained directly from the Florida Board of Law Examiners webpage and pertains the Rules of the Supreme Court that relate to Bar Admissions. For a copy of the rules, applications or other additional information, contact the Florida Board of Bar Examiners:

### **The Florida Board of Bar Examiners**

1891 Eider Court  
Tallahassee, Florida 32399-1750  
Phone: (850) 487-1292  
Website: [www.floridabarexam.org](http://www.floridabarexam.org)

## **Certification and Clearance for Students**

### **Certified Legal Intern (CLI)**

The Legal Clinic Program and qualifying Field Placement sites offer students who have completed at least 48 semester hours of academic credit, including Professional Responsibility, an opportunity to serve traditionally underserved clients under the supervision of a member of the faculty, bench, and the bar. Some of the College of Law's clinic programs prefer students to be approved Certified Legal Interns (CLI) by the Florida Supreme Court before participation. The Florida Supreme Court's rules regulating the Florida Bar permit students with CLI to engage in the supervised practice of law as part of a law school's Clinical and Field Placement programs. As CLIs, students may represent clients in a broad range of civil or criminal matters. To become a CLI, a student must apply to the Florida Supreme Court through the Director of the Legal Clinic and Field Placement Programs. To qualify, students must meet the requirements of Chapter 11, Rules Regulating the Florida Bar. For more information regarding the process, application and deadlines, please visit the Florida Board of Bar Examiners website at <https://www.floridabarexam.org/> or the Florida Bar at [www.floridabar.org](http://www.floridabar.org), or contact the clinic director, Professor Mark Dorosin at [mark.dorosin@famu.edu](mailto:mark.dorosin@famu.edu).

All students are strongly encouraged to start the clearance certification process during their first semester of law school. The clearance process takes time, and as noted above, there are substantial costs savings if you apply by January 15. The

application for the clearance certificate is not difficult to complete, but it often takes four (4) to five (5) months for the Florida Board of Bar Examiners to complete the background check and issue the character and fitness clearance certificate. Students who fail to initiate the certification process early run a significant risk that the process will not be completed by the time they are ready to participate in a Legal Clinic or Field Placement program. Participation in live practice Clinical and Field Placement programs is an incredibly valuable experience for law students, and the College of Law would not want to see any student miss these opportunities. Consequently, students should be proactive and apply for the clearance certificate early. In addition, students who become CLI while in law school are eligible to remain certified while the bar exam or bar results are pending. Students who plan to take the Florida Bar may complete the bar application to obtain the character and fitness bar clearance. If a student does not plan to take the Florida Bar, he or she can apply for the character and fitness bar clearance by completing the online application with the Florida Board Bar of Examiners. This application is not the same as applying for admission to the Florida Bar, but the application requires the same disclosures as the bar application. If the student subsequently decides to apply for admission to the Florida Bar, the student will have to complete the bar application. The character and fitness clearance application will not convert to the bar application.

The investigative process for both the Florida Bar and character and fitness clearance certificate can take six (6) weeks to six (6) months or more depending on the student's background.

### **Deadlines and Fees**

The Florida Board of Bar Examiners administers the rules and regulations regarding admission to the Florida Bar. The requirements for admission are contained in the "Rules of the Supreme Court of Florida Relating to Admissions to the Bar," which can be found here: [Rules Relating to Admissions to the Bar](#).

Students interested in admission to the Florida Bar upon graduation are strongly encouraged to file a Beginning Student Application within 180 days of their matriculation in law school. Students who file the application before January 15 of their first year of law school can save a substantial amount of money in application fees. The applicable fee schedule can be found here: [Application Fee Schedule](#).



# APPENDIX

## APPENDIX A: 1.022 Title IX

### Title IX, Sex Discrimination and Sexual Misconduct Prohibition and Formal Hearing Process

- (1) Florida A&M University is committed to providing an educational and work environment free from discrimination and harassment on the basis of sex, sexual orientation, gender identity, and gender expression.
- (2) In accordance with federal regulations implementing Title IX of the Education Amendments Act of 1972, Florida A&M University will promptly respond to individuals who are alleged to have experienced Sexual Misconduct by offering Supportive Measures; follow a fair resolution process to resolve Sexual Misconduct allegations; and provide remedies to victims of Sexual Misconduct. All members of the University Community are required to comply with this Regulation, both on and off campus. This extends to vendors, contractors (including the employees of third parties), guests, applicants, volunteers, or others on the University's campus and at any University sponsored or related function or activity.
- (3) Other allegations of Sexual Harassment, discrimination, and misconduct that occurs between University students or employees during activities or at locations not listed in paragraph (7) below or which give rise to additional non-Sexual Misconduct violations of University Regulations, will be resolved in accordance with University Regulation 10.103 Non-discrimination Policy and Discrimination and Harassment Complaint Procedures, Regulation 1.019 University Code of Conduct, Regulation 2.012 Student Code of Conduct, Regulation 10.111 Disruptive Conduct, and/or other applicable regulations.
- (4) All matters related to sex discrimination in Athletics and other Title IX issues not described under this Regulation will be resolved in accordance with University Regulations 10.103 Non-discrimination Policy and Discrimination and Harassment Complaint Procedures, Regulation 1.019 University Code of Conduct and Regulation 2.012 Student Code of Conduct, Regulation 10.111 Disruptive Conduct, and/or other applicable regulations.
- (5) All questions or concerns about this Regulation, conduct that may violate this Regulation, and/or complaints based on sex discrimination in Athletics should be directed to the Title IX Coordinator:
- (6) Any individual may report Sexual Misconduct, discrimination, or other misconduct whether or not the individual reporting is alleged to be the victim of the conduct that could constitute Sexual Misconduct, discrimination, or other misconduct.
- (7) **Jurisdiction:** This Regulation applies to Sexual Misconduct that occurs at any of the following locations or activities:
  - (a) University campus;
  - (b) University owned or controlled property;
  - (c) University premises including, but not limited to, any building owned or

controlled by a recognized student organization or direct support organization;

- (d) Activities sponsored by the University wherever they occur;
- (e) Activities officially approved by the University that are conducted by University recognized organizations and direct-support organizations; and/or
- (f) Activities occurring on or off campus as a part of the University's operations including virtual or online platforms.

(8) **Definitions.**

- (a) **Actual Knowledge:** Notice of Sexual Misconduct or allegations of Sexual Misconduct to the Title IX Coordinator or any official who has authority to institute corrective measures on behalf of the University. This standard does not apply when the only University official with actual knowledge is the Respondent.
- (b) **Advisor:** Any individual chosen by the Complainant or Respondent to assist throughout the Sexual Misconduct process (e.g., faculty, staff, parent/guardian, attorney, friend, alumni, or any other individual).
- (c) **Campus Security Authority:** As referred to in the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act of 1990, 20 U.S.C. § 1092(±) (Clery Act), an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, campus security, student housing, student discipline, and campus conduct/judicial proceedings.
- (d) **Coercion:** Persuading an individual by using force, threats, intimidation, manipulation, blackmail, and/or pressure to initiate or continue sexual activity against an individual's will.
- (e) **Complainant:** An individual(s) who is/are alleged to be the victim(s) of conduct that could constitute Sexual Misconduct.
- (f) **Confidential Employee:** An employee who is not required to report, with identifying information, any incident of Sexual Misconduct to the Title IX Coordinator. This includes employees at Student Health Services, the Office of Counseling Services, and the University Victim Advocate.
- (g) **Consent:** Consent to sexual activity must be knowing, intelligent, unambiguous, and voluntary. Consent is active, not passive. This means there must be clear and willing participation, through words or actions, for each sexual act. Submission to sexual activity that is the result of force, coercion, incapacity, or threats is not valid consent.
  - 1. Consent to one type of sexual activity does not imply consent to other types of sexual contact. There must be consent at every stage of the sexual encounter.
  - 2. Past consent to sexual activity does not imply consent to future sexual activity.
  - 3. Consent can be withdrawn at any time, including in the middle of a sexual encounter, if the withdrawal of consent is clearly indicated by words or actions.Individuals who are incapacitated cannot make knowing, intelligent, unambiguous, and voluntary decisions, and therefore cannot give consent (e.g. cannot understand the: who, what, when, where, why, or how of the sexual interaction. An individual can be incapacitated by voluntary or involuntary use of drugs (legal, illegal, or prescription) or alcohol, illness, mental impairment/disability, or by a state of being asleep or unconscious. In addition, an individual under 18 years old cannot give consent to sexual conduct (no matter what

they say or do). If there is any question regarding whether an individual may be incapacitated, do not engage in any type of sexual activity with that individual.

- (h) **Dating Violence:** Violence committed by an individual who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the individuals involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (i) **Day:** A business day when the University is in normal operation.
- (j) **Decision-maker:** The individual or panel who hears evidence, determines relevance, and make the Final Determination of whether this Regulation has been violated and/or assigns sanctions.
- (k) **Deputy Title IX Coordinator:** Individual designated to assist with the reporting and coordination of Title IX related matters in specific compliance programs or departments within the University. The Deputy Title IX Coordinator may have delineated roles such as senior woman administrator (athletics), Senior Associate Athletic Director, compliance officer, etc.
- (l) **Domestic Violence:** Violence committed by:
  - 1. a current or former spouse or intimate partner of the victim;
  - 2. a person with whom the victim shares a child in common;
  - 3. a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - 4. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Florida;
  - 5. any other individual against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Florida.
  - 6. To characterize an incident as domestic violence, the relationship between the perpetrator and the victim must be more than just two people living together as roommates. The individuals cohabitating must be current or former spouses or have or had an intimate relationship.
- (m) **Formal Complaint:** A document filed by a Complainant or signed by the Title IX. Coordinator alleging Sexual Misconduct against a Respondent and requesting that the University investigate the allegation of Sexual Misconduct. At the time of filing a Formal Complaint, a Complainant must be participating or attempting to participate in the University's education program or activity.
- (n) **Hearing Officer:** The chairperson of the hearing panel or a University official(s) or designee who will act as the decision-maker.
- (o) **Hearing Panel:** In a disciplinary proceeding, the individuals authorized by the University to determine whether a Respondent has violated this Regulation and to determine sanctions.
- (p) **Notice:** A report of Sexual Misconduct to the Title IX Coordinator.
- (q) **Program or Activity:** All of the operations of a postsecondary institution or other postsecondary institution, or local education system (institution), to include locations, events or circumstances over which the institution exercised substantial control over both the Respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that

is officially recognized by a postsecondary institution.

- (r) **Relevant Evidence:** Evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the complaint.
- (s) **Remedies:** Actions designed to restore or preserve equal access to the University's education program or activity. Such remedies may include Supportive Measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.
- (t) **Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute Sexual Misconduct.
- (u) **Responsible Employees:** Employees who must promptly report any incident, in detail, of Sexual Misconduct that they become aware of to the Title IX Coordinator. The employee must report all known information, including the identities of the parties, the date, time, and location, and any details about the reported incident to the Title IX Coordinator. Confidential Employees are exempt.
- (v) **Retaliation:** Intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX because the individual made a report or complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing under this Regulation or any companion University regulation. Retaliation could also include actions taken against someone who has intervened as a bystander to stop or attempt to stop misconduct.
- (w) **Sexual Assault:** Any attempted or actual sexual act directed against another individual, without consent of the victim, including instances of coercion or where the victim is incapable of giving consent.
  - 1. Rape is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another individual, without the consent of the victim. This offense includes the rape of both males and females.
  - 2. Fondling is the touching of the private body parts of another individual for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
  - 3. Incest is sexual intercourse between individuals who are related to each other within the degrees wherein marriage is prohibited by law.
  - 4. Statutory rape is sexual intercourse with an individual who is under the statutory age of consent.
- (x) **Sexual Exploitation:** Sexual exploitation occurs when an individual takes non- consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the individual being exploited, and that behavior does not otherwise constitute one of the preceding Sexual Misconduct offenses. Examples include, but are not limited to: Prostitution of another individual, non-consensual visual or audio-recording of sexual activity, or non-consensual distribution of photos, other images, or information of an individual's sexual activity.
- (y) **Sexual Harassment:** Conduct on the basis of sex that satisfies one or more of the following:
  - 1. An employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct. In expansion, sexual harassment can also occur as quid pro quo when submission to such conduct or request is made either explicitly or implicitly a term or condition

of a status in a course, program, or activity, or of academic achievement; or submission to such conduct or request is made either explicitly or implicitly a term or condition of an individual's employment, salary increase, position advancement or other employment related benefits; or submission to or rejection of such conduct or request by an individual is used as the basis for an academic decision or employment decision affecting such individuals.

2. Unwelcome conduct determined by a reasonable individual to be so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the University's education program and activity.
  3. Any instance of Sexual Assault as defined in the Clery Act, including dating violence, domestic violence, or stalking, as defined in the Violence Against Women Act (VAWA).
  4. Examples of unwelcome conduct include but is not limited to:
    - i. Suggestive or inappropriate sex-based communications, notes, letters, electronic mail, text messages, contact through social media, or other written materials.
    - ii. Sexual innuendo, comments, or remarks about an individual's clothing, body, or activities which places an individual in fear of imminent physical or psychological harm or injury.
    - iii. Inappropriate touching or brushing against the body of another including, but not limited to patting, fondling, massaging, caressing, pinching, attempted or actual kissing.
- (z) **Sexual Misconduct:** Any sexual contact toward another without the individual's consent and includes, but is not limited to, Sexual Assault, inducing incapacitation for sexual purposes, Statutory Rape, Sexual Harassment, Coercion, Stalking and other forms of Sexual Exploitation. Sexual Misconduct may constitute crimes (i.e. sexual battery, rape and related sex crimes) and/or civil complaints (i.e. sexual harassment) and can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship.

**(aa) Stalking:** Engaging in a course of conduct directed at a specific individual that would cause a reasonable individual to:

1. Fear for the individual's safety or the safety of others; or
2. Suffer substantial emotional distress;
3. For the purposes of this definition:
  - a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about an individual, or interferes with an individual's property.
  - b. Reasonable individual means a reasonable individual under similar circumstances and with similar identities to the victim.
  - c. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**(bb) Statutory Rape:** Non-forcible sexual intercourse with an individual who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.

**(cc) Supportive Measures:** Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent before or after the filing of a Formal Complaint, or when no Formal Complaint has been filed.

**(dd) Title IX Coordinator:** The individual University official with the primary responsibility for coordinating and administering the University's Title IX program.

**(ee) Voyeurism:** To trespass, spy, eavesdrop, or otherwise invade the privacy of another for the purpose of personal sexual arousal.

**(ff) Written Determination:** A conclusion by the standard of proof that the alleged conduct did or did not violate policy or occur as alleged.

**(9) Reporting Sexual Misconduct.**

- (a) If you believe that you have experienced Sexual Misconduct, notify the Title IX Coordinator as soon as possible after the incident. You do not have to tolerate unacceptable behavior, regardless of who is creating the situation. There is no specific time frame for individuals who have experienced Sexual Misconduct to make a report pursuant to this Regulation. Individuals are, however, encouraged to make a report soon after the incident in order to maximize the University's ability to investigate and resolve the matter.
- (b) Responsible Employees and those designated as Campus Security Authorities must report allegations of Sexual Misconduct to the Title IX Coordinator. Additionally, anyone who interacts in our University Community and has learned of or witnessed a violation of this Regulation, is ***strongly encouraged*** to report the matter to the Title IX Coordinator.
- (c) Any individual may report Sexual Misconduct (whether or not the individual reporting is the individual alleged to be the victim of alleged Sexual Misconduct) in person, by mail, by telephone, by Title IX email at [TitleIX@famu.edu](mailto:TitleIX@famu.edu), or to the Office of Compliance and [Ethics Hotline portal](#).
- (d) Individuals may make an anonymous report concerning an instance of Sexual Misconduct as well. Reports about Sexual Misconduct do not have to be formal, signed complaints. However, an anonymous report may limit the University's ability to investigate, respond, and act. Responsible Employees and Campus Security Authorities who are relaying another individual's incident of Sexual Misconduct must report all known details of the incident, including the identities of the individuals involved.
- (e) If you are not sure whether an incident of Sexual Misconduct has occurred, you may contact the Title IX Coordinator for assistance in determining the nature of the incident and whether it should be reported pursuant to this Regulation. The University will promptly respond to every report of Sexual Misconduct through its Title IX Coordinator or designee.

**(10) Supportive Measures.** Upon receiving information alleging Sexual Misconduct, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures, consider the Complainant's wishes with respect to Supportive Measures, and explain to the Complainant the process for filing a Formal Complaint. It is not necessary to file a Formal Complaint to receive Supportive Measures.

- (a) Supportive Measures are offered to the Complainant and Respondent. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules,



campus escort services, mutual restrictions on contact between the Complainant and Respondent, changes in work or on-campus housing locations, leaves of absence, monitoring of certain areas of the campus, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

- (b) The University will keep any Supportive Measures provided to the Complainant or Respondent confidential to the extent that maintaining such confidentiality would not impair the ability of the University to provide Supportive Measures.

- (11) **Advisors.** During the sexual misconduct process, the Complainant and Respondent may have an Advisor of their choice accompany them to any related meeting or proceeding. Advisors have the role(s) explicitly provided in this Regulation. Meetings or proceedings may not be unreasonably delayed due to the selection or schedule of an Advisor, and it is the responsibility of the Complainant or Respondent to communicate relevant information to their Advisor and ensure that their Advisor comports themselves in a manner which respects this educational-administrative process. After an appropriate warning, the University reserves the right to stop a meeting or proceeding and remove an Advisor whose presence disrupts the meeting or proceedings, and then begin the meeting or proceedings without the Advisor. During a hearing held pursuant to this Regulation, an Advisor will be provided by the University for cross-examination purposes only if the Complainant or Respondent does not already have an Advisor.

- (12) **Formal Complaint.** At the time of filing a Formal Complaint, the Complainant must be participating in or attempting to participate in the University's education program or activity, both on or off campus. This extends to vendors, contractors (including the employees of third parties), guests, or others on the University's campus and at any University sponsored or related function or activity. The Formal Complaint must contain the Complainant's physical or digital signature. The University emphasizes the importance of treating Complainants and Respondents equitably upon receipt of a Formal Complaint. There is a presumption that the Respondent is not responsible for the alleged conduct.

- (a) In response to a Formal Complaint, the University will follow the Formal Hearing process or Informal Resolution process noted below. Once a Formal Complaint is filed, the University may take formal action in regards to the allegations of Sexual Misconduct. The University may initiate its own review of an incident, even if a Formal Complaint has not been filed, and take appropriate action should such be deemed warranted under the circumstances presented.
- (b) Upon receipt of a Formal Complaint, the University will provide written notice to the Complainant and Respondent of:
  - 1. The Formal Hearing process, as well as Informal Resolution as outlined in this Regulation;
  - 2. The allegations of Sexual Misconduct, including sufficient details known at the time, and provide the Complainant and the Respondent sufficient time to prepare a response before any initial interview;
  - 3. Notice of any additional allegations that arise during the course of an investigation.
- (c) The University reserves the right to consolidate Formal Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents when the complaint implicates a pattern, collusion, and/or shared or similar actions. For cases in which there is an overlap of charges



between Regulations 1.019, 2.012, 10.103, 10.111 and this Regulation, a joint investigation will commence for efficiency purposes and to preserve University resources. The details of the investigation involving the other University Regulation will be included in the Title IX investigative report.

- (13) **Privacy and Confidentiality.** To the greatest extent possible, the University will keep confidential the identity of any individual who has made a report or complaint of Sexual Misconduct, any Complainant, any Respondent, and any witness.
- (a) **Privacy.** The University is committed to protecting the privacy of all individuals involved in a report of Sexual Misconduct. However, as described in this section, the University cannot guarantee complete confidentiality and anonymity in all circumstances. If an individual desires confidentiality, meaning that no information will be shared, then that individual must either contact a Confidential Employee or their off-campus equivalent, who will maintain the confidentiality to the extent permitted by law. Please remember that if an individual informs a Responsible Employee or Campus Security Authority, that Responsible Employee or Campus Security Authority must report the allegation to the Title IX Coordinator and cannot promise confidentiality.
  - (b) **Confidentiality.** The University will only disclose information to individuals with a legitimate need to know in order to review, investigate, and resolve reports of Sexual Misconduct, or as permitted or required by law. The University may release information about Sexual Misconduct in certain circumstances without permission in order to warn and protect the University Community. For example, under the Clergy Act, the University must issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to other members of the campus community. The University will make every effort to ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.
  - (c) The University reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, or a change in student status or of another matter as otherwise permitted under applicable Family Educational Rights and Privacy Act, (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) regulations.
  - (d) An individual reporting Sexual Misconduct has the right not to proceed with filing a Formal Complaint; however, the Title IX Coordinator may have an obligation to file their own Formal Complaint, investigate, and take remedial action, even if the individual no longer participates or is unwilling to participate in the investigation. This would be true, for example, if the reported Sexual Misconduct indicated that there was a reasonably anticipated risk that the reported individual would commit additional acts of Sexual Misconduct or other violence; whether the Sexual Misconduct was reportedly engaged in by multiple individuals; whether a weapon was involved; and whether there is an indication of a pattern of misconduct. A lack of participation may, however, limit the University's ability to investigate and resolve concerns.
  - (e) As explained in this Regulation, if a Formal Complaint is filed, the University has an obligation to identify the parties and the substance of the Complaint to comply with due process and the federal Title IX regulations.
- (14) **Dismissal.** The University will notify the Complainant and Respondent in writing of any complaint dismissal and the reasons therefore.
- (a) The University will dismiss the Formal Complaint if the conduct alleged in

the Formal Complaint:

1. would not constitute Sexual Misconduct as defined above even if proven;
  2. did not occur within the University's jurisdiction; or
  3. did not occur against an individual in the United States.
- (b) The University may also dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:
1. The Complainant notifies the Title IX Coordinator, in writing, that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
  2. The Respondent is no longer enrolled or employed by the University; and/or
  3. Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or the allegations therein.

The University reserves the right to dismiss a Formal Complaint and re-open the complaint under any applicable regulation, policy, or rule, including, but not limited to, University Regulation 1.019, Regulation 2.012, Regulation 10.103, and/or Regulation 10.111.

- (15) **Investigation.** The burden of proof and burden of gathering evidence rest on the University and not on the parties.
- (a) The investigator will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which University does not intend to rely in reaching a determination regarding responsibility. The investigator will also provide inculpatory or exculpatory information to the parties and their advisors, if any, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
  - (b) The investigator will provide the information in electronic format or hard copy and the parties will be given at least ten (10) business days to submit a written response. The investigator will consider all written responses prior to completion of the investigative report, and make any necessary amendments.
  - (c) The University will also make all evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
  - (d) The investigator will send the parties and their advisors an investigative report that impartially summarizes Relevant Evidence, and will provide at least ten (10) calendar days for the parties to respond, prior to a hearing or determination of responsibility.
- (16) **Conflict or Bias.** The University prohibits the Title IX Coordinator, investigators, decision-makers, and any individual facilitating an informal resolution process from having a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. In the event of a conflict or bias, the University will appoint an alternate individual so that the process is free of conflicts of interest and bias.
- (17) **Resolution.** There are two avenues of resolution once a Formal Complaint has been filed:
- (a) **Informal Resolution.** If a Formal Complaint is filed, Informal Resolution may be offered or facilitated by the University at any time prior to reaching a determination of responsibility. Informal Resolution does not involve a full investigation and determination of responsibility.
    1. The Complainant and Respondent must provide voluntary, written consent to the Informal Resolution process. Informal

Resolution is not available when a Complainant is a student alleging that a University employee has engaged in Sexual Misconduct.

