

# STUDENT RIGHTS AND RESPONSIBILITIES

ST. JOHNS RIVER STATE COLLEGE

## ACADEMIC FREEDOM AND RESPONSIBILITY

Students are expected to prefer fact to opinion and to commit themselves to genuine enlightenment rather than to inflexible adherence to limited knowledge. They are expected to assume full responsibility for their individual and collective actions and to participate seriously and purposefully in campus life. Consequently, violence, the threat of violence, disruption and intimidation are unacceptable to the academic community. Students are expected to examine critically, analyze and otherwise evaluate the College, its programs, policies and procedures utilizing processes which appeal to reason, and not to compromise the academic climate, mission, or integrity of the institution.

Academic work submitted by a student to his instructor is assumed to be the result of his or her own thought, research, or self-expression. Further, when a student borrows ideas, workings, or organizations from another source, he is expected to acknowledge that fact in an appropriate manner. Any student who is believed to be guilty of cheating or plagiarism will be reported to the Office of Student Affairs for disciplinary action. Those actions which are considered cheating, plagiarism, or academic dishonesty are defined in the Catalog/Student Handbook.

Students are free to take reasoned exception to data and views offered in the classroom and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course for which they are enrolled.

The College shall, in all cases, preserve the rights and freedoms of students by observing, in full, the professional code of ethics as established in the College Catalog/Student Handbook.

The student is responsible for classroom behavior which is conducive to the educational process and for achieving standards of performance established by the instructor.

The instructor has final authority in all matters relating to course content, grading practices, and classroom procedure, consistent with the philosophy, purposes, and established policies of the College. A course grade is the final responsibility of the instructor. In the matter of grading it is therefore essential that each faculty member keep each student informed of his or her progress in a course.

## COMMUNICATION MEDIA

All College published and financed student communication media shall explicitly follow the canons of responsible journalism such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and techniques of harassment and innuendo. The College shall reserve the right to ensure free and responsible media through an educational process. All media are expected to observe the standards of their respective professions as well as those of established governmental bodies.

## MAINTENANCE OF AND ACCESS TO STUDENT RECORDS

Any person who is enrolled, or who has been enrolled, in any instructional program or activity conducted under the authority and directions of SJR State has the right to access official records, files, and data directly related to that student.

Records may include, but are not necessarily limited to: identifying data; academic work completed; level of achievement records, including grades and test scores; attendance data; standardized intelligence, aptitude, and psychological test scores; interest inventory results; health data; family background information; teacher or counselor ratings and observations; verified reports of serious or recurrent behavior patterns; and any other knowledge or information recorded in any medium and maintained and used by or for the institution.

Records do not include:

(A) Records of instructional, supervisory, and administrative

personnel which records are in the sole possession of the maker and are not accessible or revealed to any other person except a substitute for any of such persons, i.e., an instructor's grade book.

(B) Records of law enforcement units of the institution which are maintained solely for law enforcement purposes and which are not available to persons other than officials of the institution or law enforcement officials of the same jurisdiction.

(C) Records made and maintained by the institution in the normal course of business which relate exclusively to the student in his or her capacity as an employee and which are not accessible for use for any other purpose.

(D) Records made by professionals acting in their professional capacity which are made and used in connection with provision of treatment to the student and which are not available to anyone other than the person providing treatment. However, such records shall be open to a physician or appropriate professional of the student's choice.

(E) Directory information. In accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA) as amended, commonly known as the Buckley Amendment, St. Johns River State College defines public or "directory information" as the following: Name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (e.g., undergraduate or graduate, full-time or part-time), dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, awards received and the most recent educational agency or institution attended.

Directory information, as defined by St. Johns River State College, may be released at the College's discretion, without the student's written consent (unless a request for nondisclosure has been received by the Registrar's Office within 15 days after the close of registration.) Nondisclosure shall remain in effect until the student gives written request to remove said nondisclosure to the Registrar's Office. Forms are available in the Registrar's Office.

Students requesting nondisclosure must consider the ramifications of nondisclosure prior to requesting nondisclosure. A nondisclosure request will prevent the College from responding to inquiries received from potential or current employers, any agency requesting verifications of enrollment (except as required under FERPA), publications (i.e., student directory), nominations for scholarships or national dean's lists, and other requests for directory information.

(F) Information which does not permit the personal identification of the student. Students and parents of students who are not yet 18 years of age or those students who are deemed dependents of such parents as defined in 26 U.S.C.S.152 (s.152 of the Internal Revenue Code of 1954) have the following rights of access:

1. Students have the right, upon request directed to appropriate school officials, to a list of the types of records directly related to students maintained by the institution which the student attends or has attended.
2. Students have the right, upon request, to be shown any record related to such student maintained by the school, and upon reasonable request, an explanation of the record.
3. Copies of the student's records shall be furnished upon request; the actual costs of copies may be charged.
4. The students, or in an appropriate circumstance, parents or guardians, have the right to waive access to confidential letters or statements of recommendation or evaluation only if:

- a. The students (parents) are, upon request, notified of the names of persons submitting confidential letters.
- b. Such letters and evaluations are used solely for their intended purpose.

**ENROLLMENT VERIFICATIONS**

St. Johns River State College (SJR State) has authorized the National Student Clearinghouse to provide enrollment verification certifications for our students through its web-based student self-service program. SJR State no longer provides student enrollment verifications directly.

Student self-service enables SJR State’s students to print official enrollment verification certifications on demand at no charge via our secure student portal.

Self-service enrollment verification certificates for the current term are available three (3) weeks after the term begins, 24 hours a day, 7 days a week.

Insurance providers, military ID issuing offices, or other businesses with questions should contact the Clearinghouse at (703) 742-4200.

You may want to include a copy of this procedure to the agency/ person requesting your enrollment verification certificate to notify them of the process that SJR State is using to provide this information. To access your enrollment verification certificate:

1. Log into MySJRstate. First time users of MySJRstate will need to click on the User Acceptance Policy and will be required to enter their generated student ID number and other personal information in order to obtain a username and password.
2. Once you are logged in, click on the Enrollment Verification link located in the Web Services box on the Student tab.
3. You will be directed to the National Student Clearinghouse where you will have to submit information such as your name, date of birth, and social security number.
4. Once you are logged in, you will have to choose either current enrollment or all enrollment and click on the Obtain an enrollment certificate link. This will give you a printable enrollment verification certificate.

**ANNUAL NOTIFICATION OF RIGHTS UNDER FERPA**

Students have certain rights regarding access to their own educational records and the disclosure of information from those records to others. The rights of SJR State students are specified and protected in the District Board of Trustees Rule 6.28.

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution. These rights include:

The right to inspect and review the student’s education records within 45 days of the day the St. Johns River State College receives a request for access. A student should submit to the director, registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The St. Johns River State College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the St. Johns River State College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

The right to request the amendment of the student’s education records that the student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA. A student who wishes to ask the College to amend a record should write the St. Johns River State College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the College will notify the student in

writing of the decision and the student’s right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

The right to provide written consent before St. Johns River State College discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent. The College discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by St. Johns River State College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A College official also may include a volunteer or contractor outside of SJR State who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII for education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for St. Johns River State College. Upon request, St. Johns River State College also discloses education records without consent, to officials of another school in which a student seeks or intends to enroll.

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by St. Johns River State College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

The following data is considered to be directory information and may be given to an inquirer either in person, by mail, or by telephone, and may be otherwise made public without obtaining prior written consent of the student:

- Name of student
- Address
- Telephone number
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- Enrollment status (e.g., undergraduate or graduate, full-time or part-time)
- Most recent educational agency or institution attended

An individual student currently enrolled may request that such directory information not be disclosed by completing the nondisclosure form available online and in the Registrar’s Office and giving the form to the registrar no later than (15) days after the close of registration to prevent inclusion in this term’s directory. The election to be excluded from the directory shall remain in effect until the Registrar’s Office is notified in writing.

**RIGHTS TO CHALLENGE AND HEARING**

Students (parents) have the right to challenge the content of any record to which they are granted access under paragraph one in order to ensure accuracy, privacy, and other rights. Any challenge

may be settled through informal meetings between the parents, guardian, or students and the appropriate college official. If an agreement cannot be reached informally, a hearing shall be held in accordance with the Rules of the State Board of Education.

**RIGHT OF PRIVACY**

Every student has the right to privacy for educational records kept on him or her. Personally identifiable records of students are confidential and are exempt from the provisions of section 119.07(1) Florida Statutes (which permits access to public records). The College shall not permit the release of records without the written consent of the student (or parent/guardian if appropriate).

Personally identifiable information may be released without the student’s or parent’s/guardian’s consent to the following persons or organizations:

1. Officials of schools where student intends to enroll.
2. Other school officials who have legitimate educational interests in the information sought.
3. Local, state, and federal educational authorities who are authorized to receive the information pursuant to law.
4. In connection with financial aid for which the student has applied or which the student has received.
5. Entities conducting studies for, or on behalf of, an institution for the purpose of developing, validating, or administering predictive tests, and student aid programs if such studies are conducted so as not to permit the personal identification of students.
6. Accrediting organizations in order to carry out accrediting functions.
7. Appropriate parties in connection with an emergency, if necessary, to protect the health or safety of the students or other individuals.
8. The Auditor General in connection with his/her official functions.
9. A court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a law fully issued subpoena upon the condition that the student and, if appropriate, his or her parent/guardian are notified of the order or subpoena in advance of compliance by the educational institution.
10. Credit bureaus in connection with an agreement for financial aid which the student has executed to the extent necessary to enforce the terms of the agreement.
11. A contractor, consultant, volunteer, or other party to whom an agency or institution has outsourced institutional services or functions may be considered a school official under this paragraph, provided that the outside party:
  - a. Performs an institutional service or function for which the agency or institution would otherwise use employees.
  - b. Is under the direct control of the agency or institution with respect to the use and maintenance of education records.

Consents for disclosure must be signed, dated, and shall specify the records to be disclosed and to whom the disclosure should be made.

Requests for access to student records should be in writing and retained as part of the record. (Authority section 1002.22 Florida Statutes)

**STUDENT CODE OF CONDUCT**

Article I: Definitions

(A) The terms “College” and “SJR State” mean St. Johns River State College.

(B) The term “Code” or “Student Code” refers to the Student Code of Conduct.

(C) The term “student” includes all persons taking courses at the College, both full-time and part-time, pursuing an undergraduate

degree. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the College are considered “students.”

(D) The term “faculty member” means any person hired by the College to conduct classroom activities.

(E) The term “College official” includes any person employed by the College performing assigned administrative or professional responsibilities.

(F) The term “member of the College community” includes any person who is a student, faculty member, College official, or any other person employed by the College. A person’s status in a particular situation in reference to this Code shall be determined by the Office of Student Affairs.

(G) The term “College premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College (including adjacent streets and sidewalks).

(H) The term “organization” means any number of persons who have complied with the formal requirements for College recognition.

(I) The term “judicial body” means any person or persons authorized by the Office of Student Affairs to determine whether a student has violated the Student Code and to recommend imposition of sanctions.

(J) The term “Judicial Advisor” means a College official authorized on a case-by-case basis by the Office of Student Affairs to impose sanctions upon students found to have violated the Student Code. The Office of Student Affairs may authorize a judicial advisor to serve simultaneously as a judicial advisor and the sole member or one of the members of a judicial body. Nothing shall prevent the Office of Student Affairs from authorizing the same judicial advisor to impose sanctions in all cases.

(K) The term “Appellate Board” means any person or persons authorized by the Office of Student Affairs to consider an appeal from a judicial body’s determination that a student has violated the Student Code or from the sanctions imposed by the Judicial Advisor.

(L) The term “shall” is used in the imperative sense.

(M) The term “may” is used in the permissive sense.

(N) The Office of Student Affairs is designated by the College President to be responsible for the administration of the Student Code.

(O) The term “policy” is defined as the written regulations of the College as found in, but not limited to, the Student Code and the Catalog/Student Handbook.

(P) The term “cheating” includes, but is not limited to:

1. use of any unauthorized assistance in taking quizzes, tests, or examinations;
2. dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or
3. the acquisition, without permission, of tests or other academic material belonging to a member of the College faculty or staff.

(Q) The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. This also applies to speech, electronic media, and content generated by artificial intelligence. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

(R) The term “Complainant” refers to a person bringing forth allegations of potential violations of College policy, rule, procedure, and/or the Student Code. The Office of Student Affairs will evaluate the allegations in determining whether to pursue charges.

(S) The term “Respondent” refers to a student or student organization charged or alleged to have violated College policy, rule, procedure, and/or the Student Code.

Article II: Judicial Authority

(A) The Office of Student Affairs shall determine the composition of judicial bodies and appellate boards and determine which judicial body, judicial advisor, and appellate board shall be authorized to hear each case.

(B) The Office of Student Affairs shall develop policies for the administration of the judicial program and procedural rules for the conduct of hearings consistent with provisions of the Student Code.

(C) Decisions made by a judicial body and/or judicial advisor shall be final, pending the normal appeal process.

(D) A judicial body may be designated as an arbiter of disputes within the student community in cases which do not involve a violation of the Student Code. All parties must agree to arbitration, and are to be bound by the decision with no right of appeal.

Article III: Prohibited Conduct

(A) Jurisdiction of the College

Generally, College jurisdiction and discipline shall be limited to conduct which occurs on College premises, at College-sponsored activities whether on or off campus, or conduct which adversely affects the College community and/or the pursuit of its objectives. Each student shall be responsible for their conduct from the time of application for admission until the individual is no longer considered a current student. The Office of Student Affairs shall determine on a case-by-case basis whether jurisdiction over off-campus activity should be asserted.

(B) Conduct--Rules and Regulations

Any student or student organization found to have committed or attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Article IV:

1. Acts of dishonesty, including, but not limited to, the following:
  - a. Cheating, plagiarism, or other forms of academic dishonesty.
  - b. Furnishing false information to any College official, faculty member, or office.
  - c. Forgery, alteration, or misuse of any College document, record, or instrument of identification.
  - d. Tampering with the election of any student organization recognized by the College.
2. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other College activities, including its public-service functions on or off campus, or other authorized activities, when the act occurs on College premises.
3. Physical, verbal, or written abuse, threats, intimidation, harassment, coercion, and/or any other conduct which threatens or endangers the health or safety of any person.
4. Attempted or actual theft of and/or damage to property of the College or property of a member of the College community or other personal or public property.
5. Hazing, defined as an act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization operating under the sanction of a postsecondary institution. Such term includes, but is not limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or other forced physical activity which could adversely affect the physical health or safety of the student and also includes any activity which would subject the student to

extreme mental stress such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or other forced activity which could adversely affect the mental health or dignity of the student.

6. Failure to comply with directions of College officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
7. Unauthorized possession, duplication or use of keys, access cards, or other access control systems to access any College premises or unauthorized entry to or use of College premises.
8. Violation of published College policies, rules, procedures, or regulations.
9. Violation of federal, state or local law on College premises or at College sponsored or supervised activities.
10. Use, possession, or distribution of narcotics or other controlled substances, except as expressly permitted by law.
11. Use, possession, or distribution of alcoholic beverages except as expressly permitted by the law and College regulations, or public intoxication.
12. Illegal or unauthorized possession of firearms, knives, explosives, fireworks, other weapons, hazardous or toxic substances, or dangerous chemicals or materials on College premises.
13. Participation in a campus demonstration which disrupts the normal operations of the College and infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.
14. Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College sponsored or supervised functions.
15. Conduct which is disorderly, lewd, or indecent; breach of peace; aiding, abetting, or procuring another person to breach the peace on College premises or at functions sponsored by, or participated in by, the College.
16. Theft or other abuse of College information technology (IT) resources, including but not limited to:
  - a. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
  - b. Unauthorized downloading, streaming, or transfer of a file.
  - c. Unauthorized use of another individual's identification and password.
  - d. Use of technology to interfere with the work of another student, faculty member or College Official.
  - e. Use of technology to send, receive, or access obscene or abusive messages, websites, or materials.
  - f. Use of technology to interfere with normal operation of the College computing system.
17. Abuse of the judicial system, including but not limited to:
  - a. Failure to obey the summons of a judicial body or College official.
  - b. Falsification, distortion, or misrepresentation of information before a judicial body.
  - c. Disruption or interference with the orderly conduct of a judicial proceeding.
  - d. Institution of a judicial proceeding knowingly without cause.
  - e. Attempting to discourage an individual's proper participation in, or use of, the judicial system.
  - f. Attempting to influence the impartiality of a member of a judicial body prior to, and/or during the course of, the judicial proceeding.
  - g. Harassment (verbal or physical) and/or intimidation

- of a member of a judicial body prior to and/or after a judicial proceeding.
  - h. Failure to comply with the sanction(s) imposed under the Student Code.
  - i. Influencing or attempting to influence another person to commit an abuse of the judicial system.
18. Cause to be made public class lectures without consent of faculty or lecturers.
  19. Use of tobacco and smoking, including cigarettes, loose-leaf tobacco, snuff, or other forms of tobacco, and electronic devices. As a tobacco-free campus, the tobacco-free policy applies to all campus properties, walkways, sidewalks and parking lots, as well as personal vehicles in these areas.
  20. Gambling on college property.
  21. Sleeping in public areas.
  22. Distribution or posting of any commercial material on campus without the approval of the President or his/her designee.
  23. Bringing pets or other animals, including emotional support animals, onto campus, including sidewalks, campus buildings, classrooms, grounds, or sporting events or practices. Service animals (dog or miniature horse), that are individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, specifically and directly related to the individual's disability are exempt from this prohibition. Service animals must be on a leash or harness unless it would interfere with the service animal's ability to perform the tasks it is trained to do, and it must be under the handler's control at all times. If a service animal is disruptive, out of control, is not housebroken, or poses a threat, the College may request its removal.
  24. Failure to honor financial obligations to the College (including but not limited to, worthless checks, loans, veteran deferments, and other fees) will result in students not being allowed to re-enroll. If it becomes necessary for the College to turn over a student's account balance to a collection agency for collection, the collection cost (agency fees) will be added to the student's account and must be paid by the student.
  25. Wearing attire in such a manner as to be in violation of health laws and/or disrupt the College's educational process. Appropriate dress for the appropriate activity is expected. A student may be asked to leave an area when not appropriately attired in the opinion of the College official or instructor who is acting in a supervisory position. Repeat offenders shall be reported to the Office of Student Affairs.
  26. Failure to carry identification and/or proof of registration.
  27. Bringing guests or family members into the classroom, unless it is part of a structured classroom activity.
  28. Posting vulgar, abusive, derogatory, threatening, discriminatory, or gang-related content on college premises or any college- sanctioned social media accounts. The College reserves the right to block users and/ or remove a post that violates college policies, creates a hostile environment, or contains content that is vulgar, abusive, derogatory, threatening, discriminatory, or gang-related.
  29. Entering any building after closing hours unless accompanied by a college employee. Unless otherwise authorized, all persons must be off the campus by 11:00 p.m.
  30. Entering a restroom or changing facility designated for the opposite sex except as otherwise provided in

section 553.865, Florida Statutes. Students who enter a restroom or changing facility designated for the opposite biological sex and refuse to depart when asked by any College official, faculty member, security, or law enforcement personnel will be subject to disciplinary sanctions as outlined in Article IV.

31. Failure to comply with a directive of a college official such as to cease all contact or interaction with another individual (i.e. "no contact order").
32. Any conduct that constitutes any form of retaliation towards a complainant or any participant in an investigation or conduct process under this Student Code.

On occasion, situations may arise not specifically covered by College regulations or the Student Code, but which are harmful to the welfare of the College community or are obstructive to the orderly processes of the College. The Office of Student Affairs will interpret whether or not the situation is governed by the Code and will authorize appropriate action.

(C) Violation of Law and College Discipline

1. If a student is charged only with an off-campus violation of federal, state, or local laws, but not with any other violation of this Code, disciplinary action may be taken, and sanctions imposed for grave misconduct which demonstrates flagrant disregard for the College community. In such cases, no sanction may be imposed unless the student has been found guilty in a court of law or has declined to contest such charges, although not actually admitting guilt (e.g., "no contest" or "nolo contendere").
2. College disciplinary proceedings may be instituted against a student charged with violation of a law which is also a violation of this Student Code, for example, if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
3. When a student is charged by federal, state, or local authorities with a violation of law, the College will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a judicial body under the Student Code, however, the College may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the College community. The College will cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

Article IV: Judicial Policies

(A) Charges and Hearings

1. Any member of the College community may file charges against any student or student organization for misconduct. Charges shall be prepared in writing and directed to the Office of Student Affairs, which is responsible for the administration of the College judicial system. Any charge should be submitted as soon as possible after the event, preferably within five

- (5) class days. This time limit may be extended for an additional ten (10) days for extenuating circumstances.
2. The Office of Student Affairs may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Office of Student Affairs or may refer the matter to a judicial advisor who will conduct the investigation of the charges to determine if they have merit and can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Office of Student Affairs. Such disposition shall be final, and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the judicial advisor may later serve in the same matter as the judicial body or a member thereof.
  3. All charges shall be presented to the accused student in written form. A time shall be set for a hearing, not less than five (5) nor more than fifteen (15) class days after the student has been notified. Maximum time limits for scheduling hearings may be extended at the discretion of the judicial advisor.
  4. Hearings shall be conducted by a judicial body according to the following guidelines:
    - a. Hearings may be conducted in person, through web conferencing tools, or through other means at the discretion of the judicial advisor.
    - b. Hearings normally shall be conducted in private.
    - c. Admission of any person to the hearing shall be at the discretion of the judicial body and/or its judicial advisor or the Office of Student Affairs.
    - d. In hearings involving more than one respondent, the chairperson of the judicial body, at his or her discretion, may permit the hearings concerning each student to be conducted separately.
    - e. The complainant and the respondent have the right to be assisted by any advisor they choose at their own expense. If the complainant or the respondent intends to have an attorney serve as the advisor, they must notify the Office of Student Affairs within 48 hours of receipt of notice of the hearing. The College reserves the right to have counsel in attendance or on notice for the hearing. The complainant and/or the respondent or advisor may participate in the presentation of the case.
    - f. The complainant, the accused, and the judicial body shall have the privilege of presenting relevant information and witnesses, subject to the right of cross-examination by the participants.
    - g. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by a judicial body at the discretion of the chairperson.
    - h. All procedural questions are subject to the final decision of the judicial body chairperson.
    - i. After the hearing, the judicial body shall determine by majority vote if the judicial body consists of more than one (1) person whether the student has violated each section of the Student Code which the student is charged with violating.
    - j. The judicial body's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code.
    - k. There is a presumption that no violation occurred.
    - l. The complainant and the accused have the right to an impartial hearing officer.
    - m. The complainant and the accused have the right against self-incrimination and to remain silent.
    - n. The complainant and the accused have the right to receive copies of accurate and complete records of relevant disciplinary proceedings.
  5. There shall be a single verbatim record of all hearings before a judicial body. The record shall be the property of the College.
  6. Except in the case of a student charged with failing to obey the summons of a judicial body or College official, no student may be found to have violated the Student Code solely because the student failed to appear before a judicial body. In all cases, the evidence in support of the charges shall be presented and considered.
- (B) Sanctions
1. The following sanctions may be imposed upon any student found to have violated the Student Code of Conduct:
    - a. Warning—A written notice to the student that the student is violating or has violated institutional rules, policies, regulations, or procedures.
    - b. Probation—A written reprimand for violation of specified rules, policies, regulations, or procedures. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional rule(s), policy(ies), regulation(s), or procedure(s) during the probationary period.
    - c. Loss of Privileges—Denial of specified privileges for a designated period of time.
    - d. Fines—Previously established and published fines may be imposed.
    - e. Restitution—Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
    - f. Discretionary Sanctions—Work assignments, service to the College, or other related discretionary assignments (such assignments must have the prior approval of the Judicial Advisor).
    - g. No Contact or Stay Away Order—The College may prohibit the student from having contact with another student or college employee or require a neutral third party to be present before and/or during the contact. The College may take whatever steps necessary to facilitate the administration of the interim no-contact order.
    - h. College Suspension—Separation of the student or student organization from the College for a definite period of time, after which the student or student organization is eligible to return. Conditions for readmission may be specified.
    - i. College Expulsion—Permanent separation of the student from the College.
    - j. Permanent removal of student organization from College.
    - k. Withdrawal from a class, program, and/or department.
  2. More than one of the sanctions listed above may be imposed for any single violation.
  3. Other than College expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record but shall become part of the student's confidential record. Upon graduation, the student's confidential record may be expunged of disciplinary actions upon application to the judicial advisor.
  4. The following sanctions may be imposed upon groups or organizations:
    - a. Those sanctions listed above in Section B1, a through f.
    - b. Deactivation—Loss of all privileges, including College recognition, for a specified period of time.

5. In each case in which a judicial body determines that a student has violated the Student Code, the sanction(s) shall be determined and imposed by the Judicial Advisor. In cases in which persons other than or in addition to the Judicial Advisor have been authorized to serve as the judicial body, the recommendation of all members of the judicial body shall be considered by the Judicial Advisor in determining and imposing sanctions. The Judicial Advisor is not limited to sanctions recommended by members of the judicial body. Following the hearing, the judicial body and the Judicial Advisor shall advise the accused in writing of its determination and of the sanction(s) imposed, if any.

(C) Interim Suspension and/or Interim No Contact Order  
In certain circumstances, the Office of Student Affairs or a designee may impose a College suspension and/or no contact order prior to the hearing before a judicial body.

1. Interim suspension and no contact orders may be imposed only:
  - a. to ensure the safety and well-being of members of the College community or preservation of College property;
  - b. to ensure the student's own physical or emotional safety and well-being; or
  - c. if the party poses a definite threat of disruption of or interference with the normal operations of the College.
2. During the interim suspension, parties shall be denied access to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the Office of Student Affairs or the judicial advisor may determine to be appropriate.
3. When a interim no contact order is imposed, the student shall be prohibited from having contact with another student or college employee, the order may also require a neutral third party be present before and/or during the contact. The College may take whatever steps necessary to facilitate the administration of the interim no contact order.

(D) Appeals

1. A decision reached by the judicial body or a sanction imposed by the judicial advisor may be appealed by complainants, respondents, or student organizations to an appellate board within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the Office of Student Affairs or his/her designee.
2. Except as required to explain the basis of new evidence, an appeal shall be limited to a review of the verbatim record of the initial hearing and supporting documents for one or more of the following purposes:
  - a. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code was violated, and giving the respondent a reasonable opportunity to prepare and present a rebuttal of those allegations.
  - b. To determine whether the decision reached regarding the respondent was based on substantial evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Student Code occurred.
  - c. To determine whether the sanction(s) imposed were

- appropriate for the violation of the Student Code which the student was found to have committed.
- d. To consider new evidence sufficient to alter a decision or other relevant facts not brought out in the original hearing because such evidence and/or facts were not known to the person appealing at the time of the original hearing.
3. If an appeal is upheld by the appellate board, the matter shall be remanded to the original judicial body and judicial advisor for re-opening of the hearing to allow reconsideration of the original determination and/or sanction(s).
4. In cases involving appeals by parties accused of violating the Student Code, review of the sanction imposed by the appellate board may result in concurrence of the existing sanction, reduction of the existing sanction, elimination of the existing sanction, or revision of the existing sanction.

Article V: Interpretation and Revision

- (A) Any question of interpretation regarding the Student Code shall be referred to the Office of Student Affairs for final determination.
- (B) The Student Code shall be reviewed every two (2) years under the direction of the Office of Student Affairs.

Students may submit a complaint to the Attorney General alleging that the educational institution has failed to meet the minimum requirements for restrooms and changing facilities under section 553.865 (4) and (5), Florida Statutes.

Students are expected to take reasonable care of the classrooms, student centers, and other facilities. Students who abuse property or facilities will be reported to the Office of Student Affairs for disciplinary action.

**STUDENT COMPLAINT PROCESS**

Federal regulations and State laws require that public colleges in the Florida College System have processes for students, employees, and applicants to file complaints against any respective college. In almost every situation, the college's process for resolving complaints must be followed first. Before contacting the State Division of Florida Colleges, please read SJR State's policies and procedures for filing complaints which may be found in the Catalog/Student Handbook on page 30. If you wish to file a complaint with the Florida Department of Education, please visit their website at [fldoe.org/schools/higher-ed/fl-college-system/about-us/complaints.shtml](http://fldoe.org/schools/higher-ed/fl-college-system/about-us/complaints.shtml).

Complaints may also be filed with our accrediting agency, the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) using its complaint procedures found on their website at [sacsoc.org/app/uploads/2020/01/ComplaintPolicy-1.pdf](http://sacsoc.org/app/uploads/2020/01/ComplaintPolicy-1.pdf).