



# STUDENT HANDBOOK

2013 - 2014



Office of Student Services  
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## Student Handbook: A MESSAGE FROM THE PRESIDENT

Welcome to Flagler College. Whether you are a first-time-in-college freshman, a transfer student, or a returning student, I am pleased that you have chosen to attend Flagler College. It is my hope that Flagler will be not just your college of choice, but your home for the college experience. We trust that your experience at our college will be challenging, rewarding, and gratifying.

The primary aim of our college is to provide for the intellectual and personal development of our students. To this end, we believe there is no substitute for the interaction between students and faculty to facilitate the learning process and assist students in the pursuit of their educational goals.

We recognize, however, that learning is not confined to the classroom. Learning on a college campus occurs through a wide variety of experiences, ranging from involvement in the residence life program to participation in student clubs and organizations. These experiences are intended to foster students' personal growth and development and to enhance their education. Research has shown that students who involve themselves in campus life and activities derive significant educational benefits from these experiences.

The Student Handbook is intended to serve as a source of information about the many support services, organizations, and activities provided by the College. It also includes information about pertinent policies, rules, and regulations. The Student Handbook is not intended to be comprehensive or all-inclusive in its listings of policies and procedures. You are advised to read the Catalog carefully, especially the section pertaining to academic information.

I hope you will make the most of your education at Flagler and will take advantage of the many opportunities afforded by the College. In so doing, you will realize the best opportunity for success and satisfaction in achieving your educational and personal goals.

William T. Abare, Jr., Ed.D., President

### STUDENT RESPONSIBILITY FOR RULES AND REGULATIONS

Students are responsible for knowing and complying with Flagler College rules and regulations, as published in the Student Handbook and verbal or written policies, as announced by the College administration. This handbook is published for the information of students and is intended to convey expectations regarding the conduct of all Flagler College students.

Rules and regulations governing student conduct are prescribed to ensure the safety and well-being of all students and to promote the academic and social purposes of the College. Flagler grants students the privilege of attending the College on the condition that they must comply with its rules, regulations, policies and procedures, as they exist at the time of admission and as they may be amended from time to time. The College reserves the right to suspend or terminate the privilege of attendance, if the student violates the rules of conduct or if the student's enrollment is deemed contrary to the best interest of the institution.

From the time a student applies to the College, until the date at which the student's enrollment is officially terminated, the College reserves the right to take cognizance of any conduct on the part of the student that may disqualify him or her from initial enrollment or from continuing enrollment for successive terms.

Initial enrollment may be denied to a prospective student who violates any law, statute or ordinance, or who engages in any behavior that would constitute a violation of the College's standards of conduct.

Once enrolled, students are accountable for their conduct both on and off campus. This accountability applies not only during the academic term but also during vacations and periods between academic terms. Accordingly, the violation of any law, statute or ordinance, the violation of College rules, or conduct that reflects discredit upon the institution is subject to review and appropriate disciplinary action, regardless of whether it occurs off campus or between academic terms.

At the conclusion of each semester, the College administration will review the academic and disciplinary records of those students who, in the opinion of the designated College official, have failed to make appropriate adjustment to Flagler College and whose continuing enrollment is in question. Any student on suspension will be subject to such review prior to re-enrollment. The College reserves the right to deny, on the basis of the review, continuing or re-enrollment to any student whose presence or conduct is deemed to be contrary to the best interest of the institution. Any student suspended may return after the specified period of the suspension. The College reserves the right to deny continuing or re-enrollment.

### CAMPUS FACILITIES AND SERVICES

#### CAMPUS SERVICES:

**Banking:** The City of St. Augustine has several banks within walking distance of the campus. Students are urged to open a checking or savings account at a local bank for their convenience and the protection of their funds. Money should not be kept in residence hall rooms.

Also available to you is the FDIC-insured Flagler OneCard account. This card is issued when you begin enrollment at Flagler College and there is a free ATM for you to use on campus; free overnight depositing of your funds is available through the depository box located in the Business Office at 20 Valencia Street. For full details regarding this account, please view the information at <http://my.flagler.edu>, Business Services tab, Flagler OneCard section.

**Behavior Intervention Team:** The Behavioral Intervention Team exists as a proactive, multi-disciplinary program in support of the safety, health, and well-being of all students, faculty, and staff. Its goal is to provide a structured positive method for addressing student behaviors that may adversely impact the college community, the mission of the College, and may involve mental health and/or safety issues. The BIT consists of a group of qualified college professionals who are likely to become involved with and/or receive information pertaining to a student of concern.

The BIT provides a means by which members of the college community may report concerns related to the above. The BIT may then assess the risk associated with these concerns and, in cooperation with other appropriate college teams or offices, formulate an appropriate response when an individual's behavior and/or statements generate concern that he/she may present a threat to the health or safety of self or others.

Concerns may be reported to the BIT by any student, parent, faculty, or staff member of the College, and by others not directly associated with the College. The most common method of reporting is done via the college website options; including: [www.flagler.edu/BIT](http://www.flagler.edu/BIT); the BIT "Quick Link" on the Portal site; the BIT option via the Health and Safety link on the Flagler College home page; the BIT option on the Counseling Services home page via the Departments link on the Flagler College home page. A report may also be made by calling (904) 819-6308.

The types of concerns that should be reported include, but are not limited to: behaviors or threats (direct or implied) that may entail risk of harm to self or others; erratic or disruptive behavior (including on-line activities); belief that a student's emotional well-being is deteriorating or at significant risk; and substance abuse resulting in the need for medical intervention. Any person who believes that a member of the college community or a visitor may commit an act of violence, is engaging in behavior or making statements that generate concern about the potential for violence, or otherwise may pose an imminent threat to the health or safety of any member of the college community or its visitors should immediately call the Office of Safety and Security at (904) 810-6200 or the St. Augustine Police Department by dialing 911.

After a BIT submission is reviewed, the response will vary depending on the type of concern reported. This may range from an e-mail and/or phone contact offering assistance for a student representing no risk, to an immediate/mandatory appointment with a student representing potentially high risk. Students judged to be potentially at risk will be instructed to undergo an ongoing assessment at the Counseling Center. Following the initial meeting, students may request to be assessed by an outside agency with findings provided back to the BIT. Assessment information reported to the BIT will be largely restricted to on a determination of a student's level of risk, and not details of counseling.

After the assessment, the BIT will make a determination that takes into consideration the student's best interest, as well as the best interest of the college community. Possible outcomes include, but are not limited to: appropriate treatment; referral to an additional campus resource; reduction in access to courses and/or facilities; and withdrawal from the College.

In determining an appropriate outcome, the College will consider whether there is a reasonable way to accommodate the student to decrease the safety risk to the student or others and/or to ensure compliance with college policies. Moreover, any decision to withdraw a student from the College will be made in consultation with a professional qualified to interpret the evidence. The decision rendered by the team will be made in a nondiscriminatory manner based on the observation of a student's conduct, actions, and statements and not be based on a slightly increased, speculative, or remote risk of substantial harm to oneself or others. Students who fail to comply with an assessment requirement may be referred to the Vice President of Student Services for action.

Retaliating against a person who has made a report to the BIT in good faith or has participated in an investigation is prohibited. Retaliation includes, but is not limited to: ostracizing the person; pressuring the person to drop the report or not participate in an investigation; or taking other adverse action against the person. An individual who engages in retaliation under this policy will be subject to discipline in accordance with the College's personnel, faculty, or student life policies, as applicable.

**Career Services:** The Flagler College four-year plan: The Office of Career Services supports Flagler students by helping measure the fit between individuals and potential careers, as well as assisting students in formulating career goals and outlining action steps to achieve their objectives. This includes individual meetings; career preparation sessions; the mechanics of resumes; and offering students information on occupational fields, graduate education, employment opportunities, internships, and job search strategies. The Office of Career Services is located on the second floor of the Ringhaver Student Center.

The Four-Year Plan is designed to ensure Flagler College students receive comprehensive career counseling and career planning education in order to develop graduates with the knowledge and ability to showcase their skills and achievements as they enter the occupational world. This includes computerized assessment of student work-related values, interest, personality, and skills; as well as information on developing goals, communication, research, and the mechanics of an effective job search.

Give yourself an advantage over those who think they can wait until their senior year to "get serious about figuring out a career." Steps taken during all four years of college will go a long way in helping you clarify your career goals and build a competitive resume or application for graduate school. Use the following timeline as a guide to map out a four-year plan.

#### **1st year: Explore:**

- Develop sound study habits, manage your time well, and get assistance for difficult courses
- Meet with Career Services to explore career possibilities and majors, and to learn about resources offered
- Begin to develop relationships with faculty, advisors, and key administrators
- Complete career assessments to assist in identifying your strengths, weaknesses, skills, values and interests
- Join a student club or organization
- Talk to upperclass students majoring in what you plan to major in
- Find summer employment related to your career interests
- Take an elective in a major you are considering
- Read the Flagler College catalog and meet with your academic advisor to build your major

#### **2nd year: Prepare:**

- Research and apply for internships, summer jobs, and volunteer positions related to your career field
- Explore companies and shadow professionals in your field of interest
- Begin working on a resume with Career Services
- Meet with faculty members and advisor to brainstorm career paths
- Consider whether additional education will be needed for your chosen career path
- Research specific careers and required qualifications
- Solidify your major and begin signing up for electives that will assist you in your career path and personal development
- Begin building a professional wardrobe

**3rd year: Action:**

- Complete an internship
- Practice interview skills by scheduling a mock interview with Career Services
- Join student chapters affiliated with the professional associations in your field
- Begin building a portfolio for your career path
- Bring your resume to Career Services for review
- Determine if there are other “resume builders” for your field, aside from internships
- Improve upon desired skills such as public speaking, organization, problem solving, writing, etc.
- Explore graduate school programs
- Schedule informational interviews with prospective career contacts
- Apply for leadership positions on and off campus
- Set career goals and steps to accomplish those goals
- Register and prepare for graduate school admissions tests such as the GRE, LSAT, MCAT, or GMAT

**4th year: Transition:**

- Plan to apply and interview for jobs and graduate schools 4-6 months before you graduate
- Complete a second internship in order to make your resume stand out
- Meet with Career Services to plan a strategic job search and to finalize your resume and cover letter
- Network! Let all of your contacts know you are looking for entry-level employment
- Compile a list of references; obtain their permission and collect contact information
- For graduate school, complete your personal statement and mail off your applications
- Formulate an alternate “Plan B” in case you need to make last minute career adjustments
- Begin branding and marketing yourself as a professional

**Every Year:**

- Keep track of your accomplishments to use on your resume
- Attend Career Services events, workshops, etiquette dinners, and fairs to meet job recruiters
- Get in the habit of seeking out opportunities early. Many internships, summer career immersion programs, and job postings have application dates well in advance of their start dates
- Cultivate a career network. Keep in touch with former supervisors, faculty, and individuals you meet through family, friends, clubs, and classes.
- Review the Career Resource Library in the Office of Career Services

**Community Service:** The College strongly encourages student involvement in the St. Augustine community. There are many opportunities to affiliate with organizations that are geared to assist in helping others. Some of these include Habitat for Humanity, St. Francis Soup Kitchen, and the Boys and Girls Club. All athletic teams, clubs, and organizations are required to perform community service. Individuals interested in becoming involved should contact the Director of Student Activities in the Office of Student Services in the Ringhaver Student Center.

**Counseling:** The College offers counseling services to help students deal with personal concerns and problems that interfere with their emotional well-being and/or academic progress. The Counseling Center’s counselors provide individual and group counseling, crisis intervention, assessments, consultation, and referral services. All services are confidential to the extent allowed by law and are not part of the students education records. Services received at the Counseling Center are free of charge to all currently enrolled students. There are many reasons students seek professional counseling. Often, they want to feel more satisfied with their lives, be more effective in dealing with challenges, increase their self-awareness, improve their self-esteem or enhance interpersonal skills. Counseling can also help with problems related to: adjustment to college life; relationships; roommate conflicts; family issues; grief; time management; anxiety; eating disorders; alcohol and other drug use; stress; depression; trauma; anger; social isolation; sexual identity; study skills; and test anxiety. The Counseling Center is located in the Palm Cottage at 8 Valencia Street, between Wiley Hall and Lewis House. Students may schedule an appointment by coming by in person, calling (904) 819-6305, or emailing [counseling@flagler.edu](mailto:counseling@flagler.edu). Additional information can be obtained at [www.flagler.edu/counseling](http://www.flagler.edu/counseling).

**Financial Aid:** The purpose of this section is to provide a summary of the financial aid program at Flagler College. Detailed information is available in the Flagler College Catalog and on the Flagler College Web site [http://www.flagler.edu/departments/financial\\_aid](http://www.flagler.edu/departments/financial_aid).