2. The University will provide the parties a written notice disclosing the allegations, and the requirements of the Informal Resolution process, including the circumstances under which, (e.g. upon reaching an agreed resolution), it precludes the parties from resuming a Formal Complaint arising from the same allegations.
3. However, at any time prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution process and resume the Formal Hearing process with respect to the Formal Complaint. The University will also explain any action resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared.
4. The Informal Resolution process must be completed within fifteen (15) business days of the parties agreeing to pursue such a process. If not completed by that deadline, in the absence of any approved extensions, the Formal Complaint will continue to be investigated and processed for a Formal Hearing as described in this Regulation.

(b) **Formal Hearing Process.** The University's Formal Hearing process described herein is intended to address behavior that may constitute a violation of Title IX; therefore, separate violations arising out of the same facts of the Student Code of Conduct or other University regulations and policies will be addressed independently of any penalty imposed under this Regulation.

1. Formal Complaints that have not been dismissed or informally resolved will result in a live (or virtual) hearing. The Decision-maker will explain each participant's rights and options and assure that fairness and procedural due process are observed throughout the hearing. For example, witnesses may only be present during the time they are being questioned. Note that the hearing process is not the same as a criminal or civil proceeding as the hearing is an administrative proceeding. Procedures governing Florida's criminal or civil courts, including formal rules of evidence, are not applicable.
2. University Regulations 2.012 and 2.013 require due process for all individuals, which ensures that all individuals receive proper notice. The Respondent shall be provided with written notice of the allegations against them in sufficient detail and in sufficient time to prepare for a hearing before a hearing panel or Hearing Officer. The Complainant shall be sent a copy of the notice of charges at the same time as the Respondent. This notice shall be presented no less than five (5) business days prior to the hearing, except in cases of emergency hearings, where the notice will be provided as soon as possible.
3. The notice of charge will also inform the Complainant or Respondent of the options for resolution, which are Informal or Formal Resolution. In the event that neither party, has requested to participate in Informal Resolution, the University will schedule a Formal Hearing, within five (5) business days from the date of the notice of charges, on the merits of the case, i.e. whether the Respondent committed the alleged offense(s) under Title IX.

4. All hearings must be recorded and a copy of the recording or transcript must be provided to either party upon request.
- (c) **Emergency Processes.** The Respondent shall be entitled to a prompt hearing before a hearing panel, as established by the University.
1. **Emergency Removal.** The University may remove a Respondent from the University on an emergency basis after undertaking an individualized safety and risk analysis and determining that an immediate threat to the physical health or safety of any individual arising from the allegations justifies removal. If a Respondent is removed pursuant to this section, the University will provide the Respondent with written notice and an opportunity to challenge the decision immediately following the removal. The Respondent shall have three (3) business days from receipt of the notice of emergency removal to submit, in writing to the Title IX Coordinator, the basis of their challenge to the removal and request an emergency hearing. The Title IX Coordinator will provide a copy of the Respondent's challenge to removal 1.022 Title IX to the Complainant.
  2. **Emergency Hearings.** Upon receipt of the Respondent's challenge to removal and request for an Emergency Hearing, the University will appoint a Decision-Maker to hold an emergency hearing without delay, as soon as possible given the circumstances, but no later than five (5) business days later. The Decision-Maker will provide written notice to the parties of the date and time of the hearing, provide both parties the opportunity to be heard at the hearing, and issue its written decision no later than five (5) business days after the hearing. The Respondent may show cause why their continued presence on the University campus is not a threat pursuant to the individualized safety and risk analysis. If a Respondent is removed, pursuant to this emergency removal procedure, the Respondent retains all rights to an investigation and hearing as set forth in this Regulation prior to any ultimate finding of responsibility and sanctions.
  3. **Administrative Leave.** The University may place an employee Respondent on administrative leave during the pendency of the Formal Hearing process above.
- (d) **Administrative Resolution.** An Administrative Resolution determines whether University policies have been violated. If so, the University will promptly implement effective remedies designed to end the misconduct, prevent recurrence, and address the effects in accordance with University Regulation 1.019, Regulation 2.012, Regulation 10.103, Regulation 10.111, and/or other applicable regulations. An Administrative Resolution can be pursued at any time during the sexual misconduct process and may be initiated:
1. After the Title IX Coordinator has reviewed the Title IX Formal Complaint and supporting documentation and identified other potential University Policy violations.
  2. During the course of fact finding in the sexual misconduct process there are identified University Policy violations.
  3. If the hearing panel or Decision-Maker(s) identifies University Policy violations separate from the sexual misconduct process, the hearing panel or Decision-Maker(s) shall make a recommendation to address the misconduct.

**(18) Disclosure of Information.**

- (a) The parties shall have the opportunity to inspect all information related to Emergency Removal, whether or not it will be presented at the hearing, at least one (1) business day prior to an emergency hearing. The University shall also have the right to inspect all related information at least one (1) business day prior to the emergency hearing.
- (b) For Formal Hearings, the parties shall have the opportunity to inspect all related information including, but not limited to, information that will be presented during the hearing. Inspection of the information shall occur at least three (3) business days before the Formal Hearing. The University shall also have the right to inspect any information the student intends to use at least three (3) business days before the Formal Hearing or meeting. If either party fails to notify the other that they have information to present, and/or fails to allow the other party to inspect the information within the allotted times stated above, it may cause a delay in the hearing or require that the hearing be continued.

**(19) Timeline for an Investigation and Determination.**

It is the University's intention to complete a Title IX investigation and reach a determination within sixty (60) business days, although the University's good-faith efforts to conduct a fair, impartial investigation in a timely manner may require a different timeline depending on the circumstances.

**(20) Extensions of Timeframe.**

Extensions of the timeframe stated herein may occur for good cause upon written notice to the Complainant and the Respondent. Notice must state the reasons for the extension.

- (a) Examples of good cause may include, but are not limited to, considerations such as the absence of a party or a witness; concurrent law enforcement activity; University closures and/or breaks between semesters; newly discovered information or evidence; or the need for language assistance or accommodation of disabilities. The University is not required to postpone the proceedings pending the outcome of a criminal or other outside proceeding.

**(21) Hearing/Meeting Procedures.** The parties may, at their own expense and initiative, have an Advisor of the party's choice present during the Formal Hearing process who may be an attorney.

- (a) If the Complainant or Respondent is unable to or fails to obtain an Advisor, the University will provide an Advisor on their behalf for the purpose of cross examination of any witnesses. The Advisor may accompany the party to any meeting or hearing during the Informal or Formal Hearing process. The parties, and not the Advisors, shall coordinate the scheduling of the hearing.
- (b) The party may present relevant information on their own behalf during the hearing or Informal Resolution meeting. Only relevant information will be allowed during the hearing. The Hearing Officer will make a relevance determination prior to allowing the witness to answer any questions. The Advisor shall cross examine witnesses who testify at the hearing. The Respondent shall not be forced to present testimony, which would be self-incriminating. The Respondent is presumed not responsible for the alleged conduct. A determination regarding responsibility is made at the conclusion of the Formal Hearing process.
- (c) The Complainant and Respondent will be provided an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, and have an Advisor of their choice present during any Formal Hearing proceeding or related meeting.
- (d) The hearing panel shall question witnesses throughout the hearing, excluding during cross examination when advisors are required to ask questions of the



witnesses. An Advisor may also act as a witness. An Advisor must comply with all rules of decorum as set forth by the University for the hearing. In the event that the Advisor attempts to disrupt a proceeding by speaking or presenting information in an unprofessional or uncivilized manner, the Advisor may be asked to leave. In such event, the proceeding will continue with another advisor, who may be provided by the University. Absent an alternate advisor, the hearing will be rescheduled.

- (e) The Hearing Panel shall be comprised of only University official(s) or designee(s).
- (f) All participants must comply with the rules of decorum during all proceedings. The rules of decorum will be provided by the Title IX Coordinator.

(22) **Standard of Review.** The Hearing Officer will apply the "preponderance of the evidence" standard to determine whether it is more likely than not that the alleged conduct occurred. The Respondent is presumed not responsible unless the preponderance of the evidence shows otherwise. Proceedings are conducted to consider the totality of all evidence available from all relevant sources.

(23) **Written Determination.**

- (a) The Hearing Officer will issue a written determination that identifies the allegations potentially constituting Sexual Misconduct, describes the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held and findings of fact supporting the determination.
- (b) Conclusions regarding the application of the University's policies and regulations to the facts, including conclusions as to whether the alleged conduct occurred should also be noted in the determination. A statement of, and rationale for, the result as to each allegation may also be included. The Hearing Officer must decide the issue of responsibility and state the procedures and available bases for appeal.
- (c) The determination will include any disciplinary sanctions the University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided to the Complainant (without disclosing the nature of those remedies except to the extent a remedy also imposes requirements on the Respondent).
- (d) The University will provide the written determination to the parties simultaneously within fourteen (14) business days from the conclusion of the hearing. The Hearing Officer will also provide a copy of the written determination to the Title IX Coordinator.
- (e) The determination of Responsible or Not Responsible shall be based solely on the information presented during the proceedings and collected during the Title IX investigative process. The Hearing Officer shall consider any statements provided by either party or witnesses that has not been subject to cross-examination at the live hearing. The Hearing Officer shall consider statements made by the parties and witnesses during the investigation, emails or text exchanges between the parties leading up to the alleged sexual harassment, and statements about the alleged sexual harassment that satisfy this Regulation's relevance rules, regardless of whether the parties or witnesses submit to cross-examination at the live hearing. A Decision-Maker, or Hearing Officer, may also consider police reports, sexual assault nurse examiner documents, medical reports, and other documents that contain statements of a party or witness who is not cross-examined at the live

hearing.

(24) **Disciplinary Sanctions.** In reaching a determination regarding sanctions, consideration will be given regarding the severity and/or pervasiveness of the circumstances. All sanctions will be in accordance to applicable University Regulations, including without limitation, University Regulations 2.012, 10.111, or 10.302, as applicable. Student Conduct and Conflict Resolution will oversee disciplinary sanctions for students as set forth in University Regulations 2.012 and 1.019. Human Resources will oversee disciplinary sanctions for employees as set forth in University Regulations 1.019, 10.103, 10.111 and 10.302 and applicable collective bargaining agreements. Nothing in this Regulation shall be construed as preventing the University President from taking any action which may be deemed necessary to meet the goals of this Regulation. The President may change the outcome and/or sanctions for any matter under the jurisdiction of this Regulation.

(25) **Appellate Rights.** In the event that either party is dissatisfied with the outcome of the hearing (or dismissal of the Formal Complaint),

(a) either party may appeal on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
3. The Title IX Coordinator, investigator(s), or Decision-Maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
4. The sanctions are extraordinarily disproportionate to the violation committed.

(b) The Appeal Process will be implemented for each party equally and is outlined below:

1. Appeal Process when Student is the Respondent:
  - a. The Complainant or Respondent has ten (10) business days from the date of the written determination to file their written appeal with the Dean of Students or other designated University official. A copy of the appeal must be sent to the Hearing Officer and Title IX Coordinator. Once the Complainant or Respondent files an appeal, the Title IX Coordinator must notify the other party in writing that an appeal has been filed and send them a copy of the appeal. The party who did not file an appeal has ten business days from the date of receipt of the appeal to respond to the appeal.
  - b. The written appeal must specify reason(s) why consideration should be granted and should refer to the appeal bases in section (25). At the conclusion of the appeals process, the decision of the Dean of Students, or other designated University official, shall be final, and the Vice President for Student Affairs shall sign a final order of decision.
  - c. No student's final penalty shall begin to run until all University appeals are exhausted or denied.
  - d. If the student chooses to appeal, the recording of the Formal Hearing shall be made available to the Respondent, Complainant and the Dean of Students.

- e. Final appellate decisions resulting in a suspension or expulsion of a student must include notice to the student of the student's right to appeal to an external judicial forum.

2. Appeal Process when Employee is the Respondent:

- a. The Complainant or the Respondent has ten (10) business days from the date of the written notification to make their appeal in writing and file the appeal with the Office of Human Resources along with a copy to the Title IX Coordinator.
- b. The written appeal must specify reason(s) why consideration should be granted and should refer to the appeal bases in section (25). Decisions of the hearing panel are appealed to the Office of Human Resources for review by the Associate Vice President for Human Resources. At the conclusion of the appeals process, the decision of the University official shall be final, and the appropriate Vice President shall notify the Respondent of their decision.
- c. Any disciplinary action imposed by the University will begin after all University appeals are exhausted under this Regulation.
- d. Final appellate decisions resulting in disciplinary action of an employee must include notice to the employee of their right to appeal under applicable University regulations, policies and collective bargaining agreements.

(26) **Retaliation.** Members of the University community are prohibited from engaging in retaliation against one another for reporting a Title IX violation or participating in a Title IX investigation.

- (a) Findings of retaliation are independent of the underlying claim of Sexual Misconduct and will result in disciplinary action, up to and including termination and/or expulsion, in accordance with applicable University regulations, policies and collective bargaining agreements.
- (b) Complaints alleging Retaliation will follow the same Formal Hearing process outlined in this Regulation. The exercise of rights protected under the First Amendment does not constitute Retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX Formal Hearing proceeding does not constitute Retaliation; however, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

(27) **Recordkeeping.** Florida A&M University will maintain for a period of seven years records of:

- (a) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required, any disciplinary sanctions imposed on the Complainant designed to restore or preserve equal access to the University's education program or activity;
- (b) Any appeal and the result therefrom; and
- (c) Any informal resolution and the result therefrom

(28) **University Resources.**  
**Department of Campus Safety and Security**



850-599-3256

<https://www.famu.edu/administration/campus-services/campus-police/index.php>

The FAMU Police are available to respond to emergency calls, to report a crime and for crime investigations. This office also maintains the Annual Security Report pursuant to the Jeanne Clery Act.

### **Office of Counseling Services**

850-599-3145

<https://www.famu.edu/students/student-resources/health-and-wellbeing/counseling-services/index.php>

The Office of Counseling Services provides confidential counseling services and referrals. They also provide a victim advocate who is available to support students that have been victims of a crime, including Sexual Assault. Victim advocates can be reached after hours through the FAMU Department of Campus Safety and Security.

### **Office of Equal Opportunity Programs**

**850-599-3076**

<https://www.famu.edu/about-famu/leadership/division-of-legal-affairs/equal-opportunity-programs-and-labor-relations/index.php>

The Office of Equal Opportunity Programs investigates complaints of discrimination and harassment based on protected class issues.

### **Title IX Coordinator, Letitia McClellan**

**850-599-3076**

See EOP website address above. Letitia McClellan is the Title IX Coordinator at FAMU and can be reached at [titleix@famu.edu](mailto:titleix@famu.edu). This Office is responsible for investigation of sex-based discrimination and misconduct including, but not limited to, issues in Athletics, sexual harassment, and violence.

### **Student Health Services**

**850-599-3777**

<https://www.famu.edu/students/student-resources/health-and-wellbeing/health-services/index.php>

Student Health Services (SHS) provide medical services to students. With a Sexual Assault nurse examiner (SANE) on staff, SHS will address health concerns related to an assault, including STI/STD testing, and emergency contraception. Evidentiary examinations (rape kits) are performed at Tallahassee Memorial Healthcare.

### **Dean of Students**

**850-599-3183**

<https://www.famu.edu/administration/division-of-student-affairs/dean-of-students/index.php>

The Dean of Students has oversight for many areas including Victim's Advocate, Counseling Services, Student Clubs and Organizations, Greek Life, and Student Health Programs.

### **Office of Student Conduct and Conflict Resolution**

**850-599-3541**

<https://www.famu.edu/administration/division-of-student-affairs/office-of-student-conduct-and-conflict-resolution/index.php>

The Office of Student Conduct has the responsibility of enforcing the Student Code of Conduct to ensure that all students have an opportunity to live and learn in a safe and scholarly environment.

### **FAMU Compliance and Ethics Hotline**

**866-445-4968**

<https://secure.ethicspoint.com/domain/media/en/gui/74408/index.html?reloadPage=1>

The FAMU Compliance hotline allows an individual to anonymously report by phone or online, suspected issues of misconduct or violations of University Regulations.

### **Case Management Services**

**850-599-8513**

<https://www.famu.edu/administration/division-of-student-affairs/case-management-services/index.php>

Case Management works as a liaison to connect students with the appropriate resources on and off campus.

### **Victim Advocate Program**

**850-599-8785**

<https://www.famu.edu/students/student-resources/victim-advocate-program/index.php>

The Victim Advocate Program serves as a confidential resource and support service for anyone in the University community who has been a victim of a crime.

### **(29) Community Resources.**

- **Tallahassee Police Department** 911 (in case of emergency) or (850) 891-4200 (non-emergency)
- **Leon County Sheriff's Office** 911 (in case of emergency) or (850) 606-3300 (non-emergency)
- **Refuge House** (850) 681-2111 (24-hour hotline)
- **Tallahassee Memorial Healthcare** (850) 431-1155 (general)
- **HCA Florida Capital Hospital** (850) 325-5000 (general)

*Specific Authority: Article IX, section 7(c), Florida Constitution, Board of Governors Regulation 1.001; 6.0105; History: New October 3, 2020; March 1, 2022 Technical Amendment (Coordinator Name Change), Amended 3-28-24.*

## APPENDIX B: 2.011 Assessment

### 2.011 Assessment and Care Team

- (1) The Florida A&M University Assessment and Care Team (“ACT”) supports the safety and well-being of the University community through education, communication, collaboration and appropriate, timely intervention. ACT will respect privacy and confidentiality while proactively fostering prevention and awareness.
- (2) ACT is responsible for reviewing, assessing, and making recommendations and/or referrals regarding any University student (student) who may be in significant distress, especially those who may do harm to self, others, or their behavior is significantly disruptive to the educational or working environment. The composition of the Team will be determined by the Vice President for Student Affairs.
- (3) Students, faculty, staff, stakeholders, or other individuals with direct knowledge of the behavior in question may make a referral. All referrals must be in writing, preferably using the ACT Referral Form. The referring person must include, in the written report his or her name, employee or student identification number, e-mail address and telephone numbers. Individuals who make referrals to ACT should be aware that the student who is being reported may have access to the content of the written referral. All referrals will be evaluated by ACT.
- (4) Potential outcomes as a result of the ACT evaluation may include, but are not limited to:
  - (a) No action recommended at this time, with or without further observation,
  - (b) Request and/or gather additional information,
  - (c) Assist faculty or staff in developing a plan of action to address the reason for the referral,
  - (d) Referral to existing on-campus support services (e.g., Student Conduct and Conflict Resolution, Campus Safety and Security, Office of Counseling Services, Student Health Services, Dean of Students, Ombudsman, etc.),
  - (e) Referral to appropriate community resources,
  - (f) Other action deemed appropriate by ACT.
- (5) Decisions/recommendations of ACT are not disciplinary action but rather remedial action taken to assist and protect individuals; thus, the decisions are final and there is

no appeal process. ACT shall develop policies and procedures to implement this Regulation.

(6) Students who do not comply with the recommendations/referrals may be placed on an administrative hold, which prevents the student from conducting business at the University (i.e. any form of registration or obtaining transcripts). Students may also be referred to the Dean of Students for further action, including but not limited to, involuntary withdrawal from the University, prohibition from attending classes and participating in extra-curricular activities in accordance with existing University Regulations, policies and procedures until compliance is achieved.

(7) The Vice President for Student Affairs may establish and appoint a University Threat Assessment Team (TAT) to identify, inquire, assess, and manage potentially violent or dangerous situations. The Threat Assessment Team will maintain continuity in understanding potential risk early, react quickly, and work closely with the ACT. The Threat Assessment Team may review and assess any matter where a safety concern, interim suspension, immediate temporary involuntary withdrawal or other immediate separation from the University is imposed and provide a recommendation(s) to the appropriate University official(s). At least one designee from the FAMU Department of Campus Safety and Security and a separate designee from the ACT must serve on the Threat Assessment Team. The TAT shall develop policies and procedures to implement this provision.

*Specific Authority: Article IX, section 7(c), Florida Constitution, Board of Governors Regulation 1.001; History: New April 29, 2015, Amended July 30, 2020, Amended August 23, 2023*

## APPENDIX C: 2.012 Student Conduct

### 2.012 Student Code of Conduct

- (1) The Student Code of Conduct (“Code”) applies the principles and freedoms found in University Regulation 2.013, Due Process, Other Rights, and Responsibilities, by promoting responsible freedom for all students. This Code seeks to apply the principle of responsible freedom as it guides the conduct of Florida A&M University (“University”) students. The responsibility to know and abide by the Code ultimately lies with the student. The Student Code of Conduct supersedes all other means of disciplining or removing students for behaviors prohibited by the University.
- (2) As members of the University community, students enjoy the rights and privileges that accrue to such membership including, but not limited to, academic freedom and participation in the decision-making processes of the University. Florida A&M University protects the First Amendment rights of all, including those constitutionally protected views and values contrary to FAMU’s mission and fundamental principles. Freedom of expression includes the right to present and advocate ideas in the spirit and development of knowledge. The University supports and encourages a full and open discourse and the robust exchange of ideas and perspectives. While the University upholds these freedoms, the University will not permit speech, expression, or assembly that advocates lawlessness and/or violence, or restrains, disrupts, or interferes with activities of members of the University community, whether by physical force or intimidation. Additionally, students are subject to the obligations and duties that accompany this membership and are responsible for compliance with the requirements of law and University regulations, policies, and procedures. It is incumbent upon members of the University community to notify the appropriate student conduct body or officials of a violation of this Regulation, to encourage all to comply with the Code, and assist in their enforcement by providing relevant information as witnesses when called upon to do so. Accordingly, all purported violations of the Code shall be referred to the University Conduct Officer (Director of Student Conduct and Conflict Resolution). Students, faculty, staff, stakeholders, or other individuals with knowledge, may report violations of the Code, in writing, to the Office of Student Conduct and Conflict Resolution.
- (3) The University does not tolerate any violation of any provision of University Regulation 2.028 Anti-Hazing or University Regulation 2.012, Student Code of Conduct. This means that given the factual circumstances of the purported violation, the charged student may be removed from University Housing and receive a sanction including, without limitation, suspension or expulsion from the University.

- (4) Due process protections, in accordance with University Regulation 2.013, will be appropriately afforded the charged student.
- (5) **Information Meeting.** If the University Conduct Officer or their designee believes after a review of the purported violations that the information has merit, the student will be issued written notice to attend a mandatory Information Meeting before the University Conduct Officer or their designee. At the Information Meeting, the University Conduct Officer or their designee will explain to the student the alleged violations, the elements of due process that will be afforded and the student's resolution options.
- (a) Student conduct proceedings may be instituted against a student charged with a violation of the law that is also a violation of the Code. The University reserves the right to proceed under the Code with a hearing and the possible imposition of a sanction prior to, concurrent with, or subsequent to civil litigation, criminal arrest, and/or criminal prosecution.
  - (b) With the exception of extenuating circumstances, the University will proceed with an alleged violation of the Code prior to any final disposition of the Courts.
  - (c) Determinations made or sanctions imposed under the Code shall not be subject to change because criminal or civil charges arising out of the same facts giving rise to violation of University rules and regulations were dismissed, reduced, or resolved in favor of or against the charged student.
  - (d) Any admission of guilt, responsibility, or statement against the charged student's interest made by a charged student at off-campus proceedings shall be conclusive for University purposes.
  - (e) A verdict of guilty, a plea of guilty, a plea of no contest (*nolo contendere*) or similar plea in a court of law by a charged student will operate as a conclusive finding that the charged student is "Responsible" for the purpose of student conduct proceedings.
  - (f) Prior to the issuance of the outcome letter, the University may amend the violation(s) based on information obtained through an outside proceeding when that information is relevant to activity adversely affecting the University community.
  - (g) The University will cooperate fully with law enforcement agencies in any criminal prosecutions to the extent permitted by law.
  - (h) Student conduct proceedings are closed to the public.
- (6) **Jurisdiction.** Discipline may be imposed for offenses against the Code occurring at any of the following locations or activities:
- (a) University Campus;
  - (b) University owned or controlled property;
  - (c) University premises, including, but not limited to, fraternities, sororities, and University recognized organizations' property;
  - (d) Activities sponsored by the University wherever they may occur;

- (e) Activities officially approved by the University that are conducted by University recognized organizations wherever they may occur;
- (f) Activities occurring off campus, including non-university related activities; or
- (g) Activities occurring on or off campus in any virtual/online platforms or through any other electronic means.

**(7) Definitions.**

- (a) Business Day – A day of normal business operation as designated by the University.
- (b) Charged Student – The student charged with a violation(s) of this Code.
- (c) Club and/or Organization - Any number of students who have complied with the University requirements for recognition. For purposes of this Regulation, the term “club or organization” is given the same meaning as student.
- (d) Complainant – An individual who reportedly experienced behavior that could constitute Gender-Based Misconduct regardless of whether the individual participates in the disclosure or review of that report by the University at any point.
- (e) Educational sanctions – Work assignments, essays, presentations, or other related educational assignments.
- (f) Expulsion – A student shall be removed from their academic program and permanently deprived of their opportunity to re-enroll or continue at the University in any status. The student is permanently separated from the University; the club/organization’s registration is revoked and the relationship with the University permanently severed.
- (g) Faculty member - Any person hired by the University to conduct classroom instruction and/or research activities or who is otherwise considered by the University to be a member of its faculty.
- (h) Hearing panel or officer - Any impartial person, persons, or committee who have been authorized by the University to determine whether a student has violated the Code and to determine sanctions that will be imposed when a Code violation has been committed.
- (i) Judicial hold - This prevents the student from conducting business at the University (i.e. any form of registration or obtaining transcripts).
- (j) Mediation - The process in which all students voluntarily agree to 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 students are responsible for keeping their agreement or renegotiating, if necessary. In the event 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 conduct proceedings. Breach of a mediated agreement may result in a follow up mediation session or the matter may be referred back through the conduct process.
- (k) Mediator – Any neutral member of the University community who has been trained in conflict resolution to assist parties in reaching a mutual agreement to resolve their

differences. The Mediator shall not have personal connections with either party or have prior knowledge of the disagreement.

(l) Not Responsible - The charged student has not been found to have committed a violation(s) of the Code or did not accept responsibility for the alleged violation(s) of a provision(s) of the Code.

(m) Preponderance of Information - The information presented supports the finding that it is more likely than not that the violation occurred.

(n) Probation – An indication that the student’s conduct violated the Code, the student is not in good standing, and requires the withdrawal of special privileges, participation in inter-collegiate activities, and other activities including, but not limited to participation in student clubs/organizations. Special privileges mean the student may not be elected to office or represent the University in any other capacity during the period of probation. If the student is holding an office, they must vacate the office for the term of probation. The sanction of probation is for a specified period and may also include a specified monetary fine from \$100.00 to \$350.00.

(o) Reporter – Any person who submits a report alleging that a student has violated this Code.

(p) Reprimand – A formal rebuke and official recognition by letter to the student of misconduct as charged by the University. There shall be a written record of the reprimand.

(q) Respondent – A student who is reported to have engaged in behavior that could constitute Gender-Based Misconduct. The term may also include an individual whose identity is unknown and there is reason to believe that they may be a student.

(r) Responsible - The charged student has been found to have committed a violation(s) or has accepted responsibility for violating a provision(s) of the Code.

(s) Restitution - Compensation for loss or damage to University property. This may be in the form of monetary or material replacement.

(t) Sanction - A condition or action imposed upon a student after the student has admitted that they are Responsible or has been determined Responsible by the Conduct Officer or a hearing panel for violating a provision(s) of the Code.

(u) Student - Any person admitted, enrolled, or registered for study at the University. This includes persons not officially registered or enrolled for a particular term but who are eligible to enroll or are associated with the University because they have not completed a course or program. For purposes of this Regulation, the term “student” also includes student clubs and organizations.

(v) Suspension - Separation of the student from the University for a definite period of time. The duration of the period of suspension shall not exceed five (5) years and shall be in direct proportion to the degree of seriousness attached to the misconduct. Readmission for suspensions exceeding one (1) year is conditioned upon the recommendation of an ad hoc



review board appointed by the President or Vice President for Student Affairs.

(w) University - The Florida A&M University whose main campus is located in Tallahassee, Florida and any of its satellite or branch campuses or programs.

(x) University/Community service - Specified areas of service for the benefit of the community or the University allocated to the student.

(y) University official - Any person employed by the University performing his/her assigned employment responsibilities.

(z) University premises - All buildings, land, facilities, and any other property owned, leased, operated, controlled, or supervised by the University.

(aa) University sponsored activity - Any activity on or off the University Campus which is initiated, aided, authorized, or supervised by the University, including virtual/online platforms or other electronic means.

(bb) The word “Can” is used in the permissive sense.

(cc) The word “May” is used in the permissive sense.

(dd) The word “Shall” is used in the imperative sense.

(ee) The word “Will” is used in the imperative sense.

(ff) All definitions not included in this Code are in accordance with definitions found in the Merriam-Webster’s dictionary located in the Office of Student Conduct and Conflict Resolution. Students may contact the Office of Student Conduct and Conflict Resolution or Center for Disability Access and Resources for online access.

## **(8) Violations.**

### **(a) Academic Dishonesty:**

1. *Cheating*: using, attempting to use or giving unauthorized information or material in any academic endeavor. Cheating includes, but is not limited to, unauthorized possession and/or use of an examination, course related materials, cheat sheets, study aids or other information in an academic exercise; communication to or collaboration with another through written, visual, electronic, oral means, or any other medium; submitting the same academic work for credit more than once without the express written permission of the instructor; use of any materials or resources a faculty member has notified the student or class are prohibited; or failing to follow the stated rules for an exam, paper, or other academic endeavor.

2. *Plagiarism* may be specifically defined for the purposes of any course by the school, institute, or college involved. Unless otherwise defined, plagiarism shall include, but is not limited to the student’s use of another’s work without any indication of the source and in so doing, conveying or attempting to convey that the work is the student’s own; submitting a document or assignment in whole or

in part that is identical or substantially identical to a document or assignment not written by the student; allowing another person to compose or rewrite an assignment or document.

3. A student who assists in any of the academic dishonesty violations mentioned above shall be considered equally as responsible as the student who accepts such assistance.

4. A student who is knowledgeable about any academic dishonesty violation is encouraged to report said violation.

5. When the University's schools, colleges, or institutes choose to internally address academic dishonesty violations, students should consult with the academic dean, director, or program coordinator in the respective school, college, or institute for procedural information.

6. In addition to the sanctions listed in Section (10) below, the sanction for academic dishonesty violations may include: reprimand; reduction of grade; denial of academic credit; invalidation of university credit or of the degree based upon such credit. The individual or student may also be denied admission or further registration, and the University may invalidate academic credit for work done by a student and may invalidate or revoke the degree based upon such credit if it is determined that the student has made false, fraudulent, or incomplete statements in the application, residence affidavit, or accompanying documents or statements in connection with, or supplemental to, the application for admission to or graduation from the University.

(b) Alcoholic Beverages: The violation of alcoholic beverages is defined as noted in University Regulation 3.021.

(c) Conspiracy: Assisting or attempting to assist another in any act(s) that violate(s) the Student Code of Conduct.

(d) Criminal Conviction: The student convicted of a criminal offense by an off-campus court of competent jurisdiction may be subject to sanctions by the University.

(e) Demonstrations/Riots: Participating in an on-campus or off-campus demonstration, riot, or activity that disrupts or obstructs the normal operations of the University and/or infringes upon the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.

(f) Destruction of property: Defacement, damage, misuse or destruction of University property or services, or the private property of another. In addition to being subject to conduct action, students or student organizations responsible for such damage may be financially liable.

(g) Disorderly Conduct: Behavior that disturbs the peace or undermines public safety, such as causing a disturbance or being unruly; failure to comply with the lawful order, policy, or reasonable request of an identified University official, any non-University law enforcement official, any non-University emergency responder, or any protective order.

(h) Disruptive Behavior: Disruption of a class, curricular, or University activity; obstruction of the free flow of pedestrian or vehicular traffic on University premises; interference with the rights of others to carry out their activities or duties at, or on behalf of the University; interference with the freedom of movement of any member or guest of the University; interference with the academic freedom and freedom of speech of any member or guest of the University; or any other act that impairs, interferes with or obstructs the mission, purposes, academic atmosphere, operations, processes, orderly conduct and/or functions of the University or the rights of other members of the University community.

(i) Drugs: Use, possession, manufacture, cultivation, distribution, purchase or sale of illegal drugs and/or controlled substances is prohibited. Illegal drugs include, but is not limited to, synthetic drugs or other substances that will alter a student's mental state (e.g. glue, nitrous oxide, paint, etc.); drug paraphernalia; possession or use of prescription medication not issued to the student or sale/distribution of prescription medication. Use, possession, manufacture, cultivation, distribution, purchase or sale of marijuana, including medical marijuana and/or cannabis is prohibited on University property.

(j) Extortion: The act or practice of obtaining something or compelling some action by force, coercion, intimidation, or threat is prohibited.

(k) Gambling: Participating, or play, in an unlawful game of chance for money or for anything of value on University premises, or at an affair sponsored by a student or student organization; to unlawfully sell, buy, barter or dispose of a ticket, or any interest in a scheme of chance by whatever name on University premises or at any affair sponsored by a student or student organization; wager on a University team or organization in a competition, with a direct influence in the success of the competition.

(l) Gender-Based Misconduct: Encompasses a range of behaviors including, but not limited to, all forms of sexual harassment, non-consensual sexual contact, sexual exploitation, as well as other forms of misconduct such as stalking and relationship violence. Gender-based misconduct can occur between individuals who know each other, have an established relationship, have previously engaged in consensual sexual activity, and between individuals who do not know each other. Gender-based misconduct can be committed by persons of any gender identity and it can occur between people of the same or different gender.

1. Consent to sexual activity must be knowing, intelligent, unambiguous, and

voluntary. Consent is active, not passive. This means there must be clear and willing participation, through words or actions, for each sexual act. Submission to sexual activity that is the result of force, coercion, or threats is not valid consent.

2. Consent to past sexual activity and/or one form of sexual activity does not imply consent to future sexual activity and/or other forms of sexual activity.

There must be consent at every stage of the sexual encounter.

3. Consent can be withdrawn by any party at any time, including in the middle of a sexual encounter, if the withdrawal of consent is clearly indicated by words or actions.

4. Persons who are incapacitated by voluntary or involuntary alcohol or drug use (legal, illegal, or prescription), asleep, unconscious, mentally impaired by disease or illness, or under 18 years old cannot give consent to sexual activity, no matter what they say or do. If there is any question regarding whether a person may be incapacitated, do not engage in any type of sexual activity with that person.

5. Gender-Based Misconduct offenses include, but are not limited to:

a) *Sexual Harassment*: Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature if: (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education, living or work environment, employment, or participation in a University-related activity or University Program; (2) submission to or rejection of such conduct by an individual is used as the basis for or a factor in decisions affecting that individual's education, living or work environment, employment, or participation in a University-related activity; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's educational performance or creating an intimidating, hostile, offensive, or abusive environment for that individual's education, living environment, employment, or participation in a University-related activity.

b) *Non-Consensual Sexual Contact* (or attempts to commit same):

Unwanted or unwelcome touching of a sexual nature including, but not limited to, kissing, fondling, oral sex, anal or vaginal intercourse, digital penetration or penetration by an object, or other physical sexual activity that occurs without valid consent.

c) *Sexual Exploitation*: Occurs when one person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit

other than the individual being exploited, and the behavior does not otherwise constitute one of the other gender-based misconduct offenses. Examples of sexual exploitation include, but are not specifically limited to:

- i. Invasion of sexual privacy, including sharing information about an individual's sexual orientation, history, or preferences;
- ii. Non-consensual photographing, video or audio recording of sexual activity, nude or sexual images;
- iii. Non-consensual distribution of photos, videos, other images, or information of an individual's sexual activity, nude or sexual images;
- iv. Going beyond the boundaries of consent (such as letting friends hide in the closet to watch you engage in sexual activity);
- v. Engaging in voyeurism;
- vi. Knowingly transmitting a sexually transmitted infection (STI) or HIV to another student;
- vii. Exposing one's genitals in non-consensual circumstances;
- viii. Inducing another to expose their genitals; or
- ix. Prostitution of another person.

d) *Relationship Violence*: Any act of violence or threatened act of violence that occurs between individuals who are or have been involved in a sexual, romantic, dating, spousal, domestic, or other intimate relationship. Relationship violence can also include psychological, sexual, economic, cultural and emotional abuse, when one partner tries to establish or maintain power and control over the other.

e) *Intimidation*: Implied threats or acts that cause an unreasonable fear of harm.

f) *Gender-Based Harassment*: Any slurs, innuendos, or other verbal or physical conduct reflecting on an individual's gender, sexual orientation, gender identity, or gender expression which has the purpose or effect of creating an intimidating, hostile or offensive educational, living or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities or participation in University-related activities.

g) Other student conduct offenses may also fall under Gender-Based Misconduct as determined by the Office of Student Conduct and Conflict

Resolution. Examples of these offenses include, but are not limited to:

- i. Behavior prohibited under University Regulations 10.103, Non-Discrimination Policy and Discrimination and Harassment Complaint Procedures and 1.022 Title IX Sex Discrimination and Sexual Misconduct Prohibition, and Formal Hearing Process;
- ii. Hazing: Refer to University Regulation 2.028, Anti-hazing;
- iii. Retaliation in connection with allegations of gender-based misconduct; and
- iv. Stalking: Refer to subsection (8) (w) below.

#### **6. Complainant Rights in a Gender-Based Misconduct Case:**

- a) While the University encourages all violations to be reported, the Complainant has the right to choose whether or not to file a formal complaint. There is also the option of filing an anonymous report. However, filing an anonymous report may limit the University's ability to investigate, respond and act, including but not limited to charging a Respondent with a violation of this Code and/or other University Regulations or to address the needs of the Complainant;
- b) A Complainant also has the right to file a report and request confidentiality. However, the University cannot guarantee confidentiality in all circumstances. There may be circumstances based on the status or seriousness of the purported offense, that confidentiality may not be honored when the University must investigate and take action to protect the Complainant or other members of the University community. The University will only disclose information to individuals with a need to know in order to review, investigate, and resolve reports of Gender-Based Misconduct or as permitted or required by law. If the University is unable to honor a request for confidentiality, the Complainant will be notified;
- c) In addition to pursuing administrative/conduct remedies, the Complainant maintains the right to pursue criminal charges;
- d) The Complainant may, at their initiative and expense, have one (1) advisor, advocate, or legal representative of their choice present throughout the conduct proceedings. The advisor, advocate or legal representative may be present to advise the Complainant and may participate in all aspects of the conduct proceeding but shall not testify for the Complainant and may not serve in any other role. The University

provides a victim advocate to assist and support Complainants during the conduct process. The Complainant must provide, in writing, to the Office of Student Conduct and Conflict Resolution the name, mailing or email address, and phone number of their advisor, advocate or legal representative at least three (3) business days prior to the meeting or hearing date;

e) The University may prohibit the Complainant's past sexual history from being presented as information in University proceedings;

f) The Complainant may attend the entire portion of the hearing at which information is received, excluding deliberations;

g) The Complainant will receive similar and timely access to any information that will be used during the proceedings;

h) The Complainant may submit potentially relevant questions to the hearing panel chairperson prior to and during the hearing;

i) The Complainant may present relevant information or witnesses during the hearing;

j) The Complainant may ask relevant questions of witnesses who give statements during the hearing. All questions will be submitted in writing to and asked by the chair of the hearing panel;

k) If the Respondent is found responsible, the Complainant may submit a written impact statement to be considered by the hearing panel before the panel determines the appropriate sanction(s). The statement may include a description of how the Complainant was impacted by the conduct violation and may include a recommendation for sanctions. While the impact statement is not binding, the impact described in the statement, together with the totality of the circumstances, including the Respondent's conduct record, shall be considered in determining the appropriate sanction(s).

l) Please refer to the additional rights noted in University Regulation 2.013(5).

#### 8. Respondent Rights in a Gender-Based Misconduct Case:

a) Respondent rights are provided in University Regulation 2.013 (1) (4).

b) The Respondent may, at their expense and initiative, have one (1) advisor, advocate or legal representative of their choice present throughout the conduct proceedings. The advisor, advocate or legal representative may be present to advise the Respondent and may participate in all aspects of the conduct proceeding but shall not testify for the Respondent and may not serve in any

other role. The University provides a Case Manager to assist Respondents during the conduct process. The Respondent must provide, in writing, to the Office of Student Conduct and Conflict Resolution the name, mailing or email address, and phone number of their advisor, advocate or legal representative at least three (3) business days prior to the meeting or hearing date.

9. Respondent and Complainant Hearing/Panel Additional Procedures in a Gender-Based Misconduct Case:

- a) The student conduct proceeding shall be conducted by an impartial University official or designee or a panel comprised of only University officials or designees.
- b) Upon request, the Complainant, Respondent and witnesses may provide relevant information in a manner that avoids direct contact with the Respondent, Complainant or witnesses; and
- c) A Complainant or Respondent may not be questioned directly by the other. All questions shall be asked through the hearing panel chairperson.

10. Pending Outcome of Proceedings in a Gender-Based Misconduct Case:

- a) The Vice President for Student Affairs, Dean of Students or Director of Housing is authorized to modify living arrangements in cases where the Complainant and Respondent live in the same residential hall or complex;
- b) The Vice President for Student Affairs, Dean of Students, or the University Conduct Officer is authorized to issue an immediate No Contact directive, forbidding the Complainant and Respondent from all contact;
- c) The Provost and/or the academic dean is authorized to establish an immediate reassignment of classes when both the Respondent and Complainant attend the same classes;
- d) The University provides on-campus counseling services for students involved in reports of gender-based misconduct;
- e) The University may provide additional rights and options in response to an incident;
- f) Both the Complainant and the Respondent shall be informed of the outcome of any University conduct proceeding regarding reported gender-based misconduct, the University's final determination and any sanctions;

11. Appeal. Both the Complainant and Respondent have the right to appeal the outcome of the proceedings as outlined in University Regulations 2.012(24) and 2.013(1)(i).

- a) If either the Complainant or Respondent submits an appeal, the other individual will be notified of an appeal submission, given the opportunity to review the submitted appeal and given an opportunity to submit a written



response within ten (10) business days to the Dean of Students or other designated University official.

(m) Harassment: Verbal or written abuse (including electronic communications or internet activity), threats, intimidation, coercion and/or other conduct that endangers the health, safety, or welfare of others, or places another individual in reasonable fear of physical harm or creates a hostile environment in which others are unable to reasonably conduct or participate in work, education, research, living or other activities. Harassment also includes actions defined in University Regulation 10.103.

(n) Hazing: Hazing is defined in University Regulation 2.028.

(o) Identification violations include:

1. Failure to present identification when requested by a University Law Enforcement Officer or other University official who identifies themselves.
2. Alteration or attempted alteration, illegal use or attempt to illegally use another's identification regardless of methodology (i.e., card, identification number, access code, etc.).
3. The student who allows another student or any individual to use their student identification card, identification number, decal or other means of identification.
4. To manufacture, distribute, deliver, sell, purchase, possess, or use of false identification.
5. Impersonation or misrepresenting the authority to act on behalf of another or the University.

(p) Mail: The opening and removing of the mail, including electronic mail, of another person without authority is a violation of Federal law. University sanctions may also be imposed for such a violation.

(q) Misuse of computer facilities, wireless system, network, data and resources, including but not limited to:

1. Unauthorized access, entry, or use of a University or another's computer, computer system, security systems and equipment, network, software, password, account or data;
2. Unauthorized alteration or degradation of computer equipment, software, network, data, or system performance;
3. Unauthorized copying or distribution of computer software or data;
4. Theft or unauthorized use of intellectual property or copyrighted materials;
5. Use of a computer or computer system in the commission of a crime to violate or facilitate the violation of laws, Board of Governors or University rules, regulations, or policies;
6. Any unauthorized commercial use of University or another's computer or computing resources;

7. Any unauthorized use of electronic or other devices to make an audio or video recording;
8. Use of computing facilities and resources to send obscene or defamatory messages or material;
9. Use of computing facilities or resources to interfere with the work of another student, faculty/staff, University official, or the normal operation of the University computing system; or
10. Any other violation of the University's or Florida Board of Governors regulations, policies, procedures and/or guidelines regarding information technology, computer and data use.

(r) Misuse of Safety Equipment and Other Safety Violations: Vandalizing or misusing emergency equipment for non-emergency events, which includes but is not limited to intentional misuse of 911, blue lights systems, fire alarm pull stations, fire extinguishers, smoke detectors, or heart defibrillators; unauthorized use of emergency exit doors; obstructing an emergency exit or leaving exit and/or fire doors propped open; false report of an explosive or incendiary device; causing or attempting to cause a fire or explosion; failure to evacuate during a fire alarm on the University's premises or at any University activity.

(s) Noncompliance with a University Official's Directive: Failure to comply with oral or written instruction from a University official (i.e. faculty, staff, administration, residence hall staff, law enforcement officer) acting within the scope of their job duties. This also includes but is not limited to giving access to or hiding any individual who has been restricted or prohibited from entering any part or all of the University's campus or any other University owned or controlled property.

(t) Obstruction of the Student Conduct System, including but not limited to:

1. Failure to obey a notice from the University Conduct Officer to appear for an Information Meeting or hearing as part of the student conduct system;
2. Falsification, distortion, or misrepresentation of information before a hearing panel, hearing officer, or a staff member of the Office of Student Conduct and Conflict Resolution during a student conduct meeting;
3. Disruption or interference with the orderly conduct of an administrative hearing;
4. Attempting to discourage an individual's proper participation in, or use of, the student conduct system;
5. Attempting to influence the impartiality of a member of a hearing panel prior to, during, and/or after an administrative hearing;
6. Harassment, verbal or physical, and/or intimidation of a member of the hearing panel, hearing officer, Student Conduct and Conflict Resolution staff, Reporter or a witness prior to, during, and/or after an administrative hearing; or

7. Influencing or attempting to influence another person to commit an abuse of the student conduct system.

(u) **Providing False Information and/or Falsification of University Records:** The student who falsifies records or gives misleading information, verbal or written. This includes falsifying, tampering, altering, forging, withholding of required information, or misusing any record or official document.

(v) **Public Indecency:** Public nudity is prohibited on the campus. This includes a student who is nude, causes another or attempts to cause another to become nude in public. Examples include but are not limited to public urination and exposure of sexual organs. Nudity means any person insufficiently clothed in any manner so that any of the following body parts are not entirely covered with a fully opaque covering:

1. The male or female genitals;
2. The male or female pubic area;
3. The female breast; however, breastfeeding a child is not public indecency and does not violate this Regulation; or
4. The buttocks. Attire which is insufficient to comply with this requirement includes, but is not limited to, G-strings, T-backs, and thongs. Body paint, body dyes, tattoos, liquid latex whether wet or dried, and similar substances are not considered opaque covering.

(w) **Stalking:**

1. Repeated following, contacting, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method that places a person in reasonable fear for his/her physical or emotional welfare; or
2. Behavior that is intentional and repeated, or meant to be done in humor or in jest, that results in the intimidation, injury or distress of another individual physically, mentally, or socially. The behavior may be physical, written, visual, electronic or verbal.
3. Stalking also includes actions defined in University Regulation 10.103.

(x) **Theft:** Unauthorized use or possession of, taking or attempting to take, the property or services of another. The property or services may be personal or public.

(y) **Unauthorized Use of Facilities and Grounds:** Unauthorized access, entry, or attempted entry into any University building or facility or the property of another; misuse or unauthorized use of classroom or laboratory facilities; abusing grounds or building structures, including but not limited to ramps, rails, stair cases, and entryways by means of skating, scootering, recreational cycling or other recreational activities or devices; unauthorized possession, duplication or use of keys, access cards/codes for any such property.

(z) **Violation of Law:** Violation of federal or state law or rules, local ordinance, or laws of other

national jurisdictions; Florida Board of Governors' Regulation; any other University regulation, rule, or University Board of Trustees Policy.

(aa) Violation of Residence Hall Policies: Violation(s) of any Department of Housing and Residential Life policy, rule, or regulation.

(bb) Violation(s) of the Terms of Conduct: Action imposed as a result of previous conduct proceedings under the provisions of this Code will subject the student to additional sanctions.

(cc) Violation of University Intellectual Property: Misuse or unauthorized use of the University's name, brand, acronym, logo, seal, symbols, marks, mascot, monogram, or other graphic identity symbol.

(dd) Violent Behavior: Conduct causing physical harm or injury; endangering the health, safety, or welfare of another or oneself; conduct causing severe emotional distress, or endangering one's own health or safety; any threat, attempt or offer to cause physical harm or severe emotional distress to another.

(ee) Weapons: Use and/or possession of weapons, firearms, ammunitions, explosives, knives, firecrackers, fireworks or any other instrument as a weapon is prohibited, except as provided by law. Firecrackers or fireworks may be used only when approved by appropriate University officials.

1. *"Weapon"* means any item (including, but not specifically limited to, metallic knuckles, sword, any dangerous chemical or biological agent, firearm, machine gun, starter gun, BB gun, stun gun, paintball gun, taser, archery equipment or any other object) which will, is designed to, or may readily be converted to, expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device.

2. *"Fireworks"* means and includes any combustible or explosive composition or substance or combination of substances, or except as hereinafter provided, any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. The term includes blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, roman candles, incense, dago bombs, and any fireworks containing any explosives or flammable compound or any tablets or other device containing any explosive substance. The term "fireworks" does not include sparklers; toy pistols, toy canes, and toy guns.

3. The term *"sparkler"* means a device which emits showers of sparks upon burning, does not contain any explosive compounds, does not detonate or explode, is hand-held or ground-based, and cannot propel itself through the air.

(9) **Sanctions**. A student found Responsible for a violation or violations of the Code shall be subject to sanctions commensurate with the offense with consideration given to any aggravating

and mitigating circumstances, including but not limited to, the student's conduct record. The student will be deemed to have knowledge of their record of previous conduct violations and sanctions. If a student does not complete a sanction by the required deadline, a hold may be placed on the student's record or additional violations may be issued. Sanctions include one or more of the following, unless otherwise expressly provided:

- (a) Counseling Assessment. The University can refer a student for an assessment at a counseling center for substance misuse, general mental health, or other counseling issues. The student shall choose an appropriately licensed and qualified facility.
- (b) Discretionary sanctions. Action not specifically set out but deemed proper by a majority of the hearing panel or the University Conduct Officer.
- (c) Educational Requirements. Attendance or presentation at educational programs; interviews with appropriate officials; planning and implementing educational programs; completion of an essay or project; or other educational activities.
- (d) Expulsion from the University. The student is not in good standing, is removed from their academic program and permanently deprived of their opportunity to continue at the University in any status, including but not limited to graduation or re-enrollment. A hold will be placed on the student's record and a permanent notation will be placed on the transcript. The club/organization's registration is revoked and the relationship with the University is permanently severed. All references (e.g. name, marks, symbols, paraphernalia, etc.) to the club/organization shall be removed from University property and students may not wear or display any reference (e.g. name, marks, symbols, paraphernalia, etc.) of the club/organization on campus.
- (e) Fine. A specific monetary amount ranging from \$100.00 to \$350.00, which may be included with a period of conduct probation. A fine may be issued for each individual violation or as an aggregate amount.
- (f) Mediation. Depending on the nature and severity of the alleged violation, the University Conduct Officer may recommend mediation as an alternative to formal conduct action. The involved parties must each agree to mediation in writing. Mediation shall not be offered as an alternative in instances to include, but not specifically limited to: loss of life, serious bodily injuries, use of weapons, hazing and the cultivation, distribution, or sale of drugs.
- (g) No Contact Directive. A directive to refrain from any contact, direct or indirect, with one or more designated persons or group(s) through any means including personal contact, e-mail, text messaging, telephone, social media or third parties. A No Contact Directive may be temporary or permanent.
- (h) Probation. Probation for a specified period which shall not exceed time needed by the student to complete requirements for graduation. Students placed on probation are not in

good standing with the University and may not be elected to office or represent the University in any other capacity during the period of probation. Additional conditions may be imposed as a part of club/organizational probation. Students on probation are subject to suspension or expulsion should they be found Responsible for another violation during the probationary term.

(i) Reprimand. Correspondence which notifies the student that their behavior did not meet University standards. There shall be a written record of the reprimand.

(j) Restitution for the loss or damage to University property. This may be in the form of monetary or material replacement.

(k) Restriction/Loss of Privileges. The denial of specific University privileges including, but not limited to, attendance at athletic functions, restricted library use, parking privileges, University computer usage, University facilities and resources; residence hall visitation for a designated period of time, etc.

(l) Suspension from the University for a period not to exceed five (5) years. A student who is suspended is not in good standing and may not be enrolled in classes (either in-person, online or virtual) or participate in University related activities, whether they occur on or off campus and must comply with all conditions imposed by the hearing panel or University official prior to re-enrolling or applying for registration/recognition as a club/organization. The student is not permitted to enter the grounds of the University's main campus or any other University owned or controlled property without specific written permission from the University Conduct Officer. A hold will be placed on the student's record and a notation will be placed on the transcript for the duration of the suspension period. Students who are suspended for more than one year will need to apply for re-admission to an ad hoc review board appointed by the President or Vice President for Student Affairs. A club/organization may not wear or display the club/organization's name, marks, symbols, or other paraphernalia, use University resources, facilities or participate in any University activities or events during the period of suspension.

(m) University/Community service. The student is required to complete a specified number of hours of service to the campus or general community.

(n) Withholding of diplomas, transcripts, or other records. The University may withhold issuance of diploma, degree, transcript or other record pending completion of a stated timeframe and all sanction(s) imposed.

(o) Any combination of the foregoing that the majority of the hearing panel, hearing officer or the University Conduct Officer may, under the circumstances, consider fair and appropriate.

(10) Students are required to carry a Florida A&M University picture identification card at all times. Failure to do so may subject them to reasonable detention by appropriate University

authorities.

(11) **Notice.** The written notice of the violation(s) to the charged student should proceed the actual hearing date, or information meeting with the charged student, by no less than seven (7) business days, except in an emergency. All notices, decisions and outcomes of conduct matters connected with the conduct process will be e-mailed to the student's University provided e-mail address. This method shall constitute proper notification to the charged student. At the discretion of the University Conduct Officer, correspondence may be sent to the student's last known local address as filed with the Registrar's Office and/or via iRattler. If no local address is on file, correspondence will be mailed to the student's permanent address. Students who have a change of address must file a change of address form at the Office of the University Registrar and/or via iRattler.

(12) **Time Limit.** Generally, the Office of Student Conduct and Conflict Resolution will charge a student with a violation within six (6) months from the date the violation was committed or discovered, whichever is later. However, the University Conduct Officer may exercise professional discretion when applying the time limit for charging a student when there are circumstances that warrant a waiver of the six (6) months' time limit. Circumstances that may warrant a waiver include, but are not specifically limited to: stalking, gender-based misconduct, or relationship violence; requests from law enforcement not to take action; or concern for the safety of students, University employees or other witnesses.

(13) **Judicial Hold.** A student who fails to respond to the written notice to attend the mandatory Information Meeting or fulfill any sanction(s) previously issued by the University shall be placed on judicial hold and/or prohibited from attending classes and participating in extra-curricular activities until compliance with the notice or sanction(s) is completed. The University may also take action necessary for resolution of a case prior to the student's enrollment in a subsequent semester, transfer or graduation. All pending conduct matters must be resolved prior to a student's graduation, transfer from, or continued education at the University.

(14) **Information.** A charged student may request an opportunity to provide information to the University Conduct Officer against other students who are charged with violations of the Code arising out of the same incident or circumstances, including the student's own involvement, in exchange for imposition of sanction(s) by the University Conduct Officer. Under this provision, the student waives their right to a hearing. The provision of information against other students will be considered a mitigating factor in determining sanctions.

(15) **Alternative to a Finding of Responsibility.** The University Conduct Officer may defer or suspend a finding of Responsibility pending completion of specific sanctions where circumstances warrant. If a student successfully completes the required sanctions, the student's conduct record may be sealed. This means that the record sealed will not appear on a student conduct/background check; however, the record may be considered by a hearing panel or the



University Conduct Officer should the student commit a subsequent violation of the Code.

(16) **Amnesty.** In serious or life-threatening situations, particularly where alcohol poisoning or drug overdose is suspected or where other medical treatment is reasonably believed to be appropriate, students are asked to call 911 (or FAMU Police Department at 850-599-3256 if on campus); stay with the person needing assistance until help arrives; and be prepared to give emergency medical personnel as much information as possible including the amount and type of alcohol or substances consumed. Students who receive medical attention as a result of alcohol and/or drug use are eligible for Amnesty and may not face formal action under the Code. Students seeking medical assistance for another person while simultaneously violating the alcohol and/or drug regulation may also be eligible. Students who qualify for Amnesty are required to complete educational measures and pay any incurring costs. It is the University's expectation that a student uses Amnesty only once. If a student is involved in subsequent alcohol and/or drug abuse incidents, the incident will be reviewed for violation(s) of the Code.

(17) **Scheduling of Hearing.** A hearing shall normally be scheduled within fifteen (15) business days from receipt of the student's written, signed request for such, unless the charged student and the University Conduct Officer or designee agrees in writing to a later hearing date or there are extenuating circumstances. Extenuating circumstances that may warrant a delay of a hearing include, but are not specifically limited to: unavailability of witnesses; illness; death; pending civil or criminal proceedings which might prejudice University findings; no contact order issued by a court; an on-going related law enforcement investigation; University closures and/or breaks between semesters; failure to meet composition requirements for the administrative hearing panel; and written requests for continuance from the charged student or from the University attorney.

(18) **Postponement.** A student charged with a violation of the Student Code of Conduct, regardless of which hearing panel may hear the matter, may request to have the hearing postponed for no more than sixty (60) business days and such postponement may be granted provided the student requests it in writing and agrees to accept the imposition of probation, suspension, or expulsion, depending upon the gravity of the offense. Such probation, suspension, or expulsion will be recommended by the University Conduct Officer to the Vice President for Student Affairs, who shall make a determination. Action taken shall remain in force until such time as the student requesting a hearing appears before the appropriate hearing panel and a hearing is held. The student shall be informed whether they would be placed on probation or would be suspended or expelled prior to deciding to postpone the hearing.

(19) **Interim Measures.** The University may take immediate action when a student or group of students poses a danger to the health, safety, or welfare of the student or a member of the University community. A hold will be placed on the student's record for the duration of the interim measures. Interim measures include but are not limited to the following:



(a) Interim Suspension. A student under interim suspension is considered not in good standing and may not attend nor participate in any classes (including online or virtual), may not be on or come onto University property except with the permission of the University Conduct Officer, may not participate in any University activities or organizations, and may not use University facilities, equipment or resources. The Vice President for Student Affairs may impose an interim suspension under the following circumstances:

1. The continued presence of the student on campus is likely to create interference with the educational process and/or the orderly operation of the University; and/or
2. The continued presence of the student on campus is likely to endanger the health, safety, welfare or property of the University community; and/or
3. The offense or conduct committed by the student is of such a serious, heinous or repulsive nature, as to adversely affect the University community and the student's suitability as a member of the academic community; and/or
4. The student convicted of or pleads guilty to a criminal offense of a kind which interferes with the educational orderly operation of the University, or a kind which, if the student were allowed to remain enrolled, would endanger the health, safety, welfare or property of the members of the academic community.

(b) Interim Removal from University Housing. A student under interim removal from University Housing may not reside in University Housing and may not enter any University Housing facility and/or adjacent areas of University Housing facilities. The Vice President for Student Affairs, Dean of Students or University Conduct Officer is authorized to remove a student from University Housing on an interim basis.

(c) No Contact Directive. A directive to refrain from any contact, direct or indirect, with one or more designated persons or group(s) through any means including personal contact, e-mail, text messaging, telephone, social media or third parties. The No Contact directive may apply to one or more students. The Vice President for Student Affairs, Dean of Students or University Conduct Officer is authorized to issue a No Contact Directive.

(d) Other Interim Measures. Other interim measures which may allow access to class(es), instruction and other educational support, include but are not limited to:

1. Restriction from or limited access to University property, facilities, services, or equipment;
2. Restriction from participation in University activities or organizations;
3. Restriction from any or all class(es). A student may be completely restricted from attending class(es) or may be limited to online or virtual class(es). A student who is restricted from attending class(es) may continue to receive instruction and course information in an alternate manner.

4. The Vice President for Student Affairs, Dean of Students or University Conduct Officer is authorized to impose the above interim measures. A review by the Threat Assessment Team may be requested in any matter where an interim suspension is imposed.

(20) **University's Right to Enter Housing.** In addition to the right of University officials to enter a student's room in University housing pursuant to the terms of the Housing Agreement, officials may enter when an emergency exists, where there is reasonable cause to believe there is a clear and present danger, or where there is a reasonable belief that contraband is present which interferes with the educational process of the University, or where the health, safety and welfare of the University community are in imminent and apparent danger.

(21) **Emergency and Administrative Hearings.**

(a) **Emergency Hearings.** The Vice President for Student Affairs reserves the right to appoint an ad hoc committee to hear matters regarding, but not specifically limited to, an interim suspension as outlined in Section (19) above. The chairperson of the committee, who may be an academic dean or director, shall be appointed by the Vice President for Student Affairs. Unless an ad hoc committee is appointed, the matter shall ordinarily be heard by the hearing panel and chaired by a staff member of the Office of Student Conduct and Conflict Resolution. The University Conduct Officer may request the review by the Threat Assessment Team is included as a part of the record for the Emergency Hearing. In the event the ad hoc committee or hearing panel lifts the interim suspension; the committee may implement any alternative interim measures.

1. The student shall have five (5) business days from the date of the notice to request, in writing, an emergency hearing solely on the interim suspension.

During the emergency hearing the student may show cause why their continued presence on the University campus is not a threat pursuant to Section (19) of the Code.

2. The emergency hearing shall be held within five (5) business days of receipt of the written, signed request from the student for an emergency hearing. Should a student timely request both an emergency and administrative non-emergency hearing (see Section 21(b) below, Administrative (non-emergency) hearings), the University Conduct Officer, at their discretion, may combine the hearings into one proceeding. If the hearings are combined, the timeframes for an emergency hearing shall govern.

3. If the student fails to timely request in writing an Administrative (non-emergency) hearing on the merits of the case, the University Conduct Officer in his/her sole discretion may accept a written request from the student to proceed

with informal disposition. Informal disposition is explained in Section (22) found below. The written request must be submitted within ten (10) business days following the emergency hearing. Should the student fail to submit a timely request for informal disposition, the University will adopt the allegations as the findings, find the student responsible for the alleged violations, and render sanctions accordingly. The student shall not have a right to appeal the merits of the allegations under this provision; however, the student may appeal the sanctions imposed.

4. In accordance with Regulation 2.012(21)(a) above, if a student does not provide a written request an emergency hearing within the five (5) business days from the date of the notice of interim suspension, the student will have waived the opportunity to the emergency hearing; therefore, the student shall remain suspended until they request an administrative hearing on the merits of the alleged violations, the administrative hearing is held, and sanctions are rendered. If the student fails to request in writing an administrative hearing pursuant to Regulation 2.012(21)(b), within the ten (10) business days from the date of the notice, the student waives the opportunity to the administrative hearing, and waives the right to contest the facts alleged against them. The University shall then adopt the allegations as the findings, find the student responsible for the alleged violations, and render sanctions, which may include the suspension or expulsion.

**(b) Administrative (Non-Emergency) Hearings.**

1. An administrative (non-emergency) hearing is on the merits of the case, i.e., whether the student committed the alleged offense or offenses under the Code.

The student must submit a written request for an administrative (non-emergency) hearing on the merits of the case within ten (10) business days. This information is also provided in the notice to the student. At the discretion of the University Conduct Officer, extenuating circumstances may be taken into consideration with regard to the ten (10) business day time limit such as a student's incarceration.

2. If the student does not provide a written request to the University for an administrative (non-emergency) hearing, the student waives the opportunity to the hearing and further, waives the right to contest the facts alleged against them. The University shall then adopt the allegations as the findings, find the student responsible for the alleged violations, and administer sanctions appropriately.

**(22) Informal Disposition.** In the event a student charged with an offense wishes to waive, in writing, their right to an emergency and non-emergency hearing and the University Conduct

Officer wishes to accept jurisdiction, the University Conduct Officer may make a determination of facts and, if the student is found Responsible for the offense, make a determination of sanction(s). The student's written waiver shall be obtained after being given an explanation of the violations against them and of their rights to a hearing under the Student Code of Conduct. The student shall have two (2) business days from the date of signing the waiver to rescind, in writing, the waiver and request a hearing. In the absence of a rescission of waiver, the student shall be informed in writing of the decision within fourteen (14) business days from the date of the waiver. Should the student elect to proceed under this provision and fail to complete the process, a judicial hold may be placed on the student's account. If the University Conduct Officer finds the student is responsible and sanctions are imposed, the student shall not have a right to appeal the merits of the allegations under this provision; however, the student may appeal the sanctions imposed.

**(23) Other University Boards.**

- (a) Violation of residence hall policies and procedures are punishable under the Code. Violation of the Visitation Policy as found in the University Housing Handbook may carry either an arrest for trespassing, suspension or probation, and removal from residing in University residential facilities.
- (b) Matters involving incidents arising in University Housing may be referred to the University Housing Judicial Appeal Committee by the Dean of Students or University Conduct Officer where the charged student is a resident of University Housing.
- (c) Matters involving a club and/or organization may be referred to the Clubs and Organization Review Board by the Dean of Students or University Conduct Officer.
- (d) Student Supreme Court. When a student is charged with a violation, which in the opinion of the University Conduct Officer, would not warrant a sanction in excess of probation, the University Conduct Officer may refer the case to the Student Government Association Supreme Court.
- (e) In the event the violation is within the jurisdiction of more than one primary hearing panel, the University Conduct Officer shall determine which primary hearing panel shall hear the violation.

**(24) Appeals.** Decisions of the Student Supreme Court pursuant to Section (23)(d) above, University Housing judicial boards, Clubs and Organizations Review Board, University Conduct Officer and administrative hearing panels are appealed to the Dean of Students or other designated senior University administrator. No person may hear or decide an appeal if they conducted or participated in the conduct proceeding being reviewed on appeal. At the conclusion of the appeals process, the decision of the Dean of Students, or other designated senior University administrator, shall be final, and the student's conduct matter shall be disposed of through a final order signed by the Vice President for Student Affairs, which includes notice to the student of the

student's right to appeal to an external judicial forum.

(a) The student has ten (10) business days from the date of the written notification of the decision by the hearing panel to submit an appeal in writing and file same with the Office of the Dean of Students. Deference is given to the original hearing panel's outcome; thus, the burden is on the student filing an appeal to demonstrate cause to alter the decision of the hearing panel.

(b) The written appeal must specify reason(s) why consideration should be granted and is limited to the following:

1. The student's due process rights, as outlined in University Regulation 2.013, were violated in the conduct proceeding;
2. New information exists that was not known to the student and could not have reasonably been known or discovered at the time of the original proceeding and which would have substantially affected the outcome of the proceeding. This does not include statements from an individual or student who did not appear for a proceeding.
3. The information presented during the proceeding does not support the decision;
4. The sanction(s) imposed is not commensurate with the violation(s), with consideration given to any aggravating and mitigating circumstances.

(c) The Dean of Students or other designated senior University administrator may uphold the decision and/or sanction(s); modify the decision and/or sanction(s); remand the case to the original hearing panel for reconsideration of the decision and/or sanction(s) subject to any instructions; or remand the case for a new hearing by a different hearing panel.

(d) No student's final sanction shall begin to run until all University appeals are exhausted or denied, except as specified under Section (19) above.

(25) **Record.** The University will maintain an accurate and complete record of each conduct proceeding. A digital recording of each hearing will be made by the Chairperson and preserved. Retention of the record is subject to the General Records Schedule GS5 for universities and community colleges. Deliberations shall not be recorded. During the appeal period, the charged student, with or without the company of legal counsel, and/or advisor, and/or parent with the written authorization of the charged student will be granted permission to listen to the recorded testimony under arrangements as determined by the University Conduct Officer, with the express understanding that the record is to remain confidential to the extent provided by law. The student may, at their own expense, arrange for the making of a full transcript of the recording by employment of a certified court reporting agency. The recording will be provided by the University with the written authorization of the charged student directly to the court reporting agency, who will be required to return the recording directly to the University. Other than the

above modes of recording the hearing, other mechanical, electronic devices for recording or broadcasting shall be excluded from the hearing. If the student chooses to appeal, the recording shall be made available to the charged student and the Dean of Students.

(26) The hearing panel, ad hoc committee or University Conduct Officer shall afford the charged student with due process, as provided by University Regulation 2.013, and/or Board of Governors Regulation 6.0105. The regulations implementing the due process provisions, as well as other matters referenced in said rules, but not included herein shall be printed in the student handbook, the FANG, under the section entitled “Student Rights, Responsibilities and Code of Conduct.”

**(27) Student Conduct Process.**

(a) In accordance with University Regulation 5.003, the University’s primary source of communication with students involved in the student conduct process is through the student’s FAMU e-mail address. Students are responsible for checking their FAMU e-mail on a regular basis.

**Reports**

(b) Alleged violations of the Student Code of Conduct shall be reported, in writing, to the University Conduct Officer by any individual with knowledge of the allegations. The University Conduct Officer will review the information to determine if: an investigation is warranted; a student will be charged with violating the Student Code of Conduct; there is not sufficient information and no further action will be taken; the action claimed is not a violation of the Student Code of Conduct; the accused person is not a student; or other appropriate action should be taken. The University Conduct Officer will refer all information warranting conduct action and assign the case to the appropriate staff member.

**Charges**

(c) If at any time during the course of the conduct process, the University Conduct Officer determines that either charges are not warranted or that insufficient information exists to continue, the charges may be withdrawn and the student will be notified of such in writing.

(d) Students charged with alleged violation(s) will receive written notice of the allegations and be required to attend a mandatory Information Meeting. During the Information Meeting, the staff member will explain the elements of due process afforded to the charged student; review the alleged violation(s) and corresponding allegations; provide the resolution options; and answer any questions. The student will also be given an opportunity to accept responsibility or not accept responsibility and select their resolution option. If the student opts not to make a selection at that time, the student shall contact the Office of Student Conduct and Conflict Resolution within two (2) business days with their selection. If the student does not provide their selection within the

required timeframe, an administrative hearing will be scheduled. A hold will be placed on a student's account who fails to attend the Information Meeting. Students who leave the University before a conduct matter is resolved may be prohibited from future enrollment until such time as the matter is resolved and a hold may be placed on the student's account.

### **Resolution Options**

- (e) The charged student has the right to a hearing before an impartial Administrative Hearing Panel, at least one-half of which must be students. However, Gender-Based Misconduct cases shall be heard before an impartial University official or designee or a panel comprised of only University officials or designees (refer to Section (8)(l) above). If the student selects the Administrative Hearing Panel, a staff member from the Office of Student Conduct and Conflict Resolution may serve as Chairperson and will be conducted in accordance with Hearing Guidelines below. Witnesses, documents, exhibits, etc. will be presented. Upon written request, the charged student shall have the opportunity to inspect all of the information related to the allegations, including inculpatory and exculpatory information and the names of any known witnesses. The inspection must occur at least five (5) business days before the hearing and the student is responsible for submitting a timely request. The Panel will determine if the student is Responsible or Not Responsible and any appropriate sanction(s). The charged student has the right to attend the entire hearing, excluding deliberations, and will be provided a written decision within fourteen (14) business days following completion of the hearing.
- (f) Alternatively, the charged student may waive their right to a hearing and select Informal Disposition. Informal Disposition is a meeting with a staff member in the Office of Student Conduct and Conflict Resolution. Upon written request, the charged student shall have the opportunity to inspect all of the information related to the allegations, including inculpatory and exculpatory information. The inspection must occur at least five (5) business days before the meeting and the student is responsible for submitting a timely request. The charged student will have an opportunity to respond to the information and present any documentary information on their own behalf; however, witnesses will not be presented. The staff member shall determine if the student is Responsible or Not Responsible and any appropriate sanction(s). Refer also to Section (22) above for additional information regarding Informal Disposition.
- (g) The University Conduct Officer may recommend mediation as an alternative to formal conduct action. Mediation is confidential and the involved students must each agree to mediation in writing. In mediation, the students meet with an impartial mediator to communicate their concerns and needs and reach their own agreement on the resolution of the case. In the event the students do not agree to mediation or fail to reach



an agreement, the case will be referred back to the above hearing options for disciplinary action.

### **Appeal**

(h) The charged student may appeal the decision and sanction(s) rendered by the Administrative Hearing Panel and the sanction(s) rendered during Informal Disposition to the Dean of Students or other designated senior University administrator as provided in Section (24) above.

(i) Decisions of any committee, hearing panel, or designated University official constitutes official action and is not a recommendation. If an appeal is not timely filed, the decision of the committee, hearing panel or designated University official becomes the final outcome.

**(28) Hearing Guidelines.** Student conduct hearings shall be conducted in accordance with the following guidelines:

(a) All hearings shall be closed to the public unless required by law.

(b) The charged student and their advisor, advocate or legal representative, if any, shall be allowed to attend the entire portion of the hearing at which information is received, excluding deliberation. No other person shall be permitted to attend.

(c) In conduct hearings involving more than one charged student, the University Conduct Officer or the chairperson, in their discretion, may permit the hearing concerning each student to be conducted separately or jointly. Information received during a hearing arising out of the same circumstances may be used.

(d) The charged student has the right to be assisted by one (1) advisor, advocate or legal representative, at their own expense and initiative. An advisor, advocate or legal representative may participate in all aspects of the conduct proceeding but shall not testify for the student and may not serve in any other role. A student should select an advisor, advocate or legal representative whose schedule allows attendance at the scheduled date and time of the hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor, advocate or legal representative. The student must provide, in writing, to the University Conduct Officer or the chairperson of the hearing panel, the name, mailing or e-mail address, and phone number of their advisor, advocate or legal representative at least three (3) business days prior to the meeting or hearing date.

(e) The charged student may arrange for witnesses to present pertinent information to the hearing panel. The University will try to arrange the attendance of possible witnesses who are members of the University community, if reasonably possible and who are identified by the charged student at least five (5) business days prior to the conduct hearing. Witnesses will provide relevant information to and answer questions from the



hearing panel and the charged student. No witness may be compelled to provide self-incriminating information. Witness statements may be provided to the hearing panel and are entitled to be given the same weight by the hearing panel as live witness testimony. A written statement is not a violation of the due process rights of the charged student, as the charged student has the opportunity to review and respond to the written statement and may offer information to rebut the witness statement and other information presented at the hearing.

(f) If the charged student fails to appear at the hearing after being properly notified or fails to cooperate in the hearing process, the hearing panel may hear the case on the basis of information accumulated as a result of witnesses and shall notify the charged student of the decision. In the absence of the charged student, a response of Not Responsible shall be entered on the student's behalf by the chairperson of the hearing panel. Also refer to Obstruction of the Student Conduct System, Section 8(t).

(g) A charged student may request only one postponement of a conduct hearing by contacting in writing the University Conduct Officer at least three (3) business days prior to the hearing. Postponement of the hearing shall be at the discretion of the University Conduct Officer or their designee.

(h) Witnesses shall not serve as advisors at any conduct hearing.

(i) At the time of the hearing, an automatic postponement shall be granted if the composition requirements of the hearing panel are not met.

(j) If any member of the hearing panel feels that they had previous contact with the case or with the students involved so that a fair judgment cannot be rendered, the member must request that they not serve for the hearing. The charged student may request that any member of the hearing panel be excused whenever the student can show a bias on the part of the member. The chairperson of the hearing panel will decide on such challenges and, if appropriate, ask the member to excuse him or herself. If the chairperson of the hearing panel is challenged by the student, the hearing panel will decide by a majority vote whether or not the chairperson should be requested to excuse themselves, notwithstanding that the chairperson does not vote on whether the charged student is Responsible or Not Responsible for violating the Code.

(k) A charged student may be diverted from the conduct process or hearing if prior to or during the conduct process or hearing, it is determined by the Dean of Students pursuant to University Regulation 2.007, Voluntary and Involuntary Withdrawal, that the charged student has a mental health issue and the objectionable behavior appears to be a result of the mental health issue.

(l) Pertinent records, exhibits, and written statements may be accepted as information for consideration at the discretion of the chairperson of the hearing panel.

- (m) All procedural questions are subject to the final decision of the chairperson of the hearing panel.
  - (n) After the portion of the conduct hearing concludes in which all pertinent information has been received, the hearing panel shall determine by a majority vote whether the charged student is Responsible or Not Responsible for violating each section of the Code for which the charged student is charged. The chairperson of the hearing panel cannot vote. Prior records of student conduct action and impact statements are considered by the hearing panel only if the student has been found Responsible and during the sanctioning phase of deliberations.
  - (o) Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court proceedings, do not apply in conduct hearings.
  - (p) The burden of proof in all conduct hearings shall be on the University and is not on the charged student. A “preponderance of information” shall constitute the standard of proof standard in all conduct hearings. The charged student shall be presumed Not Responsible for the alleged violation(s).
  - (q) The University Conduct Officer and/or the chairperson of the hearing panel may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Respondent, or any other participant during the hearing by providing separate waiting rooms and/or by permitting participation, when feasible, by video conferencing, videotape, audio tape, telephonically or other means.
  - (r) The administrative hearing panel is comprised of faculty members, staff members, administrators and students. The composition is variable from four to six (4-6) persons, depending upon the nature of the violation. At least one-half of the membership must be students.
  - (s) Any student with a disability may request reasonable accommodations during the conduct process. If accommodations are desired, the request must be made to the Center for Disability Access and Resources (CeDAR) at least seven (7) business days prior to the proceeding. If necessary, the University Conduct Officer may postpone the proceeding to provide reasonable accommodations. Non-students may contact the Office of Equal Opportunity Programs.
  - (t) The above guidelines for conducting a conduct hearing are not exhaustive. Therefore, the University Conduct Officer may adopt additional guidelines for the conduct of hearings that are not inconsistent with the provisions of this Code. Such procedural guidelines must be approved by the Vice President for Student Affairs or designee, must be in writing and made available to the charged student and all witnesses at least three (3) business days prior to the hearing.
- (29) Unless specifically stated otherwise herein, the provisions of this Code should be read and

interpreted broadly, and are not intended to define misconduct in exhaustive terms. The Office of Student Conduct and Conflict Resolution may adopt internal operating procedures, which are consistent with this Code. In instances where there may be conflict between the internal procedures and the Code, the Code shall supersede.

- (30) **Review of Code.** The Student Code of Conduct shall be reviewed on a biennial basis under the direction of the University Conduct Officer who shall appoint a committee, with student representation, to evaluate the Code and make recommendations, if any, for amendments or revisions.

*Specific Authority: Article IX, section 7, Florida Constitution, sections 1006.60, 1006.61, 1006.62, 1006.63, Florida Statutes, Board of Governors Regulation 6.0105. History—New October 1, 1975, Repromulgated March 8, 1976, Amended August 6, 1978, Amended December 22, 1983, Amended September 14, 1987, January 26, 2004, Amended June 29, 2006, Amended July 15, 2013, Amended March 6, 2014, Amended July 7, 2014, Amended June 11, 2016, Amended July 31, 2020, Amended January 8, 2021, Amended December 8, 2021, Amended August 23, 2023.*

## APPENDIX D: 2.013 Due Process

### 2.013 Due Process, Other Rights, and Responsibilities

(1) The due process requirements contained below shall be applicable in all cases involving academic dishonesty and purported violations of the Student Code of Conduct. Applicable definitions are found in Florida A&M University (“University”) Regulation 2.012, Student Code of Conduct. All definitions not included herein or in University Regulation 2.012, are in accordance with definitions found in the Merriam-Webster’s dictionary located in the Office of Student Conduct and Conflict Resolution. Students may contact the Office of Student Conduct and Conflict Resolution or Center for Disability Access and Resources for online access. Due process as applied by the University and its schools, institutes, and colleges shall include, at a minimum, the following:

- (a) **Notice.** The student shall be provided with written notice of the violations against them in sufficient detail and in sufficient time to prepare for a hearing or meeting before an appropriate and impartial committee, hearing panel, or designated University official. This notice shall be presented no less than seven (7) business days prior to the hearing or meeting, except in cases of emergency hearings, where the notice will be provided as soon as possible.
  - (b) **Scheduling of the Emergency and Administrative (non-emergency) Hearings.** The student shall be entitled to a prompt hearing or meeting before an appropriate and impartial committee or hearing panel, as established by the University. The student is responsible for ensuring that the University receives the student’s written request for any hearing within the allotted times.
1. **Emergency Hearing.** The student shall have five (5) business days from the date of the notice to request, in writing, an emergency hearing solely on the interim suspension at which the student may show cause why their continued presence on the University Campus is not a threat pursuant to University Regulation 2.012(19). For emergency hearings, the hearing shall be scheduled within five (5) business days from receipt of student’s written request.
  2. **Administrative (non-emergency) Hearing.** Pursuant to University Regulation 2.012(21)(b), when a student has been suspended on an interim basis, the student is provided with ten (10) business days from the date of the notice to request, in writing, an administrative (non-emergency) hearing on the merits of the case, i.e., whether the student committed the alleged offense or offenses under the Student Code of Conduct. The administrative (non-emergency) hearing shall be scheduled within fifteen (15) business days from receipt of the student’s written request.
  3. **Combined Hearings.** Should a student timely request both an emergency hearing on the interim suspension and administrative (non-emergency) hearing on the merits of the case (see University Regulation 2.012(21)(b), Administrative (non-emergency) hearings), the University Conduct Officer, at their discretion, may combine the hearings into one proceeding. If the hearings are combined, the timeframes for an emergency hearing shall govern.

4. **Information Meeting.** If the University Conduct Officer or their designee believes after a review of the purported violations that the information has merit, the student will be issued written notice to attend a mandatory Information Meeting before the University Conduct Officer or their designee. At the Information Meeting, the University Conduct Officer or their designee will explain to the student the allegations, elements of due process that will be afforded and the student's resolution options.
  5. Exceptions to scheduling the hearing within the specified number of days may occur due to outside factors such as the availability of witnesses or the hearing panel members. It is the responsibility of the student to ensure that their written requests are timely received by the appropriate University official.
- (c) **Informal Disposition.** In lieu of a hearing, the student shall have the option to request resolution of the matter by an appropriate and impartial official designated by the University. This opportunity will be provided to the student during the Information Meeting. Please refer to University Regulation 2.012(22).
- (d) **Disclosure of Information.**
1. In Emergency Hearings and upon the student's written request, the student and the student's advisor, advocate or legal representative, if any, shall have the opportunity to inspect all of the information related to the allegations, including inculpatory and exculpatory information and all known witnesses at least one (1) business day prior to the hearing. The University shall also have the right to inspect any information related to the allegations, including inculpatory and exculpatory information and all known witnesses the student intends to use at the hearing at least one (1) business day prior to the hearing.
  2. In Administrative (non-Emergency) Hearings/Meetings and upon the student's written request, the student and the student's advisor, advocate or legal representative, if any, shall have the opportunity to inspect all of the information related to the allegations, including inculpatory and exculpatory information and all known witnesses. Inspection of the information shall occur at least five (5) business days before the student conduct hearing or meeting. Failure of the student to timely request inspection of the information waives the five (5) business day timeframe in which the University has to comply. Upon waiver, inspection will occur at the University's availability. The University shall also have the right to inspect any information related to the allegations, including inculpatory and exculpatory information and all known witnesses the student intends to use at least five (5) business days before the student conduct hearing or meeting.
  3. If the student and the student's advisor, advocate or legal representative, if any, fails to notify the University, within the above-allotted times before the hearing, that they have information the student plans to present, and/or fails to allow the University to inspect the information that the student intends to use at the hearing, it may be considered a waiver by the student. As a result, the student might not be able to present the information at the hearing.
- (e) **Hearing/Meeting Procedures.** The student has the right to a presumption that no violation occurred. The University has the burden to prove, by a

preponderance of the information, that a violation has taken place. The student may present relevant information on their own behalf during the student conduct hearing or meeting. The student may hear and question witnesses who testify at the hearing or meeting. The student shall not be forced to present testimony, which would be self-incriminating and has the right to remain silent. Such silence may not be used against the student.

1. The University is not required to postpone the proceedings pending the outcome of a criminal or other outside proceeding.
2. The University student conduct proceeding is not a criminal or judicial proceeding and is designed to address student behavior; therefore, purported academic dishonesty or violations of the Student Code of Conduct will be addressed independently of any penalty imposed by an external judicial or administrative body. The rights and rules of evidence or procedure in a civil or criminal proceeding do not apply in a student conduct proceeding.

(f) **Advisor.** The student may, at their own expense and initiative, have one (1) advisor, advocate or legal representative of the student's choice present during the student conduct proceedings. The student must provide, in writing, the name, mailing or email address, and phone number of their advisor, advocate or legal representative at least three (3) business days prior to the meeting or hearing date. It is the student's responsibility to make appropriate arrangements for the advisor, advocate or legal representative to attend the student conduct proceedings which will not be delayed due to scheduling conflicts of the chosen advisor, advocate or legal representative. The student shall coordinate the scheduling of the hearing and not the advisor, advocate or legal representative.

1. The advisor, advocate or legal representative may be present to advise the student and may participate in all aspects of the proceeding but shall not testify for the student. The advisor, advocate or legal representative cannot serve in any other role, including as a witness, an investigator, decider of fact, hearing officer, member of a committee or panel convened to hear or decide the charge or any appeal.

(g) The decision of Responsible or Not Responsible shall be based solely on the information presented during the hearing or meeting.

(h) The decision of any committee, hearing panel, or designated University official, is not a recommendation but is an official action and shall be presented to the student in writing within fourteen (14) business days following the hearing or meeting.

(i) **Appeal.**

1. The student may appeal the decision of any committee, hearing panel, or designated University official, in writing, within ten (10) business days from the date of the decision to the Dean of Students or other designated senior University administrator, as appropriate, unless otherwise proscribed. No person may hear or decide an appeal if they conducted or participated in the conduct proceeding being reviewed on appeal.
2. At the conclusion of the appeals process, the decision of the Dean of Students or other designated senior University administrator shall be final and the student's conduct matter shall be disposed of through a final order signed by the Vice President for Student Affairs. The final order shall include notice to the student of the right to appeal to an external judicial forum, as appropriate.



3. In cases where the student selects informal disposition of the case, the student is limited to appealing the sanctions.
- (j) A student shall remain eligible to attend classes and University activities pending the University's conduct decision, and until any appeal is concluded except as set forth below:
  1. In cases where the Vice President for Student Affairs determines that the health, safety, or welfare of the student or a member of the university community is involved, the student may be temporarily suspended or expelled from classes and/or University activities.
  2. In cases where the sanction(s) determined by the University official(s) in the conduct decision include either suspension or expulsion, the student's privileges at the University, including the ability to attend classes, in-person or online, and engage in University activities may be revoked.
- (k) If a student's privileges are temporarily revoked as described in paragraph (1)(j)2. above, but the student is subsequently found not responsible for the violations, the University will:
  1. Correct any record of the change in enrollment status in the student's permanent records and reports in a manner compliant with state and federal laws; and
  2. Refund to the student a pro rata portion of any charges for tuition and out-of-state fees, as appropriate, if the temporary revocation or suspension of the student's ability to attend classes lasts for more than ten (10) business days.
- (2) Additional due process protections, as may be provided by regulation or policy of the Board of Governors, shall also be applicable to cases involving academic dishonesty or violations of the Student Code of Conduct as indicated by said regulation. Refer to Board of Governors Regulation 6.0105.
- (3) **Waivers.**
  - (a) In accordance with University Regulation 2.012(21)(a), a student is provided five (5) business days from the date of the notice of interim suspension to request in writing an emergency hearing regarding the student's continued presence on the University's Campus. If the student does not provide the University with a timely, written request for the emergency hearing, the student will have waived the opportunity for the emergency hearing; therefore, the student shall remain suspended until the student requests an administrative hearing on the merits of the alleged violations, the administrative hearing is held, and sanctions are rendered.
  - (b) Pursuant to University Regulation 2.012(21)(b), when a student has been suspended on an interim basis, the student is provided with ten (10) business days from the date of the notice to request in writing an administrative (non-emergency) hearing on the merits of the case. Should the student fail to submit a timely, written request for an administrative (non-emergency) hearing, the student would have waived the opportunity to contest the alleged facts. Based on the student's waiver, the University Conduct Officer shall adopt the allegations as the findings, find the student responsible for the alleged violations, and render sanctions.
  - (c) If the student has been suspended on an interim basis and fails to timely request, in writing, an Administrative (non-emergency) hearing on the merits of the case, the University Conduct Officer in their sole discretion may accept a written request from the student to proceed with informal

disposition. (Informal disposition is explained in University Regulation 2.012(22).) The written request must be submitted within ten (10) business days following the emergency hearing. Should the student fail to submit a timely request for informal disposition, the University Conduct Officer shall adopt the allegations as the findings and find the student responsible for the alleged violations. The student shall not have a right to appeal under this provision.

- (4) The Student Code of Conduct supersedes all other means of disciplining or removing students for behaviors prohibited by the University.
- (5) **Victim Rights.** A victim is defined as the person harmed by a violation of the Student Code of Conduct committed by the charged student. The University will provide notice to the alleged victim(s) of their rights at least five (5) business days before any hearing is held. Victims have the following rights:
  - (a) To have an advisor, advocate or legal representative of the purported victim's choice and at their initiative, accompany them when presenting information to the hearing panel and to any other relevant meetings held throughout the student conduct process;
  - (b) To submit an impact statement to the hearing panel. This information may be used only in the sanctioning phase of deliberations, if the charged student is found Responsible for the violation(s). If the charged student appeals the decision on the basis of severity of the sanction imposed, the charged student will have the right to view the impact statement upon written request;
  - (c) To have unrelated past behavior excluded from the hearing. The University Conduct Officer or chairperson of the hearing panel will decide if such information is unrelated;
  - (d) To submit questions to the University Conduct Officer at least three (3) business days prior to the hearing. The University Conduct Officer will decide whether the questions are relevant and should be presented at the hearing;
  - (e) To have personal property returned if in the current possession of the University. The determination of when this property may be returned is within the discretion of the University Conduct Officer and/or University Department of Campus Safety and Security;
  - (f) For Complainants involved in a Gender-Based Misconduct case, please refer to additional rights noted in University Regulation 2.012(8)(l).
- (6) **Basic Rights.** All students enrolled at the University shall be afforded the basic rights as set forth below:
  - (a) The right of respect for personal thoughts; the right of freedom from indignity of any type; the right to expect an education of the highest quality; and the right to make the best of one's talents and time toward the objectives which brought them to the University;
  - (b) The right to inquire about and to recommend improvements in University policies, regulations, and procedures through established protocol;
  - (c) The right to participate in the self-governing process of student organizations pursuant to the regulations, policy, and procedures of the University and affected organizations;
  - (d) The right to be represented on University-wide committees in accordance with University procedures;



- (e) The right of freedom of expression and peaceful assembly as defined and governed by the Constitutions of the United States and the State of Florida and the regulations of the University and the Florida Board of Governors;
- (f) The right to participate in dialogue during public discussions that provide a diversity of opinions;
- (g) The ability to join University clubs and organizations for educational, political, social, religious, and cultural purposes in accordance with the regulations, policy, and procedures of the University and the respective clubs and organizations;
- (h) The right of due process as outlined above; and
- (i) The right of freedom of press and media to publish and distribute materials in accordance with the Constitutions of the United States and the State of Florida and the regulations of the University.

**(7) Student Responsibilities.** The University encourages its students to help maintain a healthy academic climate where students can intellectually grow and develop as mature and responsible individuals. Concomitant with student rights are student responsibilities. These responsibilities include but are not limited to the following:

- (a) The responsibility of making the most of their educational opportunities by attending classes and laboratory periods on a regular basis and by completing all academic requirements, in a satisfactory manner, as stated in each course syllabus while taking advantage of the many opportunities provided in a University environment for all around personal growth, development, and maturation;
- (b) The responsibility of knowing and observing all University policies, procedures, and regulations (e.g. the General Catalog of the University and Student Handbook, including the Student Code of Conduct, etc.) as well as state and federal laws and requirements;
- (c) The responsibility of taking the initiative in exercising the democratic processes to include, but not be limited to, voting and performing community or volunteer services;
- (d) The responsibility of ensuring the orderly operation of the University through appropriate conduct in and out of the classroom; and
- (e) The responsibility of assuming the consequences of one's own actions, and to avoid conduct detrimental in its effect upon fellow students and members of the University community.

*Specific Authority: Article IX, section 7(c), Florida Constitution, Sections 1006.60, 1006.61, 1006.62, Florida Statutes, Board of Governors Regulation 6.0105. History New October 1, 1975, Formerly 6C3-2.13, Amended September 14, 1987, Amended June 29, 2006, Amended July 15, 2013; Amended July 7, 2014, Amended June 11, 2016, Amended July 31, 2020, Amended January 8, 2021, Amended December 8, 2021, Amended August 23, 2023*

## APPENDIX E: 2.028 Anti-Hazing

### 2.028 Anti-Hazing

(1) Florida Agricultural and Mechanical University (“University”) strictly prohibits any student(s), group(s) of students, or student organization(s) affiliated with the University from engaging in any form(s) of hazing activities. The University also has zero tolerance for violation of any provisions of this Anti-hazing Regulation 2.028. “Zero tolerance” means that given the factual circumstances of the alleged violation, the charged student may be removed from University Housing and receive a sanction including, without limitation, suspension or expulsion from the University.

(a) Due process protections in accordance with University Regulation 2.013 will be appropriately accorded the charged student.

(b) “Student” is given the same meaning herein as it is defined in the Student Code of Conduct, Regulation 2.012.

(c) “Engaging” is defined herein and prohibited by this Regulation as anyone who (i) perpetrates hazing activities by planning and/or executing the hazing activities; (ii) is the object of or consents to hazing activities; or (iii) observes or has knowledge of hazing activities and fails to report the incident within twenty-four (24) hours as required.

(d) This Regulation is incorporated into University Regulation 2.012.

(2) The term hazing shall include, but not be limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as striking in any manner, whipping, beating, branding, exposure to the elements, forced consumption of food, liquor, drugs, or other substances, or other forced physical activities that would adversely affect the health or safety of the student and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contacts, forced conduct that would be demeaning or results in extreme embarrassment or any other forced activity that could adversely affect the mental health or dignity of the student. 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. For purposes of this section, any activity

as described above, or any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to, initiation or admission into or affiliation with a University sanctioned organization, shall be presumed to be hazing and a “forced activity.”

(a) It shall not be a defense that the consent of the victim to participate was obtained, the conduct or activity was not part of an official University organizational event or was not otherwise sanctioned or approved by the University organization, or the conduct or activity was not done as a condition of membership to a University organization.

(3) A student may not be charged with a violation of the Student Code of Conduct under this section if they establish all of the following:

(a) That the student was present at an event where, as a result of hazing, a person appeared to be in need of immediate medical assistance.

(b) That the student was the first person to call 911 or campus security to report the need for immediate medical assistance.

(c) That the student provided their own name, the address where immediate medical assistance was needed, and a description of the medical issue to the 911 operator or campus security at the time of the call.

(d) That the student remained at the scene with the person in need of immediate medical assistance until such medical assistance, law enforcement, or campus security arrived and that they cooperated with such personnel on the scene.

(4) Notwithstanding subsection (3), a student is immune from the Student Code of Conduct charges and/or violations under this section if the student establishes that, before medical assistance, law enforcement, or campus security arrived on the scene of a hazing event, the student rendered aid to the hazing victim. For purposes of this subsection, “aid” includes, but is not limited to, rendering cardiopulmonary resuscitation to the victim, clearing an airway for the victim to breathe, using a defibrillator to assist the victim, or rendering any other assistance to the victim which the student intended in good faith to stabilize or improve the victim’s condition while waiting for medical assistance, law enforcement, or campus security to arrive.

(5) Any student found in violation of this Regulation resulting from conduct occurring on-campus or off-campus will be subject to appropriate sanctions by the University, which may include but is not limited to: the imposition of fines; withholding of grade(s), transcripts and/or diplomas pending payment of fines or compliance with the Student Code of Conduct, Regulation 2.012; the imposition of counseling, probation, suspension, or expulsion of said person(s) or organization(s), the rescission of certification for the University organization(s); and/or removal from University Housing.

(6) All penalties imposed by the University do not absolve the student(s), group(s) of students, or student organization(s) from any penalty imposed for violation of the criminal laws of the State of Florida, including but not limited to such criminal penalties prescribed in section 1006.63, Florida Statutes, for penalties imposed in civil proceedings or for violation of any other University Regulation(s) to which the charged student(s) may be subject.

(7) All University certified organizations are required to include in their by-laws an anti-hazing section fully incorporating this Regulation. A copy of the by-laws shall be kept on file in the Office of Student Activities. Advisors and each member of a University certified organization must attend one Fall semester and one Spring semester hazing workshop each academic year.

(8) Any person, including trustees, administrators, faculty, staff, students, members of direct support organizations, vendors, guests and volunteers having knowledge of or receiving information regarding any activity which may constitute hazing or a violation of this regulation must contact the FAMU Department of Public Safety at (850) 599-3256 or [www.stophazingatfamu.com](http://www.stophazingatfamu.com) within twenty-four (24) hours of gaining such knowledge or receiving information. Any person who fails to report any activity of hazing shall be in direct violation of this regulation.

(9) It shall be expressly prohibited for any person, including trustees, administrators, faculty, staff, students, members of direct support organizations, vendors, guests and volunteers, to retaliate against a person because that person has been a victim of hazing, reported hazing, refused to participate in hazing, assisted in the investigation of hazing, or participated in the prosecution of any alleged hazing.

(10) Any person who has experienced retaliation for reporting any activity, which may constitute hazing or a violation of this regulation, shall have the right to file a retaliation complaint with the Division of Audit and Compliance within twenty-four (24) hours of becoming aware of the act of retaliation at (866) 445-4968.

Specific Authority: Article IX, Section 7(c), Florida Constitution. Law Implemented 1006.60, 1006.61, 1006.62, 1006.63 FS. History—New 4-3-83, Formerly Rule 6C3-2.028, Amended 1-26-04, 5-9-12. Amended 7-15-13, Amended 8-20-2020.

## APPENDIX F: 2.030 Student Activities

### 2.030 Student Activities

#### (1) Student Organization Registration and Recognition Process.

- (a) New student organizations must complete registration online at [www.famu.edu/istrike](http://www.famu.edu/istrike) to be considered for recognition at the University. A recognized student organization is defined as a group of students that have been approved by Efferson Student Union & Activities to function on campus as a group under one name, reserve space on campus, sponsor campus activities, participate in University sponsored activities and apply for funding from the Student Government Association. The following information is required to complete the registration:
  - 1. A PDF version of the organization's constitution and by-laws which should include an anti-hazing section and a section fully incorporating Regulation 2.028.
  - 2. A roster of proposed officers, general members, and a faculty or staff advisor. All persons must have an active iStrike account.
  - 3. A statement of intent indicating how the organization will meet an unfulfilled student need on campus and how it will enhance campus life overall.
  - 4. A list of proposed community service, educational and social activities to be sponsored by the organization. The list must include detailed descriptions of the activities.
  - 5. Regional and national office contact information, if applicable.
- (b) The Student Organization Committee, designated by the Director of Efferson Student Union & Activities, will meet to consider an organization for approval or disapproval. After the committee meets, the organization will be notified of the decision in writing within five (5) business days.
- (c) If the Student organization is approved, then it is considered to be "recognized" and has all of the privileges of a recognized student organization at FAMU.
- (d) All recognized student organizations shall follow the procedures and guidelines as set 2.030 Student Activities forth in the Efferson Student Union & Activities Student Organization Handbook, incorporated herein by reference; the Student Handbook, the FANG; and all University Regulations and Policies. For information about recognized student organizations, contact Efferson Student Union & Activities. In cases of conflict, the University's regulations supersede Efferson Student Union

& Activities Student Organization Handbook and the Student Handbook.

- (e) Two officers and one advisor of each student organization must attend the annual Rattler Round Up and other student organization trainings.
- (f) The University will require all recognized student organizations to execute disclaimer forms, which relieve the University of responsibility for acts committed by recognized student organizations that might result in personal injuries or damages sustained or alleged by a complaining party.
- (g) The Vice President for Student Affairs may summarily suspend the intake/recruitment period of a recognized student organization if he/she believes any provision of the University Student Code of Conduct, Regulation 2.012, Anti-Hazing Regulation 2.028, state and/or federal laws have been violated.
- (h) The Director of Efferson Student Union & Activities may adopt additional guidelines and/or procedures governing recognized student organizations including fraternities and sororities, provided the guidelines and/or procedures are in writing and approved by the Vice President for Student Affairs or his/her designee. The organizations will be properly notified of the guidelines and/or procedures at least 30 calendar days prior to implementation, except when such guidelines address health, safety, and welfare.

## (2) Student Organization Renewal

- (a) Previously recognized student organizations are required to complete an application for renewal every Fall and Spring semester through iStrike. In the application, the student organization will be required to provide updated documents and rosters.
- (b) If the organization renewal is approved, then it is considered to be a recognized student organization and has all of the privileges of a student organization at FAMU.
- (c) If a previously recognized student organization fails to complete the online application by the posted deadline in iStrike or the application is denied, the organization loses its privileges as a recognized student organization, to include being able to reserve space or host events on campus as well as apply for funding through student government.
- (d) If a student organization is not recognized for reasons stated above in section (c), it will have to complete the online application and provide updated documents and rosters during the next registration period.

## (3) Role of the Faculty or Staff Advisor.

- (a) Every recognized student organization must have a faculty or staff advisor whose purpose is to assist the recognized student organization in

providing an educational experience for the individual members and the University as a whole.

- (b) All advisors must be a full-time (FTE 1.0) employee with the University, at least five.(5) years removed from undergraduate studies, and must have been employed at the University for at least one (1) year. The responsibilities of the advisor shall include without limitation:
  - 1. Provide counseling, leadership and direction regarding the interpretation of University policy and the mission of the recognized student organization.
  - 2. Ensure the recognized student organization's adherence to University policies and guidelines.
  - 3. Ensure the membership eligibility of each student is in accordance with the requirements of the recognized student organization and the University.
  - 4. Assist the recognized student organization with the formulation and implementation of all academic, service and social activities.
  - 5. Ensure the members of the recognized student organization are made aware of regulations, policies, procedures, goals and objectives of the University.
  - 6. Immediately report infractions of University rules, regulations, policies or procedures to the Director of Efferson Student Union & Activities.
  - 7. Request for the recognized student organization to receive a cease and desist order from the Dean of Students when the student organization violates its own internal rules.
  - 8. Attend all meetings and activities sponsored by the recognized student organization that are directly related to membership intake/recruitment, annual elections, or as required by the Facility Request Review Committee.
  - 9. Ensure that all members of the student organization have completed the required Anti-Hazing Training Course.
- (c) The advisor's foremost concern is their relationship to the student, the development of the student's self-awareness, and the development of the student's maturity as they make decisions or assume responsibility.
- (d) The advisor must be willing and free to express his/her ideas and attitude and always governed by a respect for the individuality of the student. The student is under equal obligation to respect the advisor's individuality.
- (e) Advisors to Recognized Student Organizations are to be selected by student group and/or appointed by the Director of Efferson Student Union



& Activities. The Vice President for Student Affairs or his/her designee may remove any advisor when it is in the best interest of the University.

- (f) University Advisors of Fraternities and Sororities must be selected from among faculty, administrators, and staff at FAMU; must be at least 5 years removed from their undergraduate studies, and they must be a full-time employee (FTE 1.0); have been employed by the University for at least one (1) year. Any exceptions must be in writing, demonstrate extenuating circumstances, and be approved by the Vice President for Student Affairs or his/her designee.
  - (g) The Director of Efferson Student Union & Activities may impose additional guidelines and/or procedures governing advisors provided the guidelines and/or procedures are in writing and approved by the Vice President for Student Affairs or his/her designee. All advisors must be properly notified of the guidelines and/or procedures at least 30 calendar days prior to implementation, except when such guidelines address health, safety, and welfare.
- (4) General Membership Student Organizations. All currently enrolled full-time and part-time students are eligible to participate in an open membership student organization that does not have a membership intake process or membership recruitment process.
- (a) Hazing is prohibited by State law and University regulation. Refer to Section 1006.63, Florida Statutes, and FAMU Regulation 2.028.
- (5) Fraternity and Sorority Membership Intake Process. The Director of Efferson Student Union & Activities will determine the beginning and ending dates for the membership intake period, which shall not exceed a total of twelve weeks.
- (a) All recognized student organizations that have an intake process must conform to all regulations, procedures, guidelines and standards as set forth by the University.
  - (b) Any full-time student may be eligible to apply for intake into a recognized fraternity or sorority when he/she has earned 30 FAMU credit hours and a minimum of 2.5 cumulative grade point average. Any full time transfer student may be eligible to apply for intake into a recognized fraternity or sorority when he/she has earned 15 FAMU credit hours and a minimum of 2.5 cumulative grade point average. Fraternities and sororities are permitted to require higher academic averages than those set by the University. Acceptance into recognized fraternities and sororities shall be in accordance with the policies and regulations of said organization. Academic fraternities and sororities are subject to the respective organization's national guidelines and the guidelines of the respective school/college.
  - (c) All intake activities with potential members must take place within the intake period. This includes, but is not limited to, interest meetings, rushes, trainings, workshops, initiations, step practices, probate/peepshows/presentations, etc.

(d) Recognized fraternities and sororities requesting grade point averages of students from the Office of the University Registrar for membership intake must adhere to the Federal Education Rights and Privacy Act (FERPA) and Section 1002.225, Florida Statutes, and must complete a form so designated by the Director of Efferson Student Union & Activities. Efferson Student Union & Activities staff will only verify the eligibility of students for intake. Actual grade point averages will not be shared with the fraternity or sorority.

(6) Membership Recruitment. The Director of Efferson Student Union & Activities will determine the recruitment periods for all student organizations, which shall not exceed a total of four (4) weeks. The approved recruitment period will be published on iStrike and/or any other medium determined by the Director of Efferson Student Union and Activities.

(a) Currently enrolled students may be eligible to apply for recruitment into a recognized student organization when he/she has earned at least 15 FAMU credit hours and a minimum of 2.0 cumulative grade point average. Student organizations are permitted to require higher academic averages than those set by the University.

(b) All recruitment activities with potential members must take place within the recruitment period. This includes but is not limited to: interest meetings, auditions, trainings, workshops, practices, initiations, presentations, etc.

(c) Recognized student organizations requesting grade point averages of students from the Office of the University Registrar for membership recruitment must adhere to the Federal Education Rights and Privacy Act (FERPA) and Section 1002.225, Florida Statutes, and must complete a form so designated by the Director of Efferson Student Union & Activities. Efferson Student Union & Activities staff will only verify the eligibility of students for membership recruitment. Actual grade point averages will not be shared with the student organization.

(d) Hazing is prohibited by State law and University Regulation. Refer to Section 1006.63, Florida Statutes, and FAMU Regulation 2.028.

(7) Recognized Student Organization Sponsored Activities:

(a) All recognized student organizations are required to comply with all facility use requirements as set forth by the Facility Request Review Committee and campus facility managers/coordinators. This includes but is not limited to: security requirements, liability/insurance requirements, safety requirements, facility fees and equipment fees.

(b) Recognized student organizations shall not hold themselves out as representatives of the University.

(c) No student organization may sponsor activities or functions such as auctions, raffles, gaming events, or popularity contests.

- (8) Liability: Recognized Student Organizations are responsible for their events and activities, as well as the actions or negligence of their respective membership.
- (9) Insurance: The University does not have insurance coverage for the activities of recognized student organizations, and is unable to provide insurance that covers any recognized student organization or activity. Approval of a recognized student organization does not establish liability coverage by the University for that recognized student organization or activity.
- (a) The University and/or the State of Florida cannot defend the activities of the recognized student organization under its present insurance coverage or defray the costs, including attorney fees, of defending any lawsuit or claim against the recognized student organization, its officers, or members.
- (10) Responsibility: The recognized student organizations and their respective individual members have both organizational and personal legal responsibility to adhere to all local, state, and federal laws, and the University's and the Florida Board of Governors' policies and regulations.
- (11) Enforcement/Disciplinary Responsibilities: The Vice President of Student Affairs or assigned designee may designate a committee, council or board to oversee disciplinary/conduct cases involving recognized student organizations. The Clubs and Organizations Review Board (CORB) has been established for this purpose. CORB is a part of the University's Student Conduct process and its procedures, which can be found in the Efferson Student Union & Activities Student Organization Handbook, and is incorporated herein by reference.
- (12) Cease and Desist Letters: The Vice President for Student Affairs or his/her designee and in his/her discretion may send a cease and desist letter to the recognized student organization if there is an alleged CORB or Student Code of Conduct violation. The cease and desist will remain in force until such time that an investigation is completed. A cease and desist letter requires a recognized student organization to cease all operations. The recognized student organization will be unable to meet, have activities, select new members, elect new officers, etc. If an organization receives a cease and desist letter, the only communication will be from the University to the organization's president on record and the advisor on record.
- (13) In any case, the Vice President for Student Affairs or his/her designee reserves the right to refer any case or matter of a disciplinary nature regarding any recognized student organization including fraternities and sororities, and/or its members, to the Office of Student Conduct and Conflict Resolution for review and/or adjudication under University Regulation 2.012 Student Code of Conduct and/or University Regulation 2.028 Anti-hazing.
- (14) Freedom of Assembly Policy. Refer to [Regulation 5.005 Freedom of Expression and Assembly Rights and Responsibilities](#).
- (a) No one has the right to disrupt the operation of the University or to interfere with the rights of other members of the University Community. It is also agreed

that the legal rights of students or other members of the University body, as those of any citizens, must not be abridged. This policy statement shall not be used in any way to infringe upon the legitimate freedoms of any person or group of persons, and this policy will be impartially enforced with due process afforded to all.

(b) Florida A&M University prescribes the following guidelines: demonstrations, picketing, and speeches must not be in violation of the federal, state, or local statutes, FAMU Board of Trustees, University, or Florida Board of Governors' policies, or regulations governing unlawful assemblies.

(c) Demonstrations, picketing, and speeches may be held on campus as long as they do not impede or disrupt the normal operation of the University or infringe on the rights of other members of the University community in accordance with this Regulation and [Regulation 5.005 Freedom of Expression and Assembly Rights and Responsibilities](#). Demonstrations, picketing, and speeches are not permitted inside of University buildings; blocking the ingress or egress to University buildings, streets, or sidewalks; or on the grounds surrounding the Educational Research Center for Child Development, the Student Health Services' primary care clinic, and dormitories/housing facilities.

(d) In the event of disruptive action, students and student organizations involved in demonstrations shall identify themselves by presenting appropriate documents such as ID cards when requested to do so by the President or President's designee, and such designee shall identify him/herself when making this request.

(e) Students and student organizations who participate in protest marches, protest picketing and demonstrations are hereby notified that each student is held accountable for any actions that violate University Regulations and Policies, Florida Board of Governors' Regulations, and federal, state and local laws.

(f) Students and student organizations who intentionally act to impair, disrupt, interfere with, or obstruct the orderly conduct, processes, and functions of the University shall be subject to appropriate disciplinary action by the University authorities. Refer to University [Regulation 2.012, Student Code of Conduct](#), for further information.

(15) Publicity – Representatives of the University, any departmental agency, organization of the University, students, and/or recognized student organizations shall not use the name, copyright, or trademarks of Florida A&M University while engaging in any off- campus activity unless written authorization has been granted by the University's Office of Communications. Recognized student organizations shall not hold themselves out as representatives of the University.

(16) Use of Campus Bulletin Boards Policy: Florida A&M University maintains a General Information Center and bulletin boards throughout the campus for the use and benefit of students, faculty and staff. Listings on the boards include information regarding campus events and activities, general information, and classified advertisements. Such listings are limited to the

Quadrangle Information Center and bulletin boards. Listings may not be displayed, for example, on trees, buildings, fences, or road signs, except where approval has been obtained from University's Office of Communications.

(17) Popular Concerts and Activities – Refer to University [Regulation 2.025](#).

(18) Commercial Solicitation on Campus – Refer to University [Regulation 3.011](#).

(19) In accordance with FAMU [Board of Trustees Policy Number 2006-05](#), use of University Vehicles by Recognized Student Organizations is prohibited.

(20) The Efferson Student Union & Activities Student Organization Handbook can be found at <http://studentactivities.famu.edu/>.

*Specific Authority Article IX, Section 7(c), Florida Constitution, Board of Governors Regulation 1.001. History–New 9–14–87, Amended June 29, 2006, Amended January 12, 2016, Amended May 2, 2019*

## APPENDIX G: 4.100 Academic Grievances

### 4.100 Academic Grievances

The purpose of an academic grievance is to give students a fair review and an opportunity to be heard. Students are normally expected to follow the procedures established by the college, school and/or academic unit in which they are pursuing a course of study; however, academic grievances regarding a course grade must be filed with the college, school and/or academic unit in which the course is offered.

Each college, school and/or academic unit within the University must establish internal procedures for addressing student grievances pertaining to academic matters. Academic grievance procedures shall be available in the Office of the Dean of the respective college or school, in the office of the appropriate officer in charge of an academic unit, and in the Student Handbook.

*Specific Authority Board of Governors Regulation Development Procedure dated July 21, 2005 Law Implemented - Article IX, Florida Constitution, Board of Governors Resolution Adopted January 7, 2003 History-New 10-1-75. Formerly 6C3-4.02 and 6C3-4.002. Amended 04-10 -08.*

## APPENDIX H: 4.101 Grading Policies

### 4.101 Grading Policies

The University supports its grading system which is based upon the integrity of a grade earned in a course. The University Registrar is the official custodian of student grades and is responsible for recording approved grade change requests.

#### (A) Assignment of Grades

1. Grades are assigned at the end of the term in which the student was registered for the course.
2. Due to extenuating circumstances beyond the control of the student, a grade of "I" may only be assigned if the student is passing the course, but has not completed all of the required work by the end of the term. Grades of "I" may not be assigned in any course that a student withdraws from, has excessive absences in, or fails to attend.
3. A grade of "PN" will be assigned when a student is passing a course, but is not proficient. The use of the "PN" grade is only approved for courses in the Physical Therapy Graduate Program.
4. A student receiving an "I" or "PN" grade should not re-enroll in the course until after the "I" or "PN" grade has been permanently changed to a letter grade.

#### (B) Change of Grade

Changes of grades may only be accomplished under special circumstances and are governed by the following guidelines:

1. Effective fall 2021 grade changes pertaining to a grade of "I" (Incomplete) or "PN" (Not Proficient) must be submitted by the end of the next term in which the student is enrolled. Any Incomplete or Not Proficient grade that is not changed by the specified time will revert to the grade earned by the student at the time the grade was assigned inclusive of missing assignment(s).  
-For students who have not returned after the second semester; any incomplete grade that is not changed within one year of the last day of class in which the course was attempted, will revert to the grade earned inclusive of missing assignment(s) at the time the incomplete was assigned. Prior to fall 2021 the incomplete grade must lapse

to 'N' (No grade reported).

2. All grade changes resulting from a grade appeal must be submitted within one semester of the issuance of the grade.

3. Any other grade changes must be made within one semester of when the grade was initially assigned.

### **(C) Procedure Governing the Process of Changing Recorded Grades**

Grade changes can only be made for the following reasons:

1. When it is determined that a grade was recorded in error;

2. When removing "I" or "PN" grades; or

3. As a result of a student's successful appeal of a grade.

Academic units wishing to request grade changes must submit a "Grade Change and Academic Record Update Form" to the Registrar's Office for processing. The form must contain the signature of the respective academic Dean in order to be processed.

*Specific Authority: Article IX, Section 7(c), Florida Constitution, BOG Regulation 1.001.*

*History: New— 12-07-06; Amended 05-09-12; 1-26-22*



## APPENDIX I: 5.002 Student and Faculty Grievances

### 5.002 Student and Faculty Grievances

Each student and faculty member with an alleged grievance pertaining to rules promulgated in compliance with Chapter 120, Florida Statutes, has the right to pursue the alleged grievance either through informal procedures within the University or through the formal proceedings required by Chapter 120, Florida Statutes. Should the student or faculty member elect to pursue the alleged grievance through the informal University procedures, he/she must waive the right to the formal procedures established by the Administrative Procedure Act. Should the student or faculty member elect to pursue the alleged grievance through the formal procedures offered by Chapter 120, Florida Statutes, he/she must waive the right to the procedures offered within the University.

*Specific Authority 120.53(1), 240.227(1) FS., 6C-6.011(1), F.A.C. Law Implemented 120.53, 120.54(4)(a)-(d) FS., 6C-6.011(3), F.A.C. History—New 10-1-75, Formerly 6C3-5.02.*

## APPENDIX J: 5.005 Freedom of Expression

### 5.005 Freedom of Expression and Assembly Rights and Responsibilities

Freedom of expression at Florida A&M University (“FAMU” or “University”) includes the right to present and advocate ideas in the spirit and development of knowledge. Freedom of expression and assembly includes demonstrations, picketing, protests, petitioning, marches, information dissemination, the formation of groups, gatherings, and participation in group activities (hereinafter “Expressive Activity”). FAMU, as a public university, protects the First Amendment rights of all, including those constitutionally protected views and values contrary to FAMU’s mission and fundamental principles. In upholding these freedoms, the University will not shield members of the University community from expressive activities. However, the University prohibits speech, expression, or assembly that advocates lawlessness and/or violence, or restrains, intentionally and significantly disrupts, or interferes with activities of members of the University community, whether by physical force or intimidation. The positions, expressions, or views belong to those students, protestors, demonstrators, or speakers themselves, and do not necessarily reflect the views of the University. This Regulation is not intended to inhibit or interfere with academic freedom of expression, and it is understood that faculty exercising their rights under academic freedom will accept responsibility for both the substance and the manner of their messages.

As with all public universities, the word “public” does not mean that all areas on University property are open to the general public. There are areas that are not open to the public such as, but not limited to, classrooms, laboratories, offices, and research and field sites. The regulation of certain activity on the University’s campuses is necessary to preserve the educational mission, vision, and fundamental principles of the University; to prevent unnecessary disruption of classes, study periods, and/or administrative functions; to provide for the safety of University students, faculty, staff, and the public; and to protect the property of students, faculty, staff, and the University. Therefore, reasonable restrictions on the time, manner, and place of expression are appropriate and necessary to maintain and protect the rights of its students, faculty, staff, and the public.

#### (1) University Guidelines.

##### (a) Permissive Activities.

1. Expressive activity is permitted when such activity complies with federal, state, or local statutes, FAMU or Florida Board of Governors’ (“BOG”) regulations or policies governing unlawful assemblies.
2. Expressive activity, in the form of symbolic speech, such as silent protest or wearing expressive clothing that is not obscene or a safety hazard is permitted. Gesturing or standing in solidarity as symbolic speech is also permissive. Such activity is subject to compliance and restriction parameters outlined throughout this Regulation.
3. To maintain the orderly operation of the University, expressive activity may, without limitation, occur: The University Quadrangle, parking lot south of the Student Union

Building, Stadium parking lot, gymnasium parking lot, and west of the Student Union Building between the Student Union and Foster-Tanner Fine Arts Building on a space available basis. However, expressive activity must not disrupt, interfere with, or obstruct, the normal operational processes of the University. In addition, satellite campuses may designate but not limit or restrict areas best suited for expressive activities that are least likely to obstruct University operations.

**(b) Prohibited Activity.**

1. Expressive activity is impermissible when such activity:
  - a. impedes or disrupts the normal operation of the University including, without limitation, impeding or disrupting educational, administration, or research activities, ceremonies, events, or operations inside or outside any building;
  - ii. impedes or infringes on the rights of other members of the University community;
  - iii. occurs inside University buildings including, without limitation, classrooms, laboratories, offices, research and field sites, and other University indoor or outdoor facilities that are intended for purposes such as instruction, study, reflection, group discussions, administrative functions, and various other University activities and operations;
  - iv. blocks the ingress or egress (entrances or exits) to University buildings, streets, or sidewalks.
  - v. occurs in restricted outdoor areas, including the Educational Research Center for Child Development, Student Health Services primary care clinic, University Libraries, and residential facilities;
  - vi. damages property, such as but not limited to buildings, landscapes, or vehicles;
  - vii. defaces University property, including any vertical or horizontal surface;
  - viii. harasses, intimidates, injures, or threatens passersby, or directly uses words which by their mere utterance intended to incite violence or a breach of peace (fighting words);

**(c) Time, Place and Manner Restrictions.** Florida A&M University is committed to safeguarding the health, safety, and welfare of all University community members. In furtherance of that commitment, expressive activities are subject to the following additional restrictions:

- i. **Time Restrictions.** Expressive activity is prohibited on University campuses from sunset to 8:00 a.m. without prior approval from the Vice President of Student Affairs. Requests for approval will be evaluated in a content and viewpoint-neutral manner.
- ii. **Venue Capacity.** The University may restrict attendance at expressive activities based

on the capacity of the venue.

iii. **Sound Amplification.** Any use of sound amplification equipment, including megaphones, on the outdoor areas of campus is prohibited without five (5) business days prior written approval from the Vice President of Student Affairs.

1. Such use will be permitted only if sound levels are reasonable, meet the event communication needs without excessive noise penetration to adjacent areas and there is no interference or disruption of any academic or other University activities.

iv. **Disruption of Scheduled Speakers.** Individuals engaging in expressive activity shall not obstruct, disrupt, or attempt to force the cancellation or continuance of a speaker physically; or interfere with or impede a scheduled speaker from being heard.

v. Only University-related events will be permitted during any final exam period, and no unapproved amplified sound will be permitted at outdoor events during any final exam period.

vi. **Safety Hazard.** Expressive activity that creates an environmental hazard or poses a health and safety threat to the University, its community, affiliated organizations, or the general public, is prohibited.

vii. **Camping, Encampments, or Structures.** Camping on University grounds is prohibited, unless it is part of an official University activity, including activities organized by an academic or administrative unit, and has received written approval from the Vice President of Student Affairs, or their designees. Building or constructing any shelter, barrier, or other physical structure is also prohibited.

viii. **Failure to Comply.** Individuals engaging in expressive activity must comply with any reasonable instruction by Department of Campus Safety and Security (“Campus Police”) or any University official acting in the performance of their duty.

ix. **Unlawful Conduct.** Individuals may not engage in conduct that violates the lawful time, place, and manner restrictions outlined in this Regulation.

**(d) Guidelines for Outside Speakers.**

i. **University Sponsored.** Academic units, departments, alumni groups, recognized student organizations and other University affiliated groups who sponsor outside speakers are responsible for informing the speaker that the University is not to be used as a platform for the organization or the incitement of lawlessness or violence. The University affiliated unit sponsoring the speaker is responsible for obtaining the speaker’s agreement with these parameters. Please refer to [University Regulation 2.030, Student Activities](#) for additional information.

ii. **Non-University Sponsored.** Entities, individuals, or public speakers who wish to lease or rent a University facility for an event must comply with this Regulation and

[University Regulation 10.124, Use of University Facilities and Services](#). Priority will be given to those groups and/or individuals whose activities are related to and/or further the mission of the University.

**(e) Distribution of Literature and Postings.** Individuals may circulate non-commercial literature, provided it is identified by authorship and sponsorship, subject to applicable provisions of this Regulation. Signs may be posted on bulletin boards designated for public announcements. FAMU maintains a General Information Center and bulletin boards throughout campus locations. Listings on the boards include information regarding campus events and activities, general information, and classified advertisements. Such listings are limited to the Quadrangle Information Center and bulletin boards and will not be displayed, for example, on trees, buildings, or road signs. Posters must obtain pre-approval for the posting of signs, including posting for solicitation, as required by University Regulations 3.011, Commercial Solicitation, and [2.030, Student Activities](#). Deans of the colleges and/or schools located at the satellite campuses can designate additional posting areas at that satellite location.

**(f) Infringement of Copyrighted Materials and Individuals' Expectations of Privacy.** Recording of speeches, gatherings, rallies, events, and/or other activities may be restricted by copyright protection, and/or laws governing privacy. There are civil and criminal penalties associated with the recording of copyright-protected events and in situations where there is an expectation of privacy.

## **(2) Prohibited Items during Protests/Demonstrations/Speaker Events**

To maintain the orderly operations of the University and the safety of all members of the University community and the public, the following items are prohibited during any expressive activity events:

- Firearms and/or weapons of any kind including, without limitation, toy weapons, weapon lookalikes, or fake weapons;
- Sharp objects;
- Lighters, matches, torches or open flame;
- Flammable liquids;
- Any athletic equipment or other items which could be used as a weapon;
- Masks of any kind; goggles; bandanas/scarfs; neck gaiters;
- Armor and/or screens of any kind;
- Helmets;
- Flag poles, bats, clubs, sticks (including sticks for signs); umbrellas;
- Aerosol/pressurized cans; mace; pepper spray;

- Chains, padlocks, bicycle locks;
- Fireworks;
- Backpacks, bags, purses, clutches;
- Signs made of anything other than cloth, paper, foam core, cardboard;
- Cans, metal, or glass containers,
- Beverages or alcoholic beverages;
- Water bottles of any kind, due to potential use as weapons;
- Pop-up tents, shelters, bedding, canopies and/or hammocks;
- Wagons or pull carts
- Vehicles,
- Coolers; grills, propane tanks, ladders;
- Drones or other unmanned aircraft systems;
- Pets (exception: ADA service animals);
- Bicycles, scooters, skateboards;
- Tobacco products of any kind;
- Illegal drugs;
- Laser pointers;
- Water balloons;
- Megaphones or other amplified sound devices without appropriate prior approval;
- Any other items that the President or Campus Police reasonably determine pose a risk to safety, disruption of classes or traffic (vehicular or pedestrian).

### **(3) Disruptive Action**

(a) In the event of disruptive activity, University employees and students involved in demonstrations shall identify themselves by presenting appropriate documents such as ID cards when requested to do so by Campus Police, the President, or President's designee, and such designee shall identify him/herself when making this request.

(b) Demonstrators not officially affiliated with FAMU may be directed to leave the campus immediately or be subject to arrest for a violation of the law forbidding the disruption or interference with the administration or functions of an educational institution.

(c) If the President or his/her designee determines that such expressive activity disrupting normal University operations, poses a health or safety risk, or infringes on the rights of other members of the University community, the President or President's designee is authorized to take any of the following actions, without limitation:

1. Inform the demonstrators that they are in violation of the University policy and/or in violation of the law and specify the

nature of the violation.

2. Request that the violation cease.

3. Designate an area on University property that would mitigate such effects and is reasonably accessible to University students and faculty, and to limit the event to such location.

a. Nothing in this section is intended to, nor shall be read to, imply an obligation on the part of the President or the University to secure or rent property for any expressive activity nor is it intended to indicate that all manner of expressive activity can be accommodated.

4. Cancel the event or activity, if the President or designee has reasonable grounds to believe that any such event or activity presents an imminent threat to the health, safety, and welfare of campus and the threat cannot be mitigated using reasonable alternative means.

5. In the event of non-compliance, enlist the assistance of the Campus Police, or affiliated law enforcement at satellite locations, in restoring order and enforcing the law.

(d) The University's Campus Police has the primary mission of providing safety and security for all members of the University community including students, faculty, staff, and guests. Campus Police has full law enforcement authority to arrest individuals who violate the law on University property. In addition, the Campus Police maintains mutual aid agreements with city and county authorities, and host cities of the University campuses.

Campus Police has the authority and responsibility to:

1. Declare an expressive activity to be in violation of law and request all participants to cease and desist, and to disperse and clear the area, or be subject to arrest and/or University disciplinary action;
2. Arrest any participants observed to be in violation of the law; and
3. Enlist the assistance of outside law enforcement agencies, if necessary.
4. This Regulation does not intend to limit or restrict the authority of the Campus Police Department or other law enforcement personnel under applicable laws or BOG and/or University regulations, policies, and procedures.

#### **(4) Students and Employees (Faculty, Staff and Personnel)**

- (a) Students, faculty, staff, and all other personnel who intentionally act to impair, disrupt, interfere with, or obstruct the orderly conduct, processes, and functions of the University shall be subject to appropriate disciplinary action by the University authorities.
- (b) Students, faculty, staff, and all other personnel who participate in expressive activity are hereby notified that they will be held accountable individually for any actions that violate the BOG and/or University regulations and policies as well as federal, state and local laws. Faculty, staff, and all other personnel shall not participate while on work time.
- (c) Students, faculty, or staff of the University may not materially disrupt previously scheduled or reserved activities on campus occurring at the same time.

**(5) Public and Guests**

- (a) Members of the public and guests are responsible for their actions on any and University property and will be held accountable for any violations of law, University regulations, or policies, which may include a trespass warning.
- (b) It is the responsibility of the sponsor, individual, and/or group, including University sponsors, to coordinate security plans with Campus Police prior to the event or activity, and to arrange for and cover costs of security as permitted by law.
- (c) Additional duly appointed security officers may also be required depending upon the type of event, facility, and the expected number of individuals to attend. Security officers employed or secured must be approved by Campus Police.
- (d) Two weeks prior to the scheduled outside speaker or other event, the sponsor, individual, and/or group shall give notice to Campus Police in order to plan and coordinate for security and safety concerns.

- (7) University Use.** This regulation does not restrict the University's authority to schedule or reserve campus areas in advance for use by the University or a specific individual or organization. Outdoor areas of the campus will be available for expressive activities on a space-available basis. Expressive activities in outdoor areas that have been reserved by the University or another individual, group, or organization for use through established University procedures are subject to removal or relocation. Additionally, no individual or group may claim exclusive use of any area without prior approval through the applicable event permitting or reserving processes. Individuals may not materially disrupt previously scheduled or reserved activities on campus occurring at the same time.

- (8) Enforcement and Penalties.** If any expressive activity is disrupting, impeding,



or obstructing normal University operations, and after the participants have been officially notified of the impediment or obstruction, the act will be considered in violation of University policy and can be considered disturbance (breach) of the peace, which is a violation of the law. Within a reasonable length of time, those who fail to disperse may be subject to criminal, civil, as well as University disciplinary action as appropriate. Refer to [University Regulation 2.012, Student Code of Conduct, Regulation 10.111, Disruptive Conduct, and Regulation 1.019, University Code of Conduct](#); and applicable federal, state, and local laws for further information.

**(9) Definitions.**

- (a) Breach of the peace; disorderly conduct. Section 877.03, Florida Statutes, provide “[w]hoever commits such acts as are of a nature to corrupt the public morals, or outrage the sense of public decency, or affect the peace and quiet of individuals who may witness them, or engages in brawling or fighting, or engages in such conduct as to constitute a breach of the peace or disorderly conduct, shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.”
- (b) Campuses (main and satellite campuses) are defined to include all properties and facilities under the guidance, supervision, regulation, or control of the University, or any of its direct support organizations.
- (c) Material and substantial disruption means any conduct that intentionally and significantly hinders another person’s or group’s expressive rights. The term does not include conduct that is protected under the First Amendment to the United States Constitution and Art. I of the State Constitution, including, but not limited to, lawful protests and counter-protests in the outdoor areas of campus or minor, brief, or fleeting nonviolent disruptions that are isolated or brief in duration.
- (d) Expressive Activities are activities such as assemblies, demonstrations, exercises of free speech, protests, parades, marches, picketing and speeches; distributing literature; carrying signs; circulating petitions; faculty research, lectures, writings, and commentary, whether published or unpublished; and the recording and publication, including the Internet publication, of video or audio recorded in outdoor areas of campus, protected under the First Amendment to the United States Constitution and Article 1 of the Florida Constitution. Expressive activity does not, for purposes of this regulation, include defamatory or commercial speech.
- (e) Fireworks are defined as, and includes, any combustible or explosive composition or substance or combination of substances, or except as hereinafter provided, any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation.
- (f) Restricted Area means any portion of campus the University President or designee determines on a content-neutral basis, permanently or

temporarily, where it would be unreasonable for expressive activities to occur because of disruption or health, safety, and welfare considerations.

- (g) Shield means to limit students', faculty members', or staff members' access to, or observation of, ideas and opinions that they may find uncomfortable, unwelcome, disagreeable, or offensive.
- (h) Solicitation (or commercial speech) is defined to be any act or event conducted for the purpose of financial or commercial gain to the vendor, individual(s), or organization(s), e.g. handing out promotional leaflets and placing signs on University property. Please refer to [University Regulation 3.011, Commercial Solicitation](#) for further information.
- (i) Weapon is defined as any item, including, but not limited to metallic knuckles, knives, swords, any dangerous chemical or biological agents, firearms, machine guns, starter guns, BB guns, stun guns, paintball guns, stun guns (Tasers), archery equipment, or any other object which will, is designed to, or may readily be converted to, expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device.

*Specific Authority: Article IX, Section 7, Florida Constitution, Sections 1004.097, 1006.61, and 1012.80, Fla. Stat., Board of Governors Regulation 1.001. History—New 1-2-2018, Amended 7- 9-18, Technical Amendment*

## APPENDIX K: 6.104 Student Governments

### 6.014 Student Governments

(1) The university board of trustees shall establish a student government on the main campus of each state university. In addition, each university board of trustees may establish a student government on any branch campus or center, or the students of those areas shall have the opportunity to be represented in the university-wide student government. Each student government is a part of the university at which it is established.

(2) Each student government shall be organized and maintained by students and shall be composed of at least a student body president, a student legislative body, and a student judiciary. The student body president and the student legislative body shall be elected by the student body; however, interim vacancies and the student judiciary may be filled in a manner other than election as prescribed by the internal procedures of the student government.

(3) The president of the student body of the university shall be a member of the university board of trustees. The president of the Florida Student Association, or the equivalent, shall be a member of the Board of Governors.

(4) Each student government shall adopt internal procedures governing:

- (a) The operation and administration of the student government.
- (b) The execution of all other duties as prescribed to the student government by university regulation.

(5) Upon adoption, such internal procedures shall be approved by the university board of trustees or its designee as deemed appropriate by the board of trustees.

(6) The qualifications, elections and returns, the appointments, and the suspension, removal, and discipline of officers of the student government shall be determined by the student government as prescribed by its internal procedures. At minimum, qualifications to seek office and to continue to serve in office are subject to any established university standards for leadership activities, including those for remaining in good academic standing.

(7) Each student government shall adopt internal procedures providing for the suspension and removal of an elected or appointed student government officer following the conviction of that officer of a felony. In addition to any other internal procedures set forth in paragraph (6) for suspending, removing, and

disciplining officers, any elected or appointed officer of the student government may be removed from office by the majority vote of students participating in a referendum held under this paragraph. Each student government shall adopt internal procedures by which students may petition for a referendum to remove from office an elected or appointed officer of a student government. The grounds for removal of an officer by petition must be expressly contained in the petition and are limited to the following: malfeasance, misfeasance, neglect of duty, incompetence, permanent inability to perform official duties, or conviction of a felony. The referendum must be held no later than sixty (60) days after the filing of the petition.

(8) Members of student government are expected to adhere to the university code of conduct. A member may be charged with a violation of the university code, even if the student government brings organizational charges against the individual.

Authority: Section 7(d), Art. IX, Fla. Const., History: New 12-10-09.

# APPENDIX L: 6.105 Student Conduct and Discipline

## 6.0105 Student Conduct and Discipline

(1) Each university board of trustees is required to provide a prompt, fair and equitable process for resolving student misconduct. For purposes of this regulation, the term “student” includes student organizations. In furtherance of the educational mission of the universities, each university board of trustees shall establish a student disciplinary system that protects the rights of the accused student, complaining parties and the university community, including a code of conduct, which shall include, at a minimum the following provisions:

- (a) A written description of the rights and responsibilities of students, standards of conduct expected by the university, a list of violations, appropriate penalties or sanctions, and procedures for initiating and conducting student disciplinary proceedings.
- (b) Definitions of terms used in the university’s code of conduct, such as “student” and “university community.”
- (c) A statement that the code of conduct shall govern student behavior both on and off the university’s campus.
- (d) A description of the available university disciplinary proceeding forum which may consist of an impartial university official or officials, designee(s) of university official(s), or a committee or panel. Where a committee or panel is used, students shall make up at least one-half of the membership, except as provided in paragraphs (8) and (9).
- (e) A written description of the general procedures to be followed in the disciplinary proceeding which shall include a description of each step of the disciplinary process and any assistance that may be available to the accused student at the university for preparing for the disciplinary proceeding.
- (f) A written procedure for the disposition of cases that require immediate action and involve the health, safety, or welfare of the student or a member of the university community.
- (g) A provision stating that the burden of proof in a disciplinary proceeding is not on the accused student subject to the disciplinary proceeding and the student has the right to a presumption that no violation occurred.
- (h) A provision stating that the burden of proof required in disciplinary proceedings shall be a preponderance of the evidence. This means that the information presented supports the finding that it is more likely than not that the violation occurred.
- (i) A provision setting a time limit for charging an accused student with a violation of the university's code of conduct, and a description of those circumstances in which that time limit may be waived by university officials.
- (j) A provision requiring an accurate and complete record of each disciplinary proceeding to be made and preserved. Retention of the record is subject to the General Records Schedule GS5 for Public Universities and Colleges.

(2) Each university shall publish, at a minimum on its internet website, the regulations and policies comprising its student disciplinary system, including the code of conduct.

(3) Each university shall comply with 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act of 1974, as amended and other requirements of state and federal law relating to the confidentiality of the records and reports of students.

(4) Each university shall incorporate the following minimum requirements in its student disciplinary system, except as otherwise provided for certain Title IX matters identified in paragraph (8) below:

- (a) The accused student shall be provided with written notice of the charges in sufficient detail and in sufficient time to prepare for the disciplinary proceeding. In no case shall the written notice of charges be provided to the accused student less than seven (7) business days (excluding legal holidays) prior to the disciplinary proceeding, except in cases of emergency as specified below or unless waived by the student. Written notice may be provided by electronic delivery to the accused student's officially designated university email address.
- (b) The accused student shall be entitled to a disciplinary proceeding within timelines established by each university. Except as set forth in paragraphs (8) and (9) below, the accused student has a right to a disciplinary proceeding conducted by a committee or panel. This right may only be waived where:
  - (i) permitted by the university; and
  - (ii) requested by the accused student in writing on forms provided by the university which include an explanation of the effect of the waiver.
- (c) The accused student may have, at the student's own expense and initiative, an adviser, advocate or legal representative present at the disciplinary proceeding. It is the accused student's responsibility to make appropriate arrangements for the adviser, advocate or legal representative to attend the disciplinary proceeding which shall not be delayed due to scheduling conflicts of the chosen adviser. The adviser, advocate or legal representative may be present to advise the accused student and may participate in all aspects of the proceeding but shall not testify for the student. The advisor, advocate, or legal representative cannot serve in any other role, including as a witness, an investigator, decider of fact, hearing officer, member of a committee or panel convened to hear or decide the charge or any appeal.
- (d) Except as set forth in paragraph (8), the accused student and the student's adviser, if any, have the right to inspect all known information in the university's possession related to the allegations at least five (5) business days (excluding legal holidays) before the disciplinary proceeding. The university also has the right to review any information the accused student intends to use at least five (5) business days (excluding legal holidays) before the disciplinary proceeding. The information must include all known witnesses and all known information that is related to the allegations, both inculpatory and exculpatory.
- (e) The accused student may present information at the disciplinary proceeding that is relevant to the proceeding.
- (f) Upon request by the accused student, the complaining party, or other participants, the university may permit the individual to provide relevant information during the disciplinary proceeding in a manner that avoids direct contact with the accused student, the complaining party, or other participants.
- (g) All parties to the disciplinary proceeding may arrange for witnesses to voluntarily present relevant information during the disciplinary proceeding. The questioning of witnesses shall be facilitated by the person or body conducting the disciplinary proceeding. Each university shall have a procedure for the questioning of witnesses. Pertinent records, reports, exhibits, and written statements may be accepted as information for consideration in the disciplinary proceeding.
- (h) The accused student may not be forced to present testimony that is self-incriminating; however, the university is not required to postpone disciplinary proceedings pending the outcome of a criminal prosecution. The university disciplinary proceeding is not a criminal or judicial proceeding and is designed to address student behavior; therefore, alleged violations of the university's code of

conduct will be addressed independently of any penalty imposed by the courts for the criminal offense. This means that the rights and rules of evidence or procedure in a civil or criminal proceeding do not apply in a student disciplinary proceeding.

(i) The decision of responsible or not responsible on the charges of violating the university's code of conduct must be based solely on the information presented at the disciplinary proceeding.

(j) An accused student found responsible for a violation of the university's code of conduct shall be subject to sanctions commensurate with the offense with consideration given to any aggravating and mitigating circumstances, including but not limited to the student's conduct record.

(k) The decision of any university disciplinary proceeding must be presented to the accused student in writing and within a reasonable period of time after the conclusion of the disciplinary proceeding, as specifically prescribed by the university's code of conduct.

(l) If the decision of a university hearing or review forum arising out of a university disciplinary proceeding constitutes a recommendation to a university official for official action, the university's code of conduct must specify the actions that the university official may take with respect to adopting, modifying, or rejecting the recommended decision and sanctions, or remanding the matter for a rehearing. Any differences between the recommendation arising out of the university disciplinary proceeding and the university official's disciplinary decision, and the reasons therefore, must be presented to the accused student in writing.

(m) Each university code of conduct shall describe the internal appeals processes. Each university shall have at least one level of internal appeal. No person may hear or decide an appeal if he or she conducted or participated in the disciplinary proceeding being reviewed on appeal.

(n) An accused student shall remain eligible to attend classes and university activities pending the university's disciplinary decision, and until any appeal is concluded except as set forth below:

1. in cases where the president or president's designee determines that the health, safety, or welfare of the student or a member of the university community is involved, the accused student may be temporarily suspended from classes and/or university activities,
2. in cases where the sanction(s) determined by the university official(s) in the disciplinary decision include either suspension or expulsion, the accused student's privileges at the university, including the ability to attend classes and engage in university activities may be revoked.
3. If an accused student's privileges are temporarily suspended or revoked as described in this paragraph, but the student is subsequently found not responsible for the violation, the university must:
  - i. Correct any record of the change in enrollment status in the accused student's permanent records and reports in a manner compliant with state and federal laws; and
  - ii. Refund to the accused student a pro rata portion of any charges for tuition and out-of-state fees, as appropriate, if the temporary revocation or suspension of the student's ability to attend classes lasts for more than ten (10) school days.

(5) At the conclusion of the appeals process, the decision of the president or the president's designee shall be final. Final appellate decisions resulting in a suspension or expulsion of a student must include notice to the accused student of the student's right to appeal to an external judicial forum.



(6) An accused student may be subject to discipline for conduct that violates the university code of conduct, even where that conduct occurs off-campus. The action of the university with respect to off-campus conduct shall be taken independently of any off-campus authority.

(7) Each university's code of conduct shall include a description of the rights of alleged victim(s) in the student disciplinary system. The university shall provide notice to the alleged victim(s) of their rights at least five (5) business days (excluding legal holidays) before the disciplinary proceeding is conducted. Each university is encouraged to provide support and assistance programs for alleged victim(s), as appropriate.

(8) Title IX Sexual Harassment Matters. Each university must comply with the federal regulations adopted by the U.S. Department of Education pursuant to Title IX of the Education Amendments of 1972 (the "Federal Regulations") for addressing reports and complaints of "sexual harassment" as defined in the Federal Regulations. The university shall adopt and publish a regulation or a policy that articulates how the university will comply with the requirements of the disciplinary proceedings described in 34 CFR s. 106.45 for such Title IX sexual harassment matters. With respect to such matters, each university's disciplinary process must include the following:

- (a) In a disciplinary hearing, at the university's discretion, the decision-maker(s) shall be either a university official or designee; a committee or panel comprised of only university officials or designees; or a committee or panel where students comprise at least one-half of the membership of such committee or panel.
- (b) All procedures for disciplinary proceedings shall apply equally to the complainant and respondent and must include a live hearing for purposes of determining whether the respondent is responsible or not responsible for the alleged conduct. Each party may be accompanied by an advisor of their choosing at the live hearing; but must be represented by an advisor for purposes of cross-examination of the other party and witness(es). If a party does not have an advisor of their choosing present at the hearing, the university shall provide an advisor of the university's choosing to conduct cross-examination on the party's behalf. All cross-examination of the parties and witnesses must be conducted directly and orally by a party's advisor. At the hearing, before a party or witness can respond to a question posed by an advisor, the decision-maker(s) must first determine whether the question is relevant, and if not, explain the basis for disallowing the question.
- (c) Each party shall have the ability to present relevant information and witnesses in the disciplinary proceeding, the right to avoid self-incrimination, notification of the final result of the disciplinary proceeding and any subsequent changes to the final result, and the right to appeal the decision.
- (d) All information must be objectively evaluated and the decision-maker(s) must avoid credibility determinations based on a person's status as a complainant, respondent, or witness.
- (e) Information protected under a privilege recognized by state or federal law cannot be disclosed, used, or relied upon unless the person who holds the right to exercise the privilege waives the application of the privilege.
- (f) Upon request by the parties or other participants, the university may permit an individual to provide relevant information during the disciplinary proceeding in a manner that avoids direct contact with the parties or the other participants. Any hearing that is conducted virtually through technology shall enable the parties to see and hear the party or witness answering questions.
- (g) The university shall provide the parties at least ten (10) days to review evidence collected during the investigation as set forth in 34 CFR s. 106.45(b)(5)(vi).



(9) Each university shall, as part of its student disciplinary system, adopt and publish a regulation or policy that articulates how the university will address sexual misconduct violations other than Title IX Sexual Harassment. Universities may address sexual misconduct violations other than Title IX Sexual Harassment in accordance with either paragraph (4) or paragraph (8) of this regulation. If a university elects to use the procedures in paragraph (4), then paragraph (4)(b) shall not apply. Instead, the accused student shall be entitled to a disciplinary proceeding within the timelines established by each university and the disciplinary proceeding, at the university's discretion, shall be conducted by a university official or designee; or a committee or panel comprised of only university officials or designees; or a committee or panel where students comprise at least one-half of the membership of such committee or panel.

(10) Each university shall establish a committee, which shall include student representation, for the periodic evaluation of its student disciplinary system.

Authority: Section 7(d), Art. IX, Fla. Const., History--Formerly 6C-6.105, New 2-18-85, Amended 4-29-01, Amended and Renumbered 6-18-09, Amended 9-3-2015, 8-14-2020, 11-05-2020, 09-01-2021.

## APPENDIX M: 10.103 Non-Discrimination Policy

### 10.103 Non-Discrimination Policy and Discrimination and Harassment Complaint Procedures.

(1) Florida A&M University is committed to providing an educational and work environment free from discrimination and harassment on the basis of sex, race, color, religion, national origin, disability, age, marital status, sexual orientation, gender identity, gender expression, military veteran status, as provided by law. This commitment applies to all educational and work environments affecting students, faculty, Administrative and Professional (A&P) employees, Executive Service employees, University Support Personnel System (USPS) employees, and Other Personal Services (OPS) employees and any employment conditions and practices. Vendors, independent contractors, visitors, and others who conduct business with the University or on University policy are also expected to comply with this Regulation.

(2) This Regulation is designed to comply with multiple laws prohibiting discrimination including: Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; the Americans with Disabilities Act Amendments Act; the Rehabilitation Act of 1973; the Age Discrimination in Employment Act of 1967; Title IX of the Education Amendments Act of 1972; the Pregnancy Discrimination Act of 1978; the Uniformed Services Employment and Re-employment Act; the Veteran's Readjustment Act of 1974; and the Genetic Information Non-discrimination Act of 2008.

#### (3) Definition of Discrimination and Harassment.

(a) *Discrimination* shall include, but not be limited to:

1. Limiting, segregating or classifying students, employees, applicants for admission, or applicants for employment, in such a way as to deprive individuals of educational or employment opportunities or otherwise adversely affect individuals because of their race, religion, color, age, handicap, disability, sex, marital status, national origin, sexual orientation, gender identity, gender expression, or veteran status;
2. Denying educational or employment opportunities to individuals because of their race, religion, color, age, handicap, disability, sex, marital status, national origin, sexual orientation, gender identity, gender expression, or veteran status;
3. Providing unequal educational or employment opportunities to

individuals because of their race, religion, color, age, handicap, disability, sex, marital status, national origin, sexual orientation, gender identity, gender expression, or veteran status;

4. Providing unnecessary separate educational programs or activities for individuals because of their race, religion, color, age, handicap, disability, sex, marital status, national origin, sexual orientation, gender identity, gender expression, or veteran status;

5. Entering into contractual or other arrangements which utilize criteria or administrative methods which have the effect of subjecting individuals to discrimination or which otherwise adversely affect individuals because of their race, religion, color, age, handicap, disability, sex, marital status, national origin, sexual orientation, gender identity, gender expression, or veteran status; or

6. The application of any policy or procedure, or taking of any admission or employment action, that adversely affects a student, employee, applicant for admission, applicant for employment, a group of students, or a group of employees based on race, religion, color, age, handicap, disability, sex, marital status, national origin, sexual orientation, gender identity, gender expression, or veteran status.

(b) *Harassment* shall include, but not be limited to:

1. Any slurs, innuendoes or other verbal or physical conduct reflecting on an individual's race, ethnic background, gender, sexual orientation, gender identity, gender expression, or handicapping condition which has the purpose or effect of creating an intimidating, hostile or offensive educational or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities.

2. The denial of or the provision of aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment on the basis of sexual advances or requests for sexual favors.

3. Sexual harassment such as sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational career; submission to or rejection of such conduct is used as a basis for educational or employment decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

4. Sexual misconduct including sexual assault, sexual violence, inducing incapacitation for sexual purposes, sexual exploitation, relationship or domestic violence, or stalking.

a. Sexual assault means an actual or attempted sexual contact with another person without that person's consent. This includes, but is not limited to:

- i. Involvement in any sexual contact when the victim is unable to consent;
- ii. Intentional unwelcome touching of, or coercing, forcing, or attempting to coerce or force another to touch a person's genital area, groin, inner thigh, buttocks, or breast; or
- iii. Sexual intercourse without consent.

b. Inducing incapacitation for sexual purposes includes drugs, alcohol, or other means with the intent to affect or having an actual effect on the ability of an individual to consent or refuse to consent to sexual consent.

c. Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples include, but are not limited to:

- i. Prostitution of another person;
- ii. Non-consensual visual or audio-recording of sexual activity; or
- iii. Non-consensual distribution of photos, other images, or information of an individual's sexual activity.

d. Relationship or domestic violence is abuse or violence between partners or former partners involving one or more of the following elements:

- i. Battering that causes bodily injury;
- ii. Purposely or knowingly causing reasonable apprehension of bodily injury;
- iii. Emotional abuse creating apprehension of bodily injury or property damage; or
- iv. Repeated telephonic, electronic, or other forms of communication – anonymously or directly – made with the intent to intimidate, terrify, harass, or threaten.

e. Stalking includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.

#### **(4) Dissemination and Implementation of the Regulation.**

(a) The Office of Equal Opportunity Programs shall disseminate this Regulation or

portions of it to the University community which shall comply and adhere to its provisions. All units shall also take appropriate action to implement the provisions set forth in this Regulation.

(b) All questions or concerns about this Regulation or conduct that may violate this Regulation should be directed to the Director of Equal Opportunity Programs/Title IX Office:

**Dr. Latrecha Scott**

Director of Equal Employment Opportunity Programs/Title IX Office  
Florida A&M University  
1700 Lee Hall Drive  
Suite 304 Foote-Hilyer Administration Center  
Tallahassee, Florida 32307  
(850) 599-3076  
[latrecha.scott@famu.edu](mailto:latrecha.scott@famu.edu)

**(5) Procedures for Filing a Complaint.**

(a) Any individual who believes that he/she is a victim of discrimination or harassment may seek guidance from the Equal Opportunity Programs (EOP) Officer who has been delegated authority by the President to receive and investigate EEO and other protected class discrimination and harassment complaints based on a protected class issue. The EOP Officer shall inform prospective complainants of the formal and informal options by which his/her concern can be addressed and resolved. Issues handled informally will not normally invoke the investigatory procedures set forth in this Regulation. Issues handled formally, shall include the full range of processes and reviews that are necessary to ascertain the facts.

1. Complaints and reports against students may also be reported to the Office of Judicial Affairs. Students referred to the Office of Judicial Affairs for alleged violation of this Regulation will be subject to investigation and disciplinary action as provided by Regulation 2.012 – Student Code of Conduct and Regulation 2.013 – Due Process, Rights, and Responsibilities.

(b) A formal complaint shall be filed on the Charge of Discrimination/Harassment Form and submitted to the EOP Officer within sixty (60) calendar days after the alleged occurrence of the discrimination/harassment incident. The form may be obtained from the EOP Office.

(c) No formal action may be undertaken unless and until a formal complaint is filed. This provision shall not limit the University in any way from initiating its

own review of the complaint and taking appropriate action should such be deemed warranted under the circumstances presented.

(d) After receiving the signed written complaint, the EOP Officer shall notify, in writing, the and the person against whom the complaint was filed of the allegations; provide the person against whom the complaint was filed an opportunity to respond; conduct a complete investigation; and, determine a resolution to the complaint within thirty (30) University business days of receipt of the written complaint. This time period may be extended by the EOP Officer should an extension be necessary in order to ensure a full, fair and complete investigation. The EOP Officer shall give notice to the parties if such an extension is deemed necessary.

(e) The complaint will be dismissed if it is determined that the allegations are without merit. If disciplinary action is warranted, the EOP Officer shall prepare written notices to both parties (complainant and person against whom the complaint was filed). The written notice shall include the proposed disciplinary action, the reasons for the disciplinary actions, and the right of the person against whom the complaint has been filed to request, within ten (10) University business days of receipt of the proposed disciplinary action, an investigatory interview before a University hearing board.

(f) The University hearing board, when charged to review the complaint, shall file with the President or President's designee their findings and recommendations. The hearing board will notify both parties of its recommendations.

(g) The Complainant or the person against whom the complaint has been filed may upon receipt of the hearing board's decision make an appeal to the President, or the President's designee, for a review of the decision. Any appeals to the President or President's designee must be filed in writing within ten (10) University business days of receipt of the hearing board's written decision. Any additional information provided to the President or President's designee can only be provided in conjunction with the written appeal addressed to the President or President's designee. The President or President's designee shall render, within twenty (20) University business days of receipt of the hearing board's recommendation, a final written decision either dismissing the complaint or taking appropriate disciplinary action. The President or President's designee shall have the right to affirm, modify or reverse any prior decisions.

## **(6) Disciplinary Actions.**

- (a) Any employee or student of the University who is found to have discriminated against or harassed a student, an employee or an applicant for admission or employment will be subject to counseling or disciplinary action. Disciplinary action may include a written reprimand, probation, suspension, expulsion, or termination. The nature of the counseling or disciplinary action shall be guided by the seriousness of the offense.
- (b) Any employee in a supervisory capacity who has knowledge of a complaint involving another supervisor, subordinate, employee(s) supervised by another supervisor, or student(s) in the class(es) of another supervisor and who does not take appropriate corrective action or report the matter directly to the President or University EOP Officer will be subject to counseling or disciplinary action. Disciplinary action may include a written reprimand, suspension, or termination. The nature of the counseling or disciplinary action shall be guided by the seriousness of the offense.
- (c) All University employees must, within twenty-four (24) hours of receiving information, report information they have about alleged or possible sex-based discrimination, sexual harassment, and sexual misconduct discrimination involving students to the Director of EOP, the Office of Judicial Affairs, or the Department of Public Safety. Employees who are statutorily prohibited from reporting such information are exempt from this reporting requirement.

1. This subsection does not exempt the statutory obligation for any person who knows or has reasonable cause to suspect child abuse, abandonment, or neglect to report such information to the Department of Children and Families.

- (d) Any employee or student who knowingly files a false complaint of discrimination or harassment or who knowingly provides false testimony under this Regulation shall be subject to disciplinary action. Disciplinary action may include a written reprimand, probation, suspension, expulsion, or terminated. The nature of the disciplinary action shall be guided by the seriousness of the offense.

## **(7) Retaliation Procedure.**

- (a) Complainants who feel that they have been retaliated against for exercising their rights under this Regulation shall have the right to file a retaliation complaint with the EOP Officer.

(b) Retaliation complaints shall be handled in the same manner and utilizing the same procedures set forth above in Section 5 of this Regulation.

**(8) Election of Remedies.**

(a) The doctrine of election of remedies shall apply to complaints filed pursuant to this Regulation. Should a Complainant elect to pursue an available alternative remedy, including the filing of a grievance pursuant to the collective bargaining agreement, the filing of any such grievance shall operate as a waiver of the Complainant's right to file a complaint and avail the Complainant of the procedures available under this Regulation.

Should a grievance be filed pursuant to an alternative remedy and subsequent to the filing of a complaint under this Regulation but before proceedings under this Regulation have been completed, the filing of any such grievance nonetheless will act as a waiver, and proceedings pursuant to this Regulation shall be terminated.

(b) The doctrine of election of remedies shall also apply to appeals filed by persons against whom a complaint has been filed. The filing of an appeal pursuant to an alternative remedy by a person against whom a complaint has been filed, including the filing of a grievance under the collective bargaining agreement or the filing of a petition for a hearing pursuant to Section 120.569, F.S., shall operate as a waiver of the right to appeal to the President or President's designee pursuant to this Regulation.

*Specific Authority Article IX, Section 7(c), Florida Constitution and Board of Governors' Regulation 1.001 and 2.003. History – New May 6, 1982, Amended July 15, 1987, Amended June 27, 1996, Amended December 1, 2005, Amended May 2, 2014; April 8, 2022 and, July 31, 2024-Technical Change (Director Name).*



## APPENDIX N: 10.112 Consensual Relationships

### 10.112 Consensual Relationships

#### 1. In General

(a) Consensual sexual relationships between supervisors and employee, faculty-student, employee-student, do not violate laws prohibiting sex-based discrimination. However, such relationships are a concern because of the significant risk, ethical and administrative problems that can be posed when there is an institutional power difference between the parties involved, as between a supervisor and employee, employee and student, faculty and student, senior faculty and junior faculty, mentor and trainee, coach and athlete or academic advisor or counselor and advisee or counselee, and the individuals who supervise the day-to-day living environment and student residents. Because of the conflict or the potential for conflict of interest, exploitation, favoritism, and bias, such relationships may undermine the real or perceived integrity of the supervision, education and evaluation provided. They can lead to a complaint of sexual harassment when the student or employee feels that she or he has been exploited; thus being less consensual than the individual whose position confers power or authority believes. As a matter of sound judgment and professional ethics, all employees have a responsibility to avoid any apparent or actual conflict of interest between their professional responsibilities and personal relationships with students or other employees.

(b) As to students, the integrity of the teacher-student relationship is the foundation of the University's educational mission. This relationship vests considerable trust in the teacher, who, in turn, bears authority and accountability as a mentor, educator and evaluator. The unequal institutional power inherent in this relationship heightens the vulnerability of the student and the potential for coercion. The pedagogical relationship between teacher and student must be protected from influences or activities that can interfere with learning consistent with the goals and ideals of the University. Consequently, the University prohibits a sexual or romantic relationship between a teacher and student, even where consensual, if the faculty member has direct supervisory or evaluative responsibilities over the student.

(c) Likewise, the University prohibits sexual or romantic relationships between employees and students and between supervisors and their employees.

(d) Through this policy, Florida A & M University asserts its right to protect the

integrity of its operations from conflicts of interest, disruptions in its academic and employment environments that can arise from consensual sexual activity involving members of the University community, and to protect persons from the kind of injury that either a subordinate or superior party to such a relationship can suffer. Most of all, this policy seeks to ensure that each member of the Florida A & M University community is treated with dignity and without regard to any factors that are not relevant to the person's work.

(e) For such relationships, recusal is required, the recusing party must also notify his or her supervisor, department chair or dean, so that such chair, dean or supervisor can exercise his or her responsibility to evaluate the adequacy of the alternative supervisory or evaluative arrangements to be put in place.

## **2. Failure to Comply**

A failure to comply with the recusal and notification requirements is a violation of this policy, and therefore grounds for discipline commensurate with the severity of the offense, up to and including termination of employment.

## **3. Sexual Harassment Complaints**

Non-consensual situations or sexual harassment are covered under the University's policy on Sexual Harassment, as provided in Regulation 10.103.

## **4. Delegation of Authority**

The President or the President's designee shall establish further policies and procedures, including such recusal and notification requirements, to implement this policy.

*Specific Authority 1001.74(4) FS; Law Implemented 1001.74(19), 1001.75(3) FS; History – New 12-1-05; Amended \_\_\_\_.*