

NOTICE OF PROPOSED REGULATION

Date: April 19, 2007

REGULATION TITLE:

Student Affairs; Student Conduct Code; Interim Suspension
Pending Investigation and Hearing

REGULATION NO.:

6C1-4.0162

SUMMARY: The amendment provides that all interim suspensions enacted pursuant to an alleged violation of Regulation 6C1-4.016 shall remain in effect pending the completion of an investigation by the university and any other entity with jurisdiction over the matter, and a hearing by the university.

AUTHORITY: BOG Resolution dated January 7, 2003

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION

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

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

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

~~RULES~~REGULATIONS OF
UNIVERSITY OF FLORIDA

6C1-4.0162 Student Affairs; Student Conduct Code; ~~Immediate~~Interim Suspension
Pending Investigation and Hearing.

(1) The Dean of Students or his or her designee has the authority to determine if ~~a~~an
alleged violation of ~~Rule~~Regulation 6C1-4.016(2), ~~F.A.C.~~, warrants ~~the immediate~~interim
suspension of a student or a student organization's privileges pending the completion of an
investigation and hearing regarding the alleged violation. The criteria to be used by the Dean of
Students or designee in making this determination are:

~~(1)~~a whether the student or student organization poses a danger of serious physical
harm to himself/herself/themselves or others at the University; or

~~(2)~~b whether ~~immediate~~interim suspension is necessary to protect the health, safety or
welfare of the student, members of the student organization, or others at the University. ~~Upon~~
~~making such a determination, the Dean of Students, with approval of the Vice President for~~
~~Student Affairs, will suspend the student pending a hearing before the appropriate hearing body~~
~~in accordance with Rule 6C1-4.013, and the Dean of Students will suspend a student~~
~~organization pending a hearing before the appropriate hearing body in accordance with Rule~~
~~6C1-4.0162, F.A.C. or of the public.~~

(2) Upon determining that an interim suspension is warranted, the Dean of Students,
with approval of the Vice President for Student Affairs, will suspend the student or student
organization pending (1) completion of all investigations of the matter by the University and/or

any outside entity or entities having jurisdiction over the matter, and (2) completion of a hearing conducted in accordance with University regulations.

(3) Interim suspensions pending investigation and hearing will be immediately noted on the suspended student's university transcript in accordance with Regulation 6C1-4.026.

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

(5) No student or student organization may be removed from on-campus housing until the completion of the appropriate hearing unless it is determined by the Dean of Students that such removal is necessary to protect the health, safety and welfare of individuals or property. ~~Said hearing will take place within a reasonable time after notification of such immediate suspension.~~

~~Specific Authority 1001.74(4), 1006.60 FS.~~

~~Law Implemented 120.81(1), 1001.74(10), 1006.60 FS.~~

Authority BOG Resolution dated January 7, 2003.

History--New 9-15-83, Formerly 6C1-4.162, Amended 10-31-99, 1-19-03, _____.