Flagler College acknowledges that financing a college education represents a major investment. While the College believes the primary responsibility in this endeavor rests with the student, we understand that many students cannot afford to pay the entire cost of college tuition. The College conducts a comprehensive financial aid program to assist students in meeting the costs they cannot pay. The primary purposes of the program are to make sure that students are aware of the availability of financial aid and to provide students with the opportunity to apply for that aid.

The Financial Aid Office uses all means at its disposal to advise students of financial aid availability and application deadlines, such as: campus publications, the college website, postings on the campus bulletin boards, faculty notification, student email, etc. It is the student’s responsibility to use these means to seek out and apply for financial aid. The Flagler College Financial Aid staff is available during regular business hours to assist students in this process.

The Financial Aid Office Staff is responsible for all financial aid activities at Flagler College. The office is located in Hanke Hall at 63 Cordova Street. Hours are 8:00 am to 5:00 pm EST, Monday through Friday. The telephone number is (904) 819-6225. Mail should be addressed to: Financial Aid Office, Flagler College, P.O. Box 1027, St. Augustine, FL 32085-1027, or emailed to: [financialaid@flagler.edu](mailto:financialaid@flagler.edu).

**What is Financial Aid?:** Financial Aid is money awarded to students to help pay their education costs. It comes in the form of grants, scholarships, loans and employment. Grants and scholarships are called “gift aid,” since they do not have to be repaid. Loans and employment are called “self-help aid,” since students are helping themselves by either repaying the money loaned or working for the money. Loans are made at low interest rates, and repayment does not start until after graduation. Employment involves working part-time on campus or at the Florida School for the Deaf and the Blind. To qualify for financial aid, students must either establish financial need for it or meet the special requirements of a grant, scholarship or loan awarded without regard to financial need.

There are four basic sources of funds for financial aid at Flagler College: the federal government, state governments, Flagler College, and private organizations. The College participates in all federal programs and all State of Florida programs (with the exception of those restricted for use at a state university or community college). Flagler College provides its own funds in the form of various grants, scholarships, and work. In addition to these programs, some Flagler College students receive privately-funded scholarships and loans.

Financial aid is awarded on either a need or non-need basis. The following paragraphs address both types of aid and how to apply.

**Need-Based Financial Aid:** Financial need is the difference between the cost of Education and a family's ability to pay for that cost. The Cost of Education, as developed by the Financial Aid Office, is based on actual costs and estimated expenses. The family's ability to pay, called the Expected Family Contribution (EFC), is based on an evaluation of family resources and other factors. If the EFC is less than the cost, then need has been established. A student can apply for need-based aid by completing the Free Application for Federal Student Aid (FAFSA) [www.fafsa.ed.gov](http://www.fafsa.ed.gov). In addition to the FAFSA, the Flagler College Financial Aid Application should be submitted directly to the Financial Aid Office. A student should also be prepared to submit other documentation, such as tax returns, to the Financial Aid Office. The priority deadline for submission of all applications/documents is April 1; however, missing this deadline does not exclude a student from qualifying for some aid, such as the Pell Grant, Stafford Loan and work. If a student establishes need, the Financial Aid Office will develop an award package. The student will be notified of his or her award in the form of an award letter.

**Non-Need-Based Financial Aid:** Flagler College offers financial aid on a non-need basis in the form of federal loans, State of Florida grants and scholarships, and Flagler College grants, scholarships and work. Details are available in the College Catalog and on the College web site.

One grant of particular note is the Florida Resident Access Grant (FRAG). This grant is available to students who are permanent residents of Florida (for reasons other than educational purposes) and for more than one year. The amount of the grant varies from year to year depending on funds appropriated by the State legislature. Florida residents must apply annually on the Flagler College Financial Aid application form to qualify. The deadline for fall entrants is on or about October 15 and for spring entrants, the deadline is on February 15.

**Other Sources:** Flagler College assists students in coordinating the receipt of the following types of aid sponsored by outside agencies: private source scholarships and loans, Veterans' Administration Benefits, Vocational Rehabilitation Benefits, and the Florida Prepaid College Program.

**Important Information:** A student is obligated to notify the Financial Aid Office of all outside assistance. This includes private source scholarships and loans, Vocational Rehabilitation benefits, tuition assistance from an employer, and payments from the Florida Prepaid College Program. If a student notifies the Financial Aid Office of any such assistance after his or her award package has been developed, an adjustment in the package may be required. This is especially true if the student was awarded on a need basis.

Jobs for students are available both on campus and at the Florida School for the Deaf and the Blind. First priority for jobs is given to need students; second priority is given to students who attempt, but fail to qualify for need-based aid; and third priority is given to all other students. A student interested in working who is not assigned a job can submit an application to the Financial Aid Office, at which time his or her name will be placed on a waiting list.

All need-based financial aid is awarded one year at a time. A student must submit a new FAFSA each year, and he or she must qualify to continue receiving need-based aid. There is no guarantee that a student will continue to qualify for the same amount of need-based aid in subsequent years. In addition to qualifying on a need basis, a student must meet College Satisfactory Academic Progress guidelines, as outlined in the College Catalog.

Most financial aid awarded on non-need basis is renewable, provided the student meets the specific renewal requirements for the aid in question. A student receiving a non-need grant or scholarship should become aware of the renewal requirements for that grant or scholarship. Regardless of the renewal requirements, the College reserves the right to withdraw any aid it sponsors if a student fails to demonstrate responsible conduct.

Most financial aid requires that a student be enrolled for at least 12 credit hours per semester. The only aid available to students enrolled less than 12 hours is the Pell Grant, the Stafford Loan, the Parent Loan (PLUS) and the various Florida Bright Futures scholarships.

All financial aid awarded by the College is credited to a student's account. A student's account is maintained in the Business Office, a separate entity from the Financial Aid Office. While the Financial Aid Office can help with matters pertaining to aid awarded to a student and how it affects a student's account, all other questions about the student's account should be referred to the Business Office. Students are billed by the semester with the Fall Semester payment due August 1 and the Spring Semester payment due December 1. For more information on tuition and fees, visit [www.flagler.edu/admissions-aid/tuition-fees](http://www.flagler.edu/admissions-aid/tuition-fees).

The financial aid of a student who withdraws from school could be affected depending on the date of withdrawal. See the "Refund Policy" section in this handbook.

**Food Services:** Flagler College contracts ARAMARK to provide food services for students, faculty, and staff. All incoming boarding students are required to purchase the full meal plan for the entire first year in the residence halls. Returning boarding and non-boarding students may choose the option of a full meal plan or select one of the two other options, the 15 meal plan or the 10 meal plan. All returning boarding students must be on one of the meal plan options. Non-boarding students may make arrangements for meals by purchasing a meal ticket or by paying cash at the door of the dining hall. ARAMARK also provides food service within the Ringhaver Student Center. Students are required to display good judgment with regard to attire in the Dining Hall and the food court. Dining Hall staff and food court staff in concurrence with the staff of Student Services will deem what is appropriate.

The College asks students to not remove food, china, glassware, or utensils from the Dining Hall. Students should not fill personal beverage containers to take out of the dining hall.

If class or job responsibilities require students to miss meal hours, students may make special arrangements with the Food Services Director to eat earlier or later or request a boxed meal. Students requiring special food or food preparation should address their needs directly to the Food Services Director.

The Office of Student Services is responsible for food service programming apart from fiscal management aspects. A Food Service Committee, consisting of students, meets frequently to review the food service program and to forward recommendations to the Food Services Director and the Vice President of Student Services.

Proper food etiquette and behavior are expected, and improper behavior could result in the forfeiture of dining hall privileges.

**Health Services:** The Office of Health Services is located on the ground floor in the hall that connects the two breezeways. All services offered by the Office of Health Services are provided at no charge to all full-time students. Services include: visits to the College Physician in Health Services; minor procedures; treatments; over the counter medications; dressings and some antibiotics. A small fee is charged for some antibiotics, which will be charged to the student's account. Various items are available for student use such as: crutches, heating pads, ice packs, etc. on a loan basis. If the borrowed items are not returned to Health Services, the student will be charged.

Health Services hours are Monday through Friday from 7:00 am to 4:00 pm. Two registered nurses are on duty including an Advanced Registered Nurse Practitioner from 8:00 am to 3:00 pm. The College physician or his Physician's Assistant holds sick call from 7:00 am to 8:00 am on Monday through Friday on a first-come, first-served basis. Additionally, a Nurse Practitioner is available by appointment for women's health each Friday afternoon. After office hours, Resident Advisors and Security personnel are available to handle unexpected minor problems. Health Services is equipped with one bed, where ill students can receive nursing care during the hours the nurse is on duty.

The College nurse must be notified of any emergency visits or hospital admissions by telephone (904) 819-6211 or email [healthservices@flagler.edu](mailto:healthservices@flagler.edu). The Vice President of Student Services or his designee will report serious illness or hospitalization of a student to the student's parents. All residence hall accidents or illnesses should be reported to the "on duty" Resident Advisor, Health Services, Student Services, or Security.

Visits to the emergency room at the hospital, a private physician, or the College physician at his office are at the student's expense. It is the student's responsibility to take care of his or her own insurance claims. The College does not provide transportation to or from the hospital or a physician's office.

The College nurse will give excuses for class absence to those treated in Health Services for serious illness accompanied by observable symptoms or when a written excuse is presented to her from a private physician.

All students are required to turn in the Medical History form, Treatment form and two (2) confirmed Measles/Mumps/Rubella immunizations (MMR's) to the Office of Health Services before classes start. In addition to the MMR's, both meningitis and hepatitis B vaccinations are required unless a waiver is signed. Failure to meet these requirements will result in termination of enrollment acceptance.

**Identification Cards:** All students will be given a student identification card upon enrollment during the orientation session. This photo identification card is required for all full and part-time students. It is non-transferable and must be carried by the student at all times. Once a card is reported lost, it may not be reactivated if found. A new card will need to be purchased.

All students must courteously present their identification cards upon request by a college official or by law enforcement. The possession, use, manufacture or sale of government issued or altered identification card is strictly prohibited.

This card is required for identification purposes in the Ringhaver Student Center, gymnasium, Dining Hall, library, at athletic events, student dances, movies, lectures, plays, and for check cashing services. The card is also used as access through the entrance doors in Ponce de Leon Hall, Kenan Hall, Ringhaver Student Center and certain art building classrooms.

Students will be charged \$20.00 for replacement of a lost or damaged identification card. This charge is paid in the Office of Business Services. A new card may be obtained by bringing your receipt to the Office of Security.

**Laundry Service:** There are laundry facilities on campus with coin-operated washers and dryers. These are available for students, faculty, and staff. Linen service is not available through the College. Therefore, the student should bring pillows, blankets, towels and linens. Laundry facilities are a leased operation. Any problems associated with these facilities should be left on the Laundry Voice Mail number (904) 826-8568.

**Learning Resource Center:** The Learning Resource Center (LRC) is a space where Flagler students can obtain (free of charge) assistance in math, natural sciences, Spanish, sport management, reading and study skills from their peers and College faculty. The LRC is located off the south breezeway (nearest Ponce de Leon Hall). Students may also utilize the Center as a quiet work and study space between classes. The LRC is open during the Fall and Spring semesters from Monday to Friday between 10:00 am and 5:00 pm and on Friday from 10:00 am to Noon. Because the hours for each lab within the LRC change every semester, please check the times at <http://www.flagler.edu/lrc>. In addition to these hours, the Writing Center also offers tutoring in the Proctor Library on Sunday to Wednesday between 6:00 to 9:00 pm.

**Lost and Found:** Reports of lost and found items should be reported promptly to the Security Office. The College reserves the right to dispose of found items not claimed.

**Mail Services:** In order to ensure proper delivery, please address as follows:

For Envelopes: STUDENT'S NAME, CAMPUS BOX #  
c/o FLAGLER COLLEGE  
P.O. BOX 1027  
ST. AUGUSTINE, FL 32085-1027

For Packages: STUDENT'S NAME, CAMPUS BOX #  
c/o FLAGLER COLLEGE  
74 KING STREET  
ST. AUGUSTINE, FL 32084

Campus mailboxes are located in the hallway leading to the mailroom, between the two breezeways. All resident students will be assigned a campus mailbox. Non-resident students have their mail forwarded to their off-campus addresses. It is the responsibility of each non-resident student to correct his or her address with each person or company that sends them mail.

Mail and packages are received throughout the day and are processed and delivered to the campus mailboxes as it is received. The first mail from the post office is picked up and normally delivered to campus mailboxes by 9:00 am. The official method of communication throughout the College is via the students Flagler email address.

Access to campus mailboxes is: Monday through Friday: 6:00 am to 6:00 pm Saturday: 6:00 am to Noon Sunday: closed

Students are encouraged to check their campus mailbox on a daily basis. Cash and gift cards should not be sent through the mail.

Money orders and checks may be cashed at either of two banks located within walking distance of Flagler College with proper identification.



**Services for Students with Disabilities:** The Office of Services for Students with Disabilities (OSSD) provides information and assistance to students who have documented disabilities that significantly impact them in the college environment and who are in need of reasonable accommodations. Services are provided according to individual need and may include classroom accommodations, testing accommodations, scribe services, note-takers, readers, interpreters, special registration, referrals to campus resources and use of some specialized equipment and adaptive technology. Current documentation of a qualifying disability assessed by an appropriate professional is required for the eligibility of services. Contact OSSD for documentation requirements or visit [www.flagler.edu/disabilityservices](http://www.flagler.edu/disabilityservices). It is the student's responsibility to inform the OSSD about his or her disability and to provide the appropriate documentation in a timely manner.

Although requests for accommodations may be made at any time, in order to provide them in a timely manner, students should begin the accommodation procedure prior to the beginning of each semester. The OSSD does not provide retroactive accommodations and some accommodations require weeks to ensure their availability. All students with disabilities are strongly encouraged to contact OSSD to make arrangements prior to registering for classes.

Students with documented disabilities who require reasonable accommodations with regard to housing (e.g accessible rooms, specialized fire alarms, etc.) should communicate their need and documentation to the Director of Residence Life.

If a student experiences a temporary condition that does not qualify as a disability, they should direct his or her doctor's notes or documentation to the Associate Dean of Academic Affairs if excused absences are requested. Additionally, they should consult with their advisor and the Director of Disability Services to see what assistance may be available.

The Office of Services for Students with Disabilities at Flagler College provides accommodations and services to ensure equal access to education as intended by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Any appeals or grievances regarding services or discrimination on the basis of a disability should be provided in writing to the Director of Disability Services. Unresolved grievances or appeals are provided in writing to the Associate Dean of Academic Affairs who will convene the Committee on Academic Program Accessibilities. Please refer to the College Catalog for details.

**Signs and Publicity:** Fliers, notices, posters, banners, or signs must be affiliated with the College in order to be posted. All notices must be submitted to the Office of Student Services for approval five business days prior to the event date. After approval the Office of Student Services will post the notices on the designated bulletin boards. Posting is not permitted on inside or outside walls, windows, decorative wood, or doors of any building. Copied or otherwise duplicated materials may not be circulated on campus without prior permission from the Office of Student Services. College policy prohibits the advertisement of alcoholic beverages and tobacco products on campus. The fact that someone posts a notice on campus does not mean Flagler College endorses the notice.

For bulletin board posting, the event posters and meeting announcements should be no larger than 8 1/2 X 11 (letter size). Full-sheet posters can advertise events/activities only and can be placed in the breezeway and/or rotunda with string, not tape. All event posters and meeting announcements will be placed on the bulletin boards no sooner than 2 weeks prior to the meeting/event.

**Special Dinners:** Special dinners are held periodically in the College Dining Hall or the Virginia Room in the Ringhaver Student Center. Many times these dinners are sponsored by the College in recognition of a special occasion and students are requested to dress appropriately.

**Student Government Association:** The Student Government Association (SGA) of Flagler College is organized to actively represent student opinions; promote the social and academic advancement of students; foster communication, cooperation and understanding in all areas of the College; recommend and implement improvements necessary to the welfare of the students and the College; and encourage effective student participation.

In keeping with these goals, the SGA welcomes students, faculty and members of the administration to all general session meetings. All matters to be discussed must be included on the agenda.

The Executive Board of the Student Government Association consists of four elected officers who carry out the policies and functions of the Student Government and conduct the business and activities of the SGA. In addition, the Executive Board is assisted by a leadership team composed of a chair and a second chair for academics, campus concerns, community service, green, student spirit and publicity committees.

#### 2012-2013 SGA Executive Board

President: David Arreola      Vice President: Eddie Oinonen      Secretary: Matthew English      Treasurer: Jessie Keefe

Representatives: To gain voting membership in SGA, a student must attend three meetings in a row. Committee positions are recommended by the SGA President in consultation with the SGA Executive Board and approved by the Vice President of Student Services. The SGA is governed by the SGA Charter, Constitution and Bylaws, drafted in 1968, and revised in 1972, 1979, 1982, 1987, 1991, 1996, 2000, 2004, 2006, and 2013. A copy of the current Student Government Association Constitution and Bylaws may be obtained in the Office of Student Services.

**Study Abroad:** The Office of Study Abroad located on the first floor of Wiley Hall. Professor Barbara Ottavani-Jones, the Director of Study Abroad, can assist in exploring your options for international study abroad opportunities. For more information, visit [www.flagler.edu/studyabroad](http://www.flagler.edu/studyabroad).

## **CAMPUS FACILITIES**

**Bookstore:** The College Bookstore, [www.flagler.edu/bookstore](http://www.flagler.edu/bookstore), located on the first floor of the Ringhaver Student Center, provides a complete selection of required textbooks for Flagler College students. The bookstore prides itself in having most of their textbook stock available at used prices saving students at least twenty-five percent on the cost. Additionally, students have the option to rent their textbooks through the Bookstore. School supplies, art/yoga supplies, and apparel are also available. The Flagler College Bookstore offers exchanges and/or refunds on all books returned within the drop-add period of each semester with the original receipt and in its original condition. The Bookstore buys back books year-round. However, the best time to sell back books is at the end of each semester during finals week. A receipt is not necessary during buy-back. The Flagler College Bookstore accepts cash, personal checks, and all major credit cards. Students awaiting financial aid refunds are able to get their books through the Bookstore's payment deferral program. Please ask for details at the Bookstore or the Business Office. For information on gift cards, please contact the Bookstore directly.

**Gymnasium:** The Flagler College Gymnasium is located on Granada Street and is open for student usage during hours that are posted at the front entrance. Weekend hours are also posted each semester at the front entrance. The gymnasium includes a regulation basketball court, volleyball court and extensive weight room area, which require an identification card for usage. Proper dress is required to use the facilities. The availability of the gymnasium is affected by intercollegiate contests and practice, as well as intramural events.

**Library:** The Proctor Library is located on the corner of Sevilla Street and Valencia Street. Library hours during the fall and spring semesters are: Saturday: 10:00 am to 5:00 pm Sunday: 11:00 am to 12:00 midnight  
Monday to Thursday: 7:30 am to Midnight Friday: 7:30 am to 9:00 pm

The hours will be extended during the final weeks of each semester.

During the summer session, the library hours are: Sunday 1:00 pm to 8:00 pm Monday to Thursday 7:30 am to 8:00 pm  
Friday 7:30 am to 5:00 pm Saturday - Closed

A Flagler College I.D. card is required to check out books and other materials, including course reserves, in the library. The same ID is required for identification purposes in the library, and admission may be denied if this ID cannot be presented. This card is also used to activate the library's entrance doors during the evening and weekend hours. Professional library staffers are on duty during all library hours to assist with library use. In addition, reference librarians are available during prime hours to assist students with research and other library projects. These librarians are also ready to provide orientations to individuals and groups, simply upon request.

**Borrowing Library Materials:** Specific loan periods and fines/fees are outlined in the Proctor Library Circulation Policy. This policy is posted on the library's section of the College's website (<http://library.flagler.edu/borrowing>). Books from the library's circulating collections can be checked out for three (3) weeks, and the audiovisuals can be checked out for seven (7) days unless another person is waiting for the item. All library materials can be renewed in person; by e-mail ([library@flagler.edu](mailto:library@flagler.edu)); by telephone (904) 819-6206; online using the "Renew your Books" link on the library's home page (<http://library.flagler.edu/renewals>); or the library's home page (<http://library.flagler.edu>). All library materials must be returned at the end of the semester or the borrower may be charged replacement costs for all materials not returned. Prospective Graduates are required to return all library material prior to their commencement rehearsal.

**Interlibrary Loan (ILL):** If needed materials (books, articles, etc.) are not available in the Proctor Library, the materials can often be acquired through interlibrary loan (ILL). Requests can be completed either on an ILL request form available at the circulation desk in the library or by using the library's electronic ILL form link found on the library's ILL page (<http://library.flagler.edu/ill>). Allow 5-10 days to receive the requested materials. When materials are received, email notices are sent to the requestor's College email account. Therefore, students should regularly check their College email for the latest status of requested items. Students must also recognize that other libraries are providing materials as a courtesy, and the materials should be returned by the due date specified. Students are responsible for any lost materials or assessed fees and fines. It should also be noted that borrowing access to audiovisual materials (video and audios) is limited.

**Computers for Research:** Computers for use in research, accessing the Internet and completing other projects are available in the computer lab areas on the first and third floors of the library. The Library also has laptops that are available for 24-hour checkout. Wireless access is available on all three floors of the facility as well as the entire campus. A complete list of technology resources available to students can be accessed through this site: [http://library.flagler.edu/technology\\_resources](http://library.flagler.edu/technology_resources).

**Photocopiers:** Two coin/bill operated copiers are located on the first floor (north end) of the Library.

**Cell Phone Use:** All cell phones should be silenced inside the library, and any necessary cell phone conversations should be conducted quietly and away from others who are studying.

#### Conduct in the Library:

- Food and drink: Covered drinks, packaged snacks or small items of food in containers are permitted, but only in the library's study areas. No food or drink is permitted at computer workstations or in the classrooms or labs.
- Tobacco use: The entire library, including the external entry and exit doorway area, is a smoke and tobacco free environment. Smoking, or use of any tobacco product, is prohibited.
- Noise & Behavior: Within the Proctor Library, areas are designated as follows:
  - a. Limited Talking: Talking in normal conversational tones is permitted for group work and normal library business. Limited talking areas include:
    - First floor - entire first floor, with the exception of the Research Room (Quiet Area)
    - Second floor - group study rooms, group study tables, and chair groupings on north and south ends. Exceptions are the two carrel groupings on the east side, which are designated as Quiet Areas.
  - b. Quiet Study: Only quiet individual study with no talking is permitted in the designated Quiet Study areas. These include:
    - First floor - Research Room
    - Second floor - Quiet Areas (two groupings of study carrels) on the east side.
  - c. In addition to above, all library users are asked to help maintain a studious environment by observing common sense rules of library behavior.
- Cell Phones and Audible Electronic Devices: Cell phones should be set on vibrate (ringers turned off) and audible electronic devices (e.g., iPods, MP-3 players, etc.) silenced. In consideration of others, any necessary cell phone conversations should be conducted quietly and away from others who are studying.
- Appropriate clothing and footwear are required. Bathing suits are not considered proper attire.
- Distribution of literature, any solicitation for donations, and all commercial ventures are prohibited.
- Books and other library materials must always be properly "checked-out" of the library at the circulation desk. Everyone should double check for stray library materials (in backpacks, armloads of materials, etc.) before departing the library. Anyone found leaving the library with material that has not been properly "checked out" is subject to a disciplinary complaint to the Vice President of Student Services.

A complete set of library policies is contained in the library's web pages at <http://library.flagler.edu/policies>.

**Ringhaver Student Center:** The Student Center is located at the corner of Sevilla Street and King Street. The Student Center hours are:

Fall and Spring Semesters: Monday through Thursday from 7:00 am to 1:00 am      Friday from 7:00 am to 3:00 am  
Saturday from 10:00 am to 3:00 am      Sunday from 10:00 am to 1:00 am

Summer Session: Monday through Friday from 7:00 am to 7:00 pm      Saturday and Sunday closed.

Only Flagler students, faculty, staff, alumni, donors, and invited guests may use the Student Center. The first floor of the Student Center contains: a bistro featuring Chick-fil-A and Internet kiosks; a recreational lounge, a television lounge, and a relaxation lounge; an information desk with services that include video game controller and television remote checkout; a bookstore; and the Gamache-Koger Theater. The second floor of the Student Center contains five classrooms, three group study rooms and the Virginia Room (a large multi-purpose room). The Office of Student Services is located at the north end of the second floor and contains the offices of the Vice President of Student Services, the Associate Dean of Student Services, the Director of Intramurals, the Director of Ringhaver Student Center, and the Director of Student Activities. The Office of Career Services is located at the south end of the second floor and contains the offices of the Director of Career Services and the Assistant Director of Career Services. The south end of the second floor also contains the office of the Director of Student Success and Advising, the Student Government Association Office, and the Campus Activities Board Office.

Scheduling for the use of all rooms in this building, all publicity in the building (banners, posters, Event TV slides) and the checkout of any event equipment will be handled within the Office of Student Services by the Director of Ringhaver Student Center. All students who are hosting an event or meeting in the student center must complete a policy and procedure agreement. Class, meeting and event times will be posted near the door of every classroom. Procedures and policies for using the group study rooms are posted near the door of each group study room.

A Flagler College ID is required for identification purposes in the student center and admission may be denied if this ID cannot be presented. This card is also used to unlock the student center's front entrance doors in the evening.

Conduct in the Student Center:

- Beverages (non-alcoholic) and food are permitted in the Student Center and care should be taken to avoid spills.
- All uses of tobacco products are prohibited inside the Student Center and within 50 feet of the outside of the Student Center.
- Care is to be taken to prevent the damaging or defacing of furniture, equipment and spaces in the Student Center. Equipment in the Recreation Room is complimentary and should never leave the room.
- All areas of the Student Center are to be left in order after use, with trash placed in trash receptacles and furniture returned to proper positions.
- The Office of Student Services must approve soliciting for donations. Services and all commercial ventures are prohibited.

**Swimming Pool and Tennis Courts:** The Director of the Tennis Center schedules the tennis courts. These facilities may be used by Flagler students, faculty and staff and invited guests only. Please adhere to posted regulations and schedules for utilization of these facilities. The swimming pool does not have lifeguards assigned. Swimmers do so at their own risk. The pool is open only during posted hours. No dangerous activities such as horseplay, running around the deck or games of dare will be allowed.

**Vending Machines:** Snacks and soft drinks are available from coin-operated machines available at various locations on campus. For problems with the machines, contact the Office of Business Services.

## **Academic, Administrative, and Judicial Policies**

### **SAFETY AND SECURITY:**

**Alcoholic Beverages:** The use or possession of alcoholic beverages on the campus by students or their guests is prohibited and is grounds for suspension from the College. Students are expected to comply with municipal, state and federal laws pertaining to the possession and use of alcoholic beverages off campus. Incidents of intoxication and/or misconduct involving the consumption of alcoholic beverages are subject to College disciplinary action regardless of the location of such incidents. Alcoholic beverage containers, including shot glasses, and bottle caps in the residence halls and in automobiles are in conflict with the College's policy prohibiting consumption of alcohol on campus. When such containers are found in the residence halls or in the automobile, it will be assumed that the alcohol was consumed on the campus, and the students involved will be charged with possession of alcohol. Physical evidence of any container of an alcoholic beverage (whether empty, full or partially full) will constitute sufficient evidence to find a student (or students) of a room (or suite) or automobile guilty of possession of alcoholic beverages on campus.

Students found guilty of driving under the influence of alcoholic beverages (DUI) are subject to suspension. In the case of formal charges filed by a law enforcement agency, the College is not required to await legal adjudication of the case. If deemed advisable, the College may proceed with a disciplinary hearing on the basis of the evidence available.

**Departures from Campus:** Students who leave campus overnight or for any extended period of time should inform their Resident Advisor or roommate(s) as to where they may be reached in case of an emergency.

**Destruction of Property:** Students responsible for destruction of or damage to personal or private property are subject to disciplinary action and will be held financially liable.

**Disorderly Conduct:** From the time a student applies to the College until the date at which the student's enrollment is officially terminated, the College reserves the right to take cognizance of any conduct on the part of the student that may disqualify him or her from initial enrollment or from continuing enrollment for successive terms. Once enrolled, students are not only accountable for their conduct on campus during the academic term but also for their conduct off-campus, during vacations and between terms. Accordingly, the violation of any law, statute or ordinance, the violation of any college rules or other conduct that reflects discredit upon the institution is subject to review and appropriate disciplinary action regardless of whether it occurs off-campus, during vacations or between terms.

Disorderly conduct is any action or disruptive behavior, committed on or off campus that may result in a breach of the peace or a disturbance, or adversely affect the College community. Such conduct is a violation of College regulations and constitutes an interference with the standards and purpose of the College. Disorderly conduct includes, but is not limited to, the following: violation of "any" law, statute or ordinance; failure

to comply with written or oral instructions given by the College staff and faculty in the performance of their official duties; the forging of a faculty/administrators' name on any document and indecent or obscene conduct or expression. Any violation of this policy will subject the student to suspension or dismissal from the College.

**Emergency Alert System:** As part of Flagler's ongoing commitment to safety and security, the College has implemented an alert system using speakers located in the towers of Ponce Hall and at the FEC Complex.

A steady siren indicates a tornado is close or imminent. Shelter should be sought immediately.

When a tornado warning is announced at Flagler College:

- Your residence hall or campus building has no basement, therefore take cover under heavy furniture on the ground floor in the center of the building, an interior hallway or in a small room on the ground floor that is away from outside walls and windows.
- Stay away from windows to avoid flying debris.
- If you are outside and there isn't time to get into a building, take cover and lie flat in the nearest depression, such as a ditch.

An alternating on/off buzzer of short interval indicates other types of severe weather or any emergency situation. It will be followed by announcements indicating the action that should be taken, including, but not limited to, "avoid campus," "stay in the building," or "seek protection in another area". Updates will follow the original announcement. Once the emergency has passed, an all clear will be announced.

**E2Campus:** The College participates in and makes available to all students, staff and faculty E2Campus, which provides timely text and E-mail notification of severe weather alerts and other potentially life-saving emergency alert information. Students are strongly urged to sign up for E2Campus via the College website.

**Exit Doors (Propping):** Propping exit doors is strictly prohibited as it may endanger the lives and property of other students. Accordingly, any student found guilty of this action is subject to suspension and a fine of \$100. If identification of the violator cannot be determined, the fine will be assessed to common hall charges. Studio doors may be propped during the day by the art instructors or during class times.

After 6:00 pm, all doors must remain completely closed for security reasons.

**Fire Drills:** Both announced and unannounced fire drills are held regularly. Primary and secondary routes are posted in each room. All students must vacate the buildings immediately when the alarm sounds and will be allowed to return to their rooms after the all-clear signal is heard.

**Fire Extinguishers and Alarms:** Discharging or tampering with fire extinguishers or causing any type of false alarm is considered a most serious offense. Anyone found guilty of discharging a fire extinguisher or causing a false alarm is subject to suspension or dismissal from the College. In addition, the guilty party will be assessed a fine of \$100 plus the cost of refilling the fire extinguisher. The pulling of a fire alarm is illegal and punishable under the law by fines and imprisonment. The College will not have control if the fire department investigates.

Each hall is equipped with several fire extinguishers in accordance with the fire safety laws and they are regularly inspected. Any tampering with fire extinguishers should be reported immediately to the Resident Advisor or Security Officer on duty.

**Fire Hazards:** The use of hot plates, non-approved refrigerators, microwave ovens, halogen lights and open-coiled appliances are prohibited in the residence halls. Also, the overloading of an electrical outlet will result in disciplinary action.

The College prohibits the burning of candles, lanterns, incense, potpourri, etc., in the residence halls and on the campus grounds. Decorative candles are allowed so long as the wick has never been burned. Any candle that has had the wick burned or incense that has been burned will be a violation. Violators may be dismissed from the residence halls.

Extension cords should not be placed so a door opens over them. Door and hall decorations can be potential fire hazards. Students should use care in the selection and choice of decorations.

**Fire and Theft:** The College cannot be responsible for losses incurred through theft or fire and will not be responsible for personal effects left on the campus during recesses and vacations.

Stealing property of another student or individual is considered a major violation and is subject to severe disciplinary action. Students are encouraged to keep their rooms locked and valuables stored in a locked, safe place. Further, students are urged to establish bank accounts at any of the nearby banking facilities and retain only limited funds in their possession.

**Fire Control and Escape Routes:** All buildings at Flagler College are equipped with fire escape routes, smoke detectors and sprinkler systems. The fire control system includes an ADT fire detection and warning system, an extensive water sprinkler system; and masonry-encased-with-steel fire escape towers. The ADT system incorporates heat signals and smoke detectors providing simultaneous sound and visual signals of fire at both the College and the ADT operation center. Tampering with the detector and warning system will result in disciplinary action.

The entire system is checked and tested on a monthly basis. Also, regular and routine fire drills are conducted. Escape routes are posted in each room. Placing items on the balconies, such as chairs, sofas or bicycles, is prohibited. Using the railings for the hanging of clothes or towels is also prohibited. College policy prohibits the blockage of any entryway or walkway, especially by bicycles, skateboards and surfboards. A violation will result in a confiscation of the bicycle, skateboard, or surfboard and a fine assessed. (Also see BICYCLES in the Residence Life section)

**Firearms, Fireworks, Explosives, Knives and Other Dangerous or Illegal Instruments:** The possession or use of firearms, parts of a firearm or weapon, fireworks of any description, explosive devices, or any dangerous weapon is prohibited on College premises or at any College-sponsored function. Dangerous weapons shall include, but not be limited to: firearms of any description, swords, dirks, knives, brass knuckles, blackjacks or any other instrument deemed to be a weapon, (including toy guns and weapons).

Fireworks/explosives and dangerous weapons are prohibited under Florida law. They may not be brought on campus under any circumstances. Violators of this regulation will be subject to suspension or expulsion from Flagler College.

Due to recent changes in Florida law, the College would like to make you aware of the details of Florida's "bring your gun to work" law as it pertains to Flagler College. (The "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008" [§ 790.251, Fla. Stat. (2008)] went into effect July 1, 2008).

Under this law, Florida residents are allowed to keep “lawfully possessed” firearms that are “locked inside or locked to a private motor vehicle” at the workplace. The law recognizes several types of locations that are exempt from this law for safety reasons.

Flagler College is exempt from this law as an educational institution [as defined in § 790.115, Fla. Stat. (2006)]. No students, staff, or faculty members (including contract workers, interns, volunteers, and guests) are allowed to bring a firearm to the Flagler College campus or keep a firearm locked inside their vehicle in any Flagler-owned or leased parking lot. Please keep in mind, however, that active sworn law enforcement personnel are allowed to carry firearms (concealed or not) at all times. For more information on this law and the full text of the Florida Statute you can review this legislation online at [www.flsenate.gov](http://www.flsenate.gov) under SB1130.

**Hazing:** Hazing is strictly prohibited on or off campus. Individuals or groups who interfere with the personal liberty or who abuse the personal dignity of fellow students are subject to severe disciplinary action. Hazing consist of any action taken or situation created (the willingness of an individual to participate notwithstanding) upon which initiation, admission into, or affiliation with an organization is directly or indirectly conditioned and which produces mental or physical discomfort, embarrassment, harassment, or ridicule.

**Hurricanes:** In the event of a hurricane, the College has a disaster plan in place that will be implemented as soon as necessary. Students both on campus and off campus will receive notice through E2 Campus notification, through email service, and via the radio station and tower carillon system. In addition, the College radio station will broadcast directions of what is expected. All students should inform College personnel of their intentions and follow the guidelines distributed. For those without transportation, the College will have the ability to transport to local shelters once the shelters have been identified.

**Non-Prescription and Illegal Drugs:** In accordance with Flagler College’s commitment to academic excellence and the belief that the use of mind-altering drugs leads to impaired judgment and reduced achievement, the possession or use of any illegal drug is prohibited. No student may be in possession of, deliver, dispense, distribute, administer, manufacture or wholesale any controlled substance, including marijuana, narcotics, hallucinogens, and other chemical analog or drug-related paraphernalia prohibited by State or Federal Drug Laws. Any student who violates this regulation is subject to immediate suspension, dismissal or expulsion from Flagler College.

**Photographic Devices:** The College does not allow the use of photographic devices within any classroom or testing center. Additionally, in order to use someone’s picture the individual must be aware the picture was taken and give approval for its exhibition. The College reserves the right to use photos for brochures and College publications.

**Restricted Areas:** For safety purposes, students are not permitted in the following restricted areas: Ponce de Leon Hall Towers, fourth-floor solarium area, (and stairs leading to these areas), maintenance compound area, time clock area in Kenan Hall, any construction areas, basement, roof areas, balconies, freight stairs, storage areas, phone closets, cable closets, kitchens, in fire evacuation stairwells. In addition, the service elevator is restricted except during moving in and moving out periods.

**Security:** Security personnel are on duty 24-hours-a-day, seven days a week. The Office of Campus Safety and Security, under the supervision of the Vice President of Business Services, is responsible for the safety and security of all persons while on campus and of all College property and equipment. The Office of Campus Safety and Security is also responsible for maintaining College regulations and enforcing the law. The Security Office is located in the Rotunda of Ponce de Leon Hall.

Security personnel cooperate and work with the Vice President of Student Services in all matters involving students and their guests. Unauthorized persons are not allowed on campus at any time. Additionally, campus Security will be alert to prevent any unauthorized items from being brought on or taken off campus. In order to keep out unauthorized persons, and for the security of resident students, all doors to the outside are locked at specified times. Any accident or incident of theft/vandalism is to be reported immediately to the Office of Campus Safety and Security, and a detailed incident report must be completed.

**Skateboards/Roller Skates/Blades:** Skateboards and roller skates/blades are strictly prohibited from being used anywhere on the College campus. This includes wearing rollerblades or skates while leaving or entering a college building. The City of St. Augustine, by way of a city ordinance, also prohibits the use of these items on its streets and sidewalks. Riding bicycles on campus is also prohibited.

**Smoking Policy:** In compliance with the Florida Clean Air Act, smoking and the use of any smokeless tobacco product by employees, students or visitors is prohibited inside any campus building and within fifty feet of the west entrance to Kenan Hall (plaza) and within fifty feet of the entrance to the Proctor Library. This ban includes, but is not limited to, the Dining Hall, classrooms, corridors, restrooms, stairways, entryways, laboratories, workshops, library, conference rooms, private offices, and residence hall rooms. Smoking and the use of any smokeless tobacco product by employees, students or visitors are also prohibited in the north and south breezeways between the hours of 6:00 am and 6:00 pm.

**Unauthorized Entry:** Any student who attempts to enter, or enters, a College facility or any restricted area without proper authorization or identification is subject to disciplinary action, including suspension or expulsion.

**Vehicles and Parking Regulations:** In order for students to park a vehicle (automobile, motorcycle, moped) in any campus parking facilities, the student must purchase a parking decal. To secure a decal the student must provide the Office of Campus Safety and Security with a receipt of payment, College Identification Card, and vehicle registration. If a replacement is needed, the charge is \$50.00. Because parking on campus and off campus is very limited, it is suggested that students arrive early enough for class to look for a legal parking space. Parking regulations will be strictly enforced, and students should be sure to read the agreement they sign when obtaining their decal. Kenan Hall parking lot and some other parking lots have reserved spaces designated “24-hour tow,” which are not to be used at any time. Other spaces are designated for use from 5:00 pm to 7:00 am seven days a week; cars parked in these spaces after 7:00 am will be ticketed and are subject to being towed at the owner’s expense. Some additional spaces have been designated Guest Permit Parking Only and are not for student usage. If a student is using a disabled hang tag, proof of disability qualifications must be presented when applying for a parking decal. Illegally parked vehicles will be issued citations on a first offense and immobilized on subsequent violations. Students are required to comply with state laws governing the operating of all motor vehicles. Motor vehicles not in compliance with College regulations are subject to being towed at the owner’s expense. Because of the College’s location in St. Augustine, bicycles will provide students with adequate transportation. Racks are provided on campus for bicycles; “U” bolt-type locks are recommended. Bicycles should be registered with Security, giving name, serial number and description. The College is not responsible for bicycles left after the end of each semester. It is strongly recommended that bicycles be stored over the semester break. Bicycles chained / locked to handicapped railings, sign posts, benches, trees, etc. will be impounded and not returned until a fine is paid. Motorcycles and mopeds must also be registered and need to park in designated motorcycle spaces because of the limited parking on campus for full-sized vehicles.

**Violations of Local, State and Federal Laws:** The College, upon learning of a student's arrest, will inquire into the nature of the charge and note any violations of College regulations. These violations may result in disciplinary action. In cases where the safety or welfare of others may be jeopardized, the College may suspend or expel prior to legal adjudication of the charges. In such instances, the case may be referred to the appropriate committee for review and recommendation. However, the student may be summarily suspended pending a hearing.

**Visitors:** Guests are requested to observe all campus regulations as set forth in this handbook. Flagler students shall be held responsible for any abuse of campus regulations by their guests. Visitors may utilize campus facilities only when escorted by a Flagler student. The College has no on-site visitor parking; all guests must find off-campus parking. Any visitors to the residence halls must be registered with Student Services or Security and receive a pass.

## **POLICIES:**

**Address Change:** Students are required to keep the Office of the Registrar informed of their current mailing address. Forms to record a change of address are available in the Office of the Registrar or found on-line at <https://my.flagler.edu/ics/Academics/Registrar>. Students may also change their address by logging into *MyFlagler* and clicking the personal information link at the top of the page. From there click the biographical information tab. To submit the change click the pencil icon to the right of the name, address, and personal details.

**Campus Communication:** A Flagler College-assigned email account is the official means of communication between the College and the student. Students are required to check their Flagler College email on a regular basis to ensure receipt of official notices in a timely manner. All official announcements regarding scheduling, billing, emergency information, upcoming deadlines, and other important information will be disseminated to students via their Flagler College email accounts.

Students are also responsible for ensuring that their inboxes do not become full. Students should periodically delete unnecessary messages and empty the Deleted Items folder in their mailboxes. Students will be held responsible if messages are not received due to having a full mailbox.

Students must pay close attention to any email with the following subject labels:

- Emergency: These are emails directly related to the safety and well-being of students may be at risk.
- Urgent: These emails contain information that is highly time-sensitive.
- Official: These emails relate to official college business such as a meeting with a college administrator or registration for classes.

**Computer Use Policy:** All users of Flagler College computers must comply with the policies set forth in Policy Statement 610 (Computer Systems and Electronic Communications) in the Flagler College Policy Manual located in the Reference section of the Proctor Library or online at <https://docs.flagler.edu>. Any activity that is illegal is a violation of Flagler College policy. Violations will be dealt with according to standard disciplinary measures. If you believe that a violation of this policy has occurred, contact the Office of Institutional Technology or a reference librarian. The College reserves the right to periodically update this policy.

**Disrespect:** Flagler College students are expected to be courteous, polite and respectful toward faculty, staff, administration, resident advisors, guests and other students. When a student is reported for being disrespectful, rude, or discourteous, severe disciplinary action may be initiated.

**Distribution of Products or Publications:** Unauthorized distribution of products, flyers, posters, sample materials, gratis or by reduced cost, is prohibited on campus. The distribution of material approved by the Office of Student Services will be allowed, provided steps have been taken to preserve the aesthetic appearance of the campus. All chalk drawings or notifications need prior approval.

Nonofficial or off-campus printed material shall not be distributed or circulated without first being identified and approved by the Office of Student Services. Further, the distribution of material or circulation of petitions to captive audiences, such as in the classroom, at registration, in study areas or in residential units, will not be permitted.

**Expending Club Monies:** All campus clubs must handle their expenses through the Office of Business Services. Each organization should develop an agency account, which contains the club's monies generated through dues, activities, sales, etc. All fundraisers outside the College must receive prior approval from the Office of Institutional Advancement. These agency funds are carried over from year to year and are used to pay club expenses and activities. Monetary requests (checks, refunds, payments) are secured through the use of a requisition form. These forms may be obtained in the Office of Student Services. Completed forms should be submitted to the Office of Business Services at least seven days in advance. The club advisor must sign all club requisitions. Refunds will not be granted without receipts. It should be noted that club monies may not be spent on alcohol, nor may clubs have bank accounts outside the College.

**Faculty-Student Relationships:** Faculty relationships with students shall be based upon the highest and professional principles and shall contribute to the general well-being of the students and the institution. Actions that impair the professional relationship between a faculty member and a student are detrimental to the entire College. Appropriate friendships and associations are encouraged. The maintenance of appropriate and necessary professional relationships, however, must take precedence over social relationships and must be preserved, if necessary, by curtailing actions that would impair the standards and objectives of the College.

**Falsification of Records:** A student who has withheld or has given false information on his or her application for admission or readmission is subject to suspension or expulsion.

**Fan Behavior:** Flagler College encourages good sportsmanship by student-athletes, coaches and spectators, and expects all individuals to cooperate by supporting the participants and the officials in a positive manner.

The use of obscene gestures, profanity, as well as racist, sexist or unduly provocative language or actions, intimidating action or actions not of the highest standards toward officials, opponents or spectators will not be tolerated and will be grounds for removal from all athletic facilities.

In addition, currently enrolled students who violate this policy will be subject to disciplinary action.

Specific violations of this policy shall include, but are not limited to, the following behavior or acts:

- Striking or physically abusing an official, an opposing coach, a player, or a spectator
- Intentionally inciting participants or a spectator to violent or abusive action
- Using profane or vulgar language, vulgarity, taunting or ridiculing or making obscene gestures
- Entering the competition area with the intent of unsportsmanlike behavior or conduct
- Being in possession of or under the influence of alcohol or drugs.

**Harassment:** In compliance with federal regulations, the College prohibits any and all forms of harassment based on personal attributes: age, gender, race, color, national origin, creed, or disability. The College also prohibits the practice of hazing. The College will act promptly to investigate all written complaints of harassment because of age, gender, race, national origin, creed or disability, or hazing; to take appropriate action to protect individuals from further harassment; and, if it is determined that unlawful harassment occurred, to appropriately discipline any student who is found to have violated this policy, and/or to take other appropriate action reasonably calculated to end the harassment. Harassment consist of verbal or physical conduct relating to an individual's ethnicity or country of origin or the country of origin of the individual's parents, family members or ancestors, individual's age, gender or creed, or an individual's physical or mental impairment. Hazing consists of any action taken or situation created (the willingness of an individual to participate notwithstanding) upon which initiation, admission into or affiliation with an organization is directly or indirectly conditioned and which produces mental or physical discomfort, embarrassment, harassment, or ridicule.

**Holidays and Vacations:** Students should consult the online College calendar for holiday schedules. The residence halls are closed for the Christmas Holidays. No overnight guests are permitted in the residence halls during spring and Thanksgiving breaks or the first or last week of each semester.

**Notice Concerning Financial Aid Penalties for Drug Violations:** This notice is required to be sent to all enrolled students per the Federal Higher Education Opportunity Act (Public Law 110-315) (HEOA) enacted on August 14, 2008, and reauthorizes the Higher Education Act of 1965, as amended (HEA). This legislation, specifically Section 484(r), sets forth the rules governing the consequences upon a student's Federal Financial Aid eligibility if convicted under any Federal or State Law involving the possession or sale of a controlled substance.

A "controlled substance" is defined in Section 102(6) of the Controlled Substance Act (21 U.S.C. 802(6)) as follows: The term "controlled substance" means a drug or other substance, or immediate precursor, included in schedule I, II, III, IV, or V of part B of this subchapter. The term does not include distilled spirits, wine, malt beverages, or tobacco, as those terms are defined or used in subtitle E of the Internal Revenue Code of 1986. Please review the Controlled Substance Act online at <http://www.deadiversion.usdoj.gov/21cfr/21usc/802.htm>.

Section 484(r) SUSPENSION OF ELIGIBILITY FOR DRUG-RELATED OFFENSES:

- (1) IN GENERAL: A student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title during the period beginning on the date of such conviction and ending after the interval specified in the following table:

If convicted of an offense involving:

The possession of a controlled substance:      Ineligibility period is:

First offense	1 Year
Second offense	2 Years
Third offense	Indefinite

The sale of a controlled substance:      Ineligibility period is:

First offense	2 Years
Second offense	indefinite

- (2) REHABILITATION: A student whose eligibility has been suspended under paragraph (1) may resume eligibility before the end of the ineligibility period determined under such paragraph if:

(A) The student satisfactorily completes a drug rehabilitation program that:

- (i) Complies with such criteria as the Secretary shall prescribe in regulations for purposes of this paragraph; and  
(ii) Includes two unannounced drug tests; or

(B) The conviction is reversed, set aside or otherwise rendered nugatory.

- (3) DEFINITIONS: In this subsection, the term 'controlled substance' has the meaning given the term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).

- (4) EFFECTIVE DATE- The amendment made by paragraph (1), regarding suspension of eligibility for drug-related offenses, shall apply with respect to financial assistance to cover the costs of attendance for periods of enrollment beginning after the date of enactment.

**Off-Campus Activities:** All student clubs or organizations need to be aware of College policy regarding off-campus activities sponsored by an official club or organization. Each organization is responsible for student conduct or behavior at sponsored off-campus events. Disorderly conduct is any disruptive behavior that adversely affects the College community or interferes with the purposes and aims of the institution. Students violating this regulation are subject to dismissal or suspension from the College. Student organizations not exercising the proper degree of judgment and supervision may be subject to loss of charter.

**Privacy of Student Records:** The College enforces the provisions of the Family Educational Rights and Privacy Act (FERPA) of 1974. This regulation, as it applies to institutions of higher learning, ensures that students have access to certain records that pertain to them. It prohibits others, except faculty members or administrators who have "a need to know" and parents who claim their student as a dependent for tax purposes, from access to the student's records, unless the student signs a waiver. This waiver, the "Release of Student Information Request" form, may be obtained from the Office of the Registrar or found on-line at <https://my.flagler.edu/ics/Academics/Registrar>. The "Release of Student Information" form remains in effect until the student rescinds it in writing.

In accordance with the FERPA, Flagler College affords students certain rights with respect to their student records. They are:

*The right to inspect and review the student's educational records within 45 days from the College receiving the request for access.*

Students should submit to: the Registrar; the Associate/Assistant Dean of Academic Affairs; the Vice President of Academic Affairs and Dean of the Faculty; the Vice President of Student Services; the Vice President of Business Services; the Director of Financial Aid; the head of the academic department; or other appropriate officials; written requests that identify the record(s) they wish to inspect and purpose(s) for inspection. If the College official to whom the request was submitted does not maintain the records, that official shall advise the student of the correct official to whom the request should be addressed. The appropriate College official will make arrangements for access and notify the student of the time and place where the records may be inspected. A "Request to Review Student Education Record" form is available in and must be submitted to the Office of the Registrar.

*The right to request the amendment of the student's educational records that the student believes are inaccurate or misleading.*

Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested, the College will notify the student of the decision and advise the student of his or her 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 consent to disclosures of personally identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent.*

One exception that permits disclosure without consent is disclosure to college officials with legitimate educational interests. A school official may be considered a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including campus safety and security personnel and health services staff); contractors, consultants, volunteers or other parties; a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting 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 responsibility.

*The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA.*

The name and address of that office is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-4605.

Flagler College complies with the Student Right to Know Act.

**Readmitted Students:** Students previously enrolled at Flagler College having withdrawn or "stopping out" a semester or longer must petition the Office of the Registrar. Current part-time students who wish to return as full-time students must notify the Office of the Registrar in writing.

**Refund Policy:** A student who pays the charges for a term but does not begin attending classes and subsequently withdraws may be entitled to a refund of some or all charges paid for that term. Any and all potential refunds or account balance adjustment calculations will be based on the date that written notification is received from the student in the Office of Business Services. For a student who voluntarily withdraws or is administratively withdrawn, the last day the student attended a class or classes will be the determining factor. The refund policy is presented in detail in the "Tuition and Fees" section of the College Catalog.

**Advance Deposit:** Every boarding student with a signed housing contract on file is required to submit an advance payment as a confirmation of his or her intention to attend Flagler College during the next academic year. These payments are non-refundable. They are applied to the student's tuition and fees for the fall semester.

The College has limited housing for returning students. Housing for returning students is assigned on a first-come, first-served basis. Therefore, returning students who wish to live on campus are advised to submit the required housing contract and advance payments as early as possible.

- Fall Semester Tuition Due - August 1st
- Spring Semester Tuition Due - December 1st





Student Sexual Misconduct  
Policy and Procedures

Revised December 2013

FLAGLER COLLEGE  
**STUDENT SEXUAL MISCONDUCT POLICY AND PROCEDURES**

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FLAGLER COLLEGE  
**STUDENT SEXUAL MISCONDUCT POLICY AND PROCEDURES**

**IMPORTANT INFORMATION FOR INDIVIDUALS  
WHO MAY BE VICTIMS OF SEXUAL MISCONDUCT:**

If you or someone you know may have been a victim of sexual assault or any other type of Sexual Misconduct prohibited under this Policy, you are strongly encouraged to seek immediate assistance.

**ASSISTANCE CAN BE OBTAINED 24 HOURS A DAY, 7 DAYS A WEEK, FROM  
THE FLAGLER COLLEGE OFFICE OF SAFETY AND SECURITY  
(LOCATED IN THE ROTUNDA OF PONCE DE LEON HALL AND  
AVAILABLE BY PHONE AT 904-819-6200).**

During business hours (8:00 a.m. to 5:00 p.m., Monday through Friday), you are also strongly encouraged to contact Dr. William L. Proctor, Flagler College's Title IX Coordinator (by telephone at 904-819-6210, by email at [proctorw@flagler.edu](mailto:proctorw@flagler.edu), or in person on the third floor of Proctor Library).

For additional information about seeking medical assistance and emotional support, as well as important contact information, including local law enforcement agencies and Flagler Hospital, **see Exhibit A attached to this Policy.**

**ARTICLE I. INTRODUCTION**

**(a) Notice of Nondiscrimination.**

As a recipient of Federal funds, Flagler College is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.* ("Title IX"), which prohibits discrimination on the basis of sex in educational programs or activities, admission and employment. Under certain circumstances, Sexual Misconduct (as defined below) constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to Flagler College's Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights. Flagler College's Title IX Coordinator is Dr. William L. Proctor, whose office is on the third floor of Proctor Library. Dr. Proctor may be contacted by phone at 904-819-6210 or by email at [proctorw@flagler.edu](mailto:proctorw@flagler.edu).

**(b) Overview of this Policy.**

Flagler College (the "College") is committed to maintaining and strengthening an environment founded on civility and respect. Sexual Misconduct, as defined by this Student Sexual Misconduct Policy and Procedures (this "Policy"), is antithetical to the values and standards of the College community, is incompatible with the safe, healthy environment that the College community expects and deserves, and will not be tolerated. The College is committed to providing programs, activities

and an educational environment free from sex discrimination. The College is committed to fostering a community that promotes prompt reporting of all types of Sexual Misconduct and timely and fair resolution of Sexual Misconduct Complaints, and in furtherance of that commitment, this Policy sets forth available resources (Exhibit A), describes prohibited conduct (Article II), and establishes procedures for responding to Complaints of Sexual Misconduct (Articles III-VI).

The College will make this Policy and information about recognizing and preventing Sexual Misconduct readily available to all students and other members of the College community.

**(c) Applicability of this Policy.**

This Policy applies to any allegation of Sexual Misconduct made by or against a Student of the College, regardless of where the alleged Sexual Misconduct occurred.<sup>1</sup>

Although there is no geographical limitation to invoking this Policy, Sexual Misconduct that is alleged to have occurred at a significant distance from the College and/or outside of College property may be more difficult for the College to investigate.

Furthermore, students may file Complaints under this Policy against individuals who are neither students nor employees of the College if the conduct giving rise to the Complaint is related to the College's academic, educational, athletic or extra-curricular programs or activities. The College's disciplinary authority, however, may not extend to such third parties.

**(d) Period of Limitations.**

A Complaint of Sexual Misconduct may be filed at any time that the Complainant or the Respondent is enrolled as a Student of the College, regardless of the length of time between the alleged Sexual Misconduct and the decision to file the Complaint. However, the College strongly encourages individuals to file Complaints promptly in order to preserve evidence for a potential legal or disciplinary proceeding. A delay in filing a Complaint may compromise the subsequent investigation, and evidence may be diminished.

**(e) Definitions Applicable to this Policy.**

The definitions applicable to this Policy are set forth in Exhibit B.

## **ARTICLE II. STATEMENTS OF POLICY**

**(a) Prohibition on Sexual Misconduct.**

Any act of Sexual Misconduct constitutes a violation of College policy and is prohibited. The College is committed to fostering a community that promotes prompt reporting of all types of Sexual Misconduct and timely and fair resolution of Sexual Misconduct cases. Creating a safe environment is the responsibility of all members of the College community. This Policy is designed to protect the

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<sup>1</sup> Details regarding the College's policy governing sexual misconduct regarding employees may be found in the College's Faculty & Staff Sexual Misconduct Policy and Procedures (available from the Vice President of Academic Affairs at 904-819-6248 or from the Human Resources Generalist at 904-819-6311).

rights, needs, and privacy of alleged victims, Complainants (if not the alleged victim), and Respondents.

In addition to violating College policy, Sexual Misconduct might also constitute criminal activity. Individuals are strongly encouraged to inform law enforcement authorities about instances of Sexual Misconduct.

Information on filing a complaint with local law enforcement authorities or the College is set forth in Article III, below.

**(b) Prohibition on Retaliation.**

Retaliation against any person for filing, supporting or providing information in connection with a Complaint of Sexual Misconduct is strictly prohibited. Violations of this prohibition will be addressed through this Policy and/or other College disciplinary procedures, as deemed appropriate in the College's discretion. Any person who feels that he or she has been subjected to Retaliation should make a report to the Assigned Title IX Coordinator or the Case Manager assigned to his or her case.

**(c) Confidentiality.**

The College will make every feasible effort to preserve the confidentiality of and prevent the disclosure of the identities of the parties involved in a Sexual Misconduct matter. However, information regarding alleged Sexual Misconduct must be handled in accordance with applicable state and federal privacy laws, and individuals should understand that under conditions of imminent harm to the community, the College may be required by federal law to inform the community of the occurrence of the incident(s) of Sexual Misconduct for the protection of all members of the community. In addition, information regarding alleged Sexual Misconduct will be shared among College administrators as appropriate and necessary. The College cannot control confidentiality violations by students or third parties.

Complainants, alleged victims (if not the Complainant) and Respondents may request that the College treat information regarding alleged Sexual Misconduct as confidential. The College takes such requests seriously; however, such requests may limit the College's ability to investigate and take reasonable action in response to a Complaint.<sup>2</sup> In such cases, the College will evaluate the request(s) that a Complaint remain confidential in the context of the College's commitment to provide a reasonably safe and non-discriminatory environment.

In order to make such an evaluation, the Assigned Title IX Coordinator (or, if such designation has not yet been made, the Title IX Coordinator) may conduct a preliminary investigation into the alleged Sexual Misconduct and may weigh the request(s) against the following factors:

- (i)** the seriousness of the alleged Sexual Misconduct;
- (ii)** whether there have been other Complaints of Sexual Misconduct against the Respondent;

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<sup>2</sup> A Respondent has a right to know the name of the accuser and information regarding the nature of the allegations in order to defend against the Complaint; thus, the Complainant may not be able to both adjudicate the Complaint and maintain his or her confidentiality during that process. That said, as explained later in this Section, if the Complainant insists on confidentiality, the College may still take action to limit the effects of the Sexual Misconduct and prevent its recurrence.

- (iii) the Respondent's right to receive information about the allegations if the information is maintained by the College as an "education record" under FERPA; and
- (iv) the applicability of any laws mandating disclosure.

The Assigned Title IX Coordinator (or, if such designation has not yet been made, the Title IX Coordinator) will inform the person requesting confidentiality if the College cannot ensure confidentiality.

Even if the College cannot take disciplinary action against the Respondent because of the Complainant's and/or, if applicable, the alleged victim's request for confidentiality, to the extent possible and necessary, the College will nevertheless take prompt and effective action to limit the effects of the alleged Sexual Misconduct and to prevent its recurrence. For instance, the College may issue a "no-contact" order or take other appropriate interim measures to ensure an individual's safety even in the absence of a formal proceeding.

#### **(d) Related Misconduct and Limited Immunity.**

The Sexual Misconduct Board is empowered to hear allegations of, and to impose sanctions for, Sexual Misconduct and any other violations of the rules and regulations found in this Policy.

The College considers the reporting and adjudication of Sexual Misconduct cases on campus to be of paramount importance. The College does not condone underage drinking; however, the College may extend limited immunity from punitive sanctioning in the case of illegal alcohol use to victims, witnesses and those reporting incidents and/or assisting the victims of Sexual Misconduct, provided that they are acting in good faith in such capacity.

#### **(e) Students with Disabilities.**

The College will make arrangements to ensure that students with disabilities are provided appropriate accommodations as needed to participate in the steps and procedures outlined in this Policy.

Requests for accommodations must be made to the Office of Services for Students with Disabilities (located on the second floor of Proctor Library in Office L. 211 and available by phone at 904-819-6460). The Office of Services for Students with Disabilities will review the supporting disability-related documentation, make a decision about the request, notify the student about approved accommodations and make arrangements for the accommodations. Accommodations may include, but are not limited to, providing interpreters for the deaf, providing recordings of materials for the blind, and assuring a barrier-free location for the proceedings.

### **ARTICLE III. HOW AND WHERE TO FILE A COMPLAINT ALLEGING SEXUAL MISCONDUCT**

Because Sexual Misconduct may constitute both a violation of College policy and criminal activity, and because the College grievance process is not a substitute for instituting legal action, **the College encourages individuals to report alleged Sexual Misconduct promptly to campus officials and to law enforcement authorities.** Individuals may, however, choose to decline to report alleged Sexual Misconduct to such campus officials and/or law enforcement authorities. The College respects and supports the individual's decision with respect to reporting; nevertheless, the

College may notify appropriate law enforcement authorities if required or warranted by the nature of the allegations at issue.

A Complaint of Sexual Misconduct may be filed at any time that the Complainant or the Respondent is enrolled as a Student of the College, regardless of the length of time between the alleged Sexual Misconduct and the decision to file the Complaint. The College strongly encourages individuals to file Complaints promptly, however, in order to preserve evidence for a potential legal or disciplinary proceeding.

**(a) Filing a Complaint with Local Law Enforcement:**

Individuals are strongly encouraged to inform law enforcement authorities about instances of Sexual Misconduct. Individuals may, however, choose to decline to report alleged Sexual Misconduct to law enforcement authorities. The College respects and supports the individual's decision with respect to reporting; however, the College may nonetheless notify appropriate law enforcement authorities if required or warranted by the nature of the allegations at issue.

Individuals may file a complaint directly with local law enforcement agencies by dialing 911. Individuals may contact any of the following for assistance in filing a complaint with local law enforcement:

- (i) the College's Office of Campus Safety and Security, 24 hours a day, seven days a week (available by phone at 904-819-6200 and located in the Rotunda of Ponce de Leon Hall),
- (ii) the College's Title IX Coordinator, Dr. William L. Proctor, from 8:00 a.m. to 5:00 p.m., Monday through Friday (available by phone at 904-819-6210 or by email at proctorw@flagler.edu and located on the third floor of Proctor Library), or
- (iii) the Office of the Dean of Student Services, from 8:00 a.m. to 5:00 p.m. Monday through Friday (available by phone at 904-819-6238 and located on the second floor of the Ringhaver Student Center).

Individuals may inform law enforcement authorities about Sexual Misconduct and discuss the matter with a law enforcement officer without making a formal criminal complaint (or a College Complaint). Individuals who make a formal criminal complaint may also choose to pursue a College Complaint simultaneously. A criminal investigation into the matter does not preclude the College from conducting its own investigation (nor is a criminal investigation determinative of whether Sexual Misconduct, for purposes of this Policy, has occurred). However, the College's investigation may be delayed temporarily while the criminal investigators are gathering evidence. In the event of such a delay, the College may take interim measures when necessary to protect the alleged victim and the College community.

**(b) Filing a Complaint with College Administration:**

Any Student of the College may file a Complaint against other students, staff, or faculty. Students may also file Complaints against third parties who are not enrolled at or employed by the College if the conduct giving rise to the Complaint is related to the College's academic, educational, or extracurricular programs or activities. The College may not have jurisdiction to discipline third parties, but it can provide a student with support services and, if appropriate, it will conduct an investigation of the incident to ensure that it does not represent a pattern of Sexual Misconduct occurring at the College or involving its students or employees. In addition, staff, faculty and third parties may file a Complaint against a Student of the College under this Policy if the conduct giving



rise to the Complaint is related to the College's academic, educational, or extracurricular programs or activities.

Individuals may choose to decline to report alleged Sexual Misconduct to campus officials. The College respects and supports the individual's decision with respect to reporting; however, if information about Sexual Misconduct comes to the attention of the College, the College may (1) start an investigation even in the absence of a filed Complaint and/or (2) notify appropriate law enforcement authorities if required or warranted by the nature of the information of which it becomes aware.

Anyone wishing to make a Complaint under this Policy should contact one of the following individuals or offices:

- (i) Title IX Coordinator.** Flagler College's Title IX Coordinator is Dr. William L. Proctor, whose office is on the third floor of Proctor Library. Dr. Proctor may be contacted during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) by phone at 904-819-6210 or by email at [proctorw@flagler.edu](mailto:proctorw@flagler.edu).
- (ii) Office of Campus Safety and Security.** The Office of Campus Safety and Security is located in the Rotunda of Ponce de Leon Hall. The Office of Campus Safety and Security is also available by phone at 904-819-6200. College Security Officers are available 24 hours a day, seven days a week.
- (iii) Office of the Dean of Student Services.** The Dean of Student Services is located on the second floor of the Ringhaver Student Center. The Office of the Dean of Student Services is available during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) by phone at 904-819-6238.
- (iv) Human Resources Office.** The Human Resources Office is located in the Office of Business Services at 20 Valencia Street. The Human Resources Office is available during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) by phone at 904-819-6311.

If an employee of the Office of Campus Safety and Security, the Office of the Dean of Student Services, or the Human Resources Office receives a report of alleged Sexual Misconduct, that employee must notify the College's Title IX Coordinator.

Individuals may also file anonymous reports by calling 904-819-6350 or by completing a form online at <http://www.flagler.edu/departments/Counseling/BIT/index.html>. Individuals who choose to file anonymous reports are advised that it may be very difficult for the College to follow up or take action on anonymous reports, where corroborating information is limited. Anonymous reports may be used for Clery Act data collection purposes.

An individual may report alleged Sexual Misconduct to a faculty or staff member other than those referenced above. No member of the College community may discourage an individual from reporting alleged incidents of Sexual Misconduct. A faculty or staff member with knowledge about a known or suspected incident of Sexual Misconduct (other than health-care professionals and other individuals who are statutorily barred from reporting) must report the incident to the College's Title IX Coordinator. No employee is authorized to investigate or resolve Complaints without the involvement of the College's Title IX Coordinator or an Assigned Title IX Coordinator.

## **ARTICLE IV. PROCEDURES APPLICABLE TO ALL COMPLAINTS OF SEXUAL MISCONDUCT**

### **(a) Overview.**

The Assigned Title IX Coordinator will be responsible for overseeing the prompt, fair and impartial investigation and resolution of Complaints filed with the College.<sup>3</sup> The College will proceed with an investigation and resolution of a Complaint even if a complaint has been filed with law enforcement as well. If the College's investigation is delayed temporarily while law enforcement is conducting its own investigation and gathering evidence, the College may take interim measures, up to and including discipline, when necessary to protect the alleged victim and the College community. The College may also start an investigation even in the absence of a filed Complaint if information about Sexual Misconduct comes to the attention of the College. In addition, the College may notify appropriate law enforcement authorities if required or warranted by the nature of the allegations in the Complaint.

The College will make every reasonable effort to ensure that the investigation and resolution of a Complaint occurs in as timely and efficient a manner as possible. The College's investigation and resolution of a Complaint (not including an appeal, if applicable) will generally be completed within 60 calendar days of the receipt of the Complaint, absent extenuating circumstances. Throughout the investigation, the Complainant and the Respondent will receive periodic status updates from the Case Manager. A hearing, if any, will take place within 15 days of the conclusion of the investigation. If a hearing has taken place, both the Complainant and the Respondent will receive a Final Outcome Letter within ten calendar days of the conclusion of the hearing. Any party may request an extension of any deadline by providing the Case Manager with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The Assigned Title IX Coordinator may modify any deadlines contained in this Policy as necessary and for good cause.

A Complainant may determine after filing a Complaint that he or she does not wish to pursue resolution of the Complaint through the College. The College takes such requests seriously. However, Complainants are advised that such requests may limit the College's ability to take action in response to a Complaint. Title IX requires the College to evaluate the request(s) that a Complaint not be adjudicated in the context of the College's commitment to provide a reasonably safe and non-discriminatory environment. In order to make such an evaluation, the Assigned Title IX Coordinator may conduct a preliminary investigation into the alleged Sexual Misconduct and may weigh the Complainant's request(s) against the following factors:

- (i)** the seriousness of the alleged Sexual Misconduct;
- (ii)** whether there have been other Complaints of Sexual Misconduct against the Respondent;
- (iii)** the Respondent's right to receive information about the allegations if the information is maintained by the College as an "education record" under FERPA, and
- (iv)** the applicability of any laws mandating disclosure.

Even if the College cannot take disciplinary action against the Respondent because of the request to not pursue an investigation, Title IX requires the College to investigate and take reasonable action

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<sup>3</sup> If the Title IX Coordinator is the Respondent, then the President will appoint a Deputy Title IX Coordinator or another University administrator to serve as the Assigned Title IX Coordinator in performing the Title IX Coordinator's duties under this Policy.

in response to the information known to it; thus, the College may take such measures and impose such discipline as are deemed necessary by the Associate Dean of Student Services following an investigation. The Complainant's Complaint may also be used as an anonymous report for data collection purposes under the Clery Act.

If at any point during the complaint, investigative or disciplinary processes, the Case Manager, Investigator or Assigned Title IX Coordinator reasonably believes that a Respondent who is a member of the College community poses a substantial threat of harm to the Respondent, the Complainant, or other members of the campus community; threatens or endangers College property; or disrupts the stability and continuance of normal College operations and functions, such person may request the following actions:

- 1) For student Respondents:**
  - a)** that the Registrar cause a transcript hold to be placed on the Respondent's transcript; or
  - b)** that the Associate Dean of Student Services:
    - i)** summarily suspend the Respondent from campus housing on an interim basis and/or restrict his or her movement on campus, or
    - ii)** summarily suspend the Respondent. A summary suspension may be imposed only when, in the judgment of the Associate Dean of Student Services, the student Respondent's presence on the College's campus would constitute a threat to the safety and well-being of members of the campus community. During the summary suspension, the student Respondent may not enter the campus or participate in any College activities without obtaining prior permission from the Associate Dean of Student Services. Other temporary measures may be taken in lieu of summary suspension where the Associate Dean of Student Services determines that such measures are appropriate. In the event that a student Respondent is summarily suspended, the complaint, investigative, and disciplinary processes must be completed within the shortest reasonable time period.
- 2) For faculty and staff Respondents, that the individual authorized to make personnel decisions regarding the employee at issue:**
  - a)** take such steps as are reasonable, appropriate and necessary to restrict the Respondent's movement on campus; or
  - b)** reassign or place on administrative leave such staff or faculty Respondent. Determinations regarding employee discipline will be made in accordance with the College's policies and procedures governing such matters.

These actions may be appealed to the President, whose decision regarding their imposition will be final.<sup>4</sup>

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<sup>4</sup> If the President is the Respondent, then the Title IX Coordinator will appoint a Deputy Title IX Coordinator or another University administrator to serve in the President's role in performing his or her duties under this Policy.

**(b) STEP 1: The Appointment of the Case Manager and the Investigator.**

After a Complaint (formal or informal) has been filed with the College, the Title IX Coordinator may choose to handle the Complaint him- or herself or he or she may appoint an Assigned Title IX Coordinator to handle the Complaint.

In either case, the Title IX Coordinator will also promptly appoint a Case Manager and an Investigator and will share their names and contact information with the Complainant, the alleged victim (if not the Complainant) and the Respondent. The Investigator will investigate the Complaint in a neutral manner. The Case Manager will serve as a facilitator throughout the resolution process, and will not serve as an investigator.

Within three days of such appointment, the Case Manager, the Investigator, the Complainant, the alleged victim (if applicable) or the Respondent may identify to the Assigned Title IX Coordinator in writing any real or perceived conflicts of interest posed by assigning such Case Manager or Investigator to the matter. The Assigned Title IX Coordinator will carefully consider such statements and will assign a different individual as Case Manager or Investigator if it is determined that a conflict of interest exists.

**(c) STEP 2: Initial Meetings with the Case Manager.**

- (i) Complainant's Initial Meeting with Case Manager.** As soon as is practicable after his or her appointment, the Case Manager will contact the Complainant to schedule an initial meeting. Before this initial meeting, the Case Manager will provide the Complainant a copy of this Policy. During the initial meeting, the Case Manager will
- 1) inform the Complainant of this Policy and provide the Complainant with a copy;
  - 2) provide the Complainant with a Sexual Misconduct Complaint Form (a form of which is attached as Exhibit C) on which the Complainant may, if he or she agrees to disclose the information, provide details regarding the allegation, including the name of the accused individual and the date, location and general nature of the alleged Sexual Misconduct (the Complainant may either complete the complaint form him- or herself or he or she may choose to dictate the information to the Case Manager, who will confirm the accuracy of his or her documentation with the Complainant);
  - 3) explain avenues for formal and informal resolution of the Complaint, including a description of the College's grievance procedure and an explanation of how the procedure works;
  - 4) explain the steps involved in a Sexual Misconduct investigation;
  - 5) discuss confidentiality standards and concerns with the Complainant;
  - 6) determine whether the Complainant wishes to pursue a resolution (formal or informal) through the College or no resolution of any kind;
  - 7) explain the role of an Advisor in a Sexual Misconduct proceeding and determine whether the Complainant desires for the College to appoint an Advisor to assist him or her;
  - 8) refer the Complainant to the Counseling Center or other resources (including but not limited to victim advocate programs), as appropriate; and
  - 9) discuss with the Complainant, as appropriate, possible interim accommodations that can be provided to the Complainant during the pendency of the investigative and resolution

processes. The College may extend accommodations to an individual if requested, appropriate, and reasonably available, whether a formal Complaint has been filed (with either campus administrators or law enforcement agencies) or whether an investigation (by either campus administrators or law enforcement agencies) has commenced. Accommodations may include, but are not limited to:

- a) issuing no-contact orders to prevent any contact, whether in person or directly, between the Complainant, the Respondent, witnesses, and/or third parties;
- b) providing the Complainant an escort to ensure that he or she can move safely between classes and activities;
- c) changing a Complainant's or a Respondent's on-campus housing, if any, to a different on-campus location and providing assistance from College support staff in completing the relocation;
- d) arranging to dissolve a housing contract and pro-rating a refund;
- e) changing campus working situations (such as a student employee's work schedule);
- f) rescheduling class work, assignments, and examinations;
- g) arranging for the Complainant to take an incomplete in a class;
- h) moving a student from one class section to another;
- i) permitting a student a temporary withdrawal from the College;
- j) providing a student with alternative course completion options;
- k) providing counseling services; and
- l) providing academic support services.

A Victim Advocate may be present to support the Complainant during this meeting.

*If the Complainant is not the alleged victim, then the Case Manager will, as soon as is practicable, contact the alleged victim and attempt to schedule and conduct a similar meeting with him or her. A Victim Advocate may be present to support the victim during this meeting.*

Following the initial meeting with the Complainant, the Case Manager will promptly forward the Complainant's updated Complaint, if applicable, to the Assigned Title IX Coordinator. The Complaint will, at a minimum, provided that the Complainant has disclosed the information, set forth the name of the accused individual and the date, location and nature of the alleged Sexual Misconduct.

The Assigned Title IX Coordinator will review the Complaint and, if applicable, upon the Case Manager's recommendation, promptly (and before the Case Manager meets with the Respondent) determine interim accommodations to be provided to the Complainant. Such determination will be promptly communicated to the Complainant (and in no event later than the point at which it is communicated to the Respondent) and the Respondent.

- (ii) Respondent's Initial Meeting with the Case Manager. If the Complainant wishes to pursue a formal or informal resolution through the College, as soon as is reasonably practicable after the Case Manager's initial meeting with the Complainant (and, if applicable, the alleged victim), the Case Manager will schedule an initial meeting with the Respondent. Before this initial meeting, the Case Manager will inform the Respondent in writing of the existence and general nature of the Complaint and provide the Respondent with a copy of this Policy. During the initial meeting with the Respondent, the Case Manager will

- 1) provide the Respondent with sufficient information consistent with state and federal privacy laws and, if applicable, the Complainant's and/or the alleged victim's request for confidentiality, to allow him or her to respond to the substance of the allegation, if possible including the name of the Complainant and the alleged victim (if not the Complainant) and the date, location and nature of the alleged Sexual Misconduct;
- 2) inform the Respondent of this Policy and provide the Respondent with a copy;
- 3) explain the College's procedures for formal and informal resolution of the Complaint, including a description of the College's grievance procedure and an explanation of how the procedure works;
- 4) explain the steps involved in a Sexual Misconduct investigation;
- 5) discuss confidentiality standards and concerns with the Respondent;
- 6) inform the Respondent of any interim accommodations already determined and being provided to the Complainant and the alleged victim (if not the Complainant) that directly affect the Respondent (e.g., changing his or her class schedule, or moving him or her to an alternate residence hall);
- 7) explain the role of an Advisor in a Sexual Misconduct proceeding and determine whether the Respondent desires for the College to appoint an Advisor to assist him or her;
- 8) refer the Respondent to the Counseling Center or other resources, as appropriate; and
- 9) discuss with the Respondent, as appropriate, possible interim accommodations that can be provided to the Respondent during the pendency of the investigative and resolution processes. The College may extend accommodations to an individual if requested, appropriate, and reasonably available, whether a formal Complaint has been filed or whether an investigation by either campus administrators or law enforcement agencies has commenced.

**(d) STEP 3: The Investigation.**

The Assigned Title IX Coordinator will forward the Complainant's Complaint to the Investigator unless it is clear on its face that no reasonable grounds exist for believing that the conduct at issue (1) constitutes Sexual Misconduct or (2) denies or limits the Complainant's (or the victim's, if he or she is not the Complainant) ability to participate in or receive the benefits of the College's programs or activities based on sex.

In the event that the Complaint was made by someone other than the victim, the Assigned Title IX Coordinator will consider the following factors in determining whether it is reasonable for the Investigator to investigate the Complaint:

- (i) the source and nature of the information,
- (ii) the seriousness of the alleged incident,
- (iii) the specificity of the information,
- (iv) the objectivity and credibility of the source of the information,
- (v) whether the individuals subjected to the Sexual Misconduct can be identified, and
- (vi) whether those individuals wish to pursue the matter.

In the event that the Assigned Title IX Coordinator does not forward the Complainant's Complaint to the Investigator, he or she will determine and document, in consultation with the Complainant, Respondent, and other College administrators, as necessary, the appropriate resolution of the Complaint and inform the parties of the same.

Upon receipt of the Complaint, the Investigator will promptly begin investigating the Complaint, taking steps including but not limited to

- 1) conducting interviews with the Complainant, the alleged victim (if not the Complainant), the Respondent and third-party witnesses (including expert witnesses, where applicable) and summarizing such interviews in written form;
- 2) visiting, inspecting, and taking photographs at each relevant site; and
- 3) where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal complaints, this step may be coordinated with law enforcement agencies).

A Victim Advocate may be present to support the Complainant (or the victim, if not the Complainant) during the investigation process.

Throughout the investigation, the Investigator will remain neutral.

The Investigator should obtain, where applicable and where possible, the written consent of any third-party witnesses to the disclosure, as contemplated by this Policy, of any personally identifiable information (as that term is defined by FERPA) contained in the Complainant's Complaint, the Investigative Report, and/or any other documents the disclosure of which is contemplated by this Policy in order to further the resolution of the Complainant's Complaint.<sup>5</sup>

The Investigator will complete an investigative report that includes, among other things, summaries of all interviews conducted, photographs and descriptions of relevant evidence, summaries of relevant electronic records, and a detailed written analysis of the events in question (the "Investigative Report"). The Investigator will share the Investigative Report with the Assigned Title IX Coordinator, who will distribute it, concurrently, to the Complainant, the alleged victim (if not the Complainant) and the Respondent. All parties to whom the Investigative Report is distributed pursuant to this Policy must maintain it in confidence; the Investigative Report may only be disclosed as is contemplated by this Policy.

The Assigned Title IX Coordinator is responsible for determining, based on and within three days of receiving the Investigative Report, whether reasonable grounds exist to believe that the conduct at issue (1) constitutes Sexual Misconduct and (2) denies or limits the Complainant's (or the victim's, if he or she is not the Complainant) ability to participate in or receive the benefits of the College's programs or activities based on sex.

The Assigned Title IX Coordinator will direct that the case will proceed unless it is clear from the Complaint and the Investigative Report that no reasonable grounds exist for believing that the conduct at issue (1) constitutes Sexual Misconduct or (2) denies or limits the Complainant's (or the victim's, if he or she is not the Complainant) ability to participate in or receive the benefits of the College's programs or activities based on sex. The Assigned Title IX Coordinator will specify which

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<sup>5</sup> If the Investigator is unable to obtain the consent of such third-party witnesses, he or she must redact the investigative report to the extent necessary to avoid disclosure of such witness's personally identifiable information, while ensuring that such redaction does not prevent resolution of the Complaint.

allegations and, if applicable, which other, related alleged misconduct, will go forward for resolution under this Policy.

If the Assigned Title IX Coordinator finds no reasonable grounds to believe that the conduct at issue (1) constitutes Sexual Misconduct or (2) denies or limits the Complainant's (or the victim's, if he or she is not the Complainant) ability to participate in or receive the benefits of the College's programs or activities based on sex, then the Assigned Title IX Coordinator will determine (in consultation with the Complainant, Respondent, and other College administrators, as necessary) and document the appropriate resolution of the Complaint. In such case, the Assigned Title IX Coordinator will promptly notify the parties of that determination.

The Complainant, the alleged victim (if not the Complainant), and/or the Respondent may appeal the Assigned Title IX Coordinator's decision in writing to the President of the College (providing a copy of the appeal to the Case Manager and Assigned Title IX Coordinator within ten days of receipt of the determination). The Case Manager will promptly inform the other parties of the appeal. Within five days of the receipt of the Complainant's appeal, the President will make a determination as to whether the Complaint should proceed to hearing or the case should be closed and whether any additional or different remedial action is necessary. The President will notify the Complainant, the alleged victim (if not the Complainant), and the Respondent concurrently of his or her decision.

## **ARTICLE V. FORMAL RESOLUTION**

### **(a) General Procedures and Policies.**

The following procedures apply if the Complainant elects formal resolution of his or her Complaint.

At any time prior to the date of the hearing, the Respondent may elect to acknowledge his or her actions and take responsibility for the alleged Sexual Misconduct. In such a situation, the Assigned Title IX Coordinator will propose sanction(s) for the Respondent. If the Complainant, the victim (if not the Complainant) and the Respondent agree to such proposed sanction(s), then the Complaint will be resolved without a hearing and without any further rights of appeal by either party. If either the Complainant or the Respondent objects to such proposed sanction(s), then a Hearing Panel will convene for the exclusive purpose of determining a sanction, which determination will be subject to appeal pursuant to Section V(c)(vi) of this Policy.

At any time prior to the date of the hearing, the Complainant may elect to resolve his or her Complaint through the informal resolution process, provided that the Respondent (and the alleged victim, if not the Complainant) agrees to informal resolution.

### **(b) Procedures for Resolving Complaints against Faculty and Staff Respondents.**

Formal resolution of Complaints against faculty and staff Respondents will, after the conclusion of the investigatory and related processes set forth in Article IV above, proceed according to the Flagler College Faculty & Staff Sexual Misconduct Policy & Procedures, which can be found which is available from the Vice President of Academic Affairs at 904-819-6248 or from the Human Resources Generalist at 904-819-6311.

### **(c) Procedures for Resolving Complaints against Student Respondents.**

When the Complainant elects to pursue a formal resolution, there will be a hearing before a panel of the Sexual Misconduct Board (the "Hearing Panel").



- (i) The Hearing Panel.** The Chair of the Sexual Misconduct Board will select the members of the Hearing Panel from among the members of the Sexual Misconduct Board, to include at least one student and at least two faculty and/or staff members; however, upon written request by either the Complainant or the Respondent in accordance with Section V(c)(ii) below, the Hearing Panel will not include students and will instead be comprised of three faculty and/or staff members (none of whom shall be from the same academic department or office as the Complainant, the victim (if not the Complainant), or the Respondent, if applicable). The Chair of the Board will either appoint or serve as the Chair of the Hearing Panel. In the event that the Chair of the Board fails to make such designations, the President of the College will select the members and Chair of the Hearing Panel. The Chair of the Hearing Panel will notify the Assigned Title IX Coordinator of (1) the date, time and location of the hearing and (2) the names of the members of the Board selected to serve on the Hearing Panel. The Assigned Title IX Coordinator will share the Complaint and the Investigative Report with the Chair of the Hearing Panel and, if only a portion of the misconduct alleged in the Complaint justifies continuing to the hearing process, he or she will specify which part(s) of the alleged misconduct will be the subject of the hearing.
- (ii) Notice of the Hearing.** Promptly after the Assigned Title IX Coordinator has determined that reasonable grounds exist to believe that a violation of this Policy has occurred (as set forth above), he or she will provide concurrent written notice to the Complainant, the alleged victim (if not the Complainant) and the Respondent, by email or in person, setting forth (1) the date, time and location of the hearing (which will be no more than 15 days following the conclusion of the investigation) and (2) the names of the members of the Board selected to serve on and chair the Hearing Panel. If only a portion of the alleged misconduct justifies continuing to the hearing process, the Assigned Title IX Coordinator will also specify in the notice which part(s) of the alleged misconduct will be the subject of the hearing. The parties may request that the Hearing Panel not contain students and/or challenge the participation of any member of the Hearing Panel by submitting a written objection to the Chair of the Board within three days of receipt of the notice of the hearing. Such objection must state the specific reason(s) for the objection. The Chair of the Board will evaluate the objection and determine whether to alter the composition of the Hearing Panel. Failure to submit a timely and proper objection will constitute a waiver of any right of objection to the composition of the Hearing Panel. Any changes in the composition of the Hearing Panel must be provided in writing to both parties at least one day prior to the date of the hearing.
- (iii) Failure to Appear.** If the Complainant, the alleged victim (if not the Complainant) or the Respondent fails to appear at the scheduled hearing, and such party was provided proper notice of the hearing as set forth above, then absent extenuating circumstances, the Chair of the Hearing Panel will direct the Hearing Panel to proceed with the hearing and determine the resolution of the Complaint.
- (iv) Hearing Policies and Procedures.**
- 1) Submissions for Use at the Hearing.**
- a) By the Hearing Panel.** No fewer than five days prior to the hearing date, the Case Manager will provide written notice to the parties of the witnesses that the Hearing Panel plans to call.

- b) By the Parties.** No fewer than five days prior to the hearing date, the Complainant and the Respondent must provide the Case Manager with
  - i)** a list of witnesses, if any, that they propose to call,
  - ii)** a list of questions for the Hearing Panel to ask the witnesses,
  - iii)** copies of documents and a description of any other information they propose to present,
  - iv)** a statement as to whether they will be accompanied at the hearing by legal counsel, and
  - v)** if desired, written statements of position.

No fewer than three days prior to the hearing date, the Case Manager will provide each party with a packet containing copies of the other party's list of witnesses, documents, and other information to be presented at the hearing and stating whether the other party will be represented by legal counsel. In the absence of good cause, which shall be determined by the Chair of the Hearing Panel in his or her sole discretion, the parties may not introduce at the hearing witnesses, documents, or other information that were not timely provided to the Case Manager.

- c)** The members of the Hearing Panel will review in advance of the hearing all of the written materials submitted for use at the hearing, including the Investigative Report.

## **2) Counsel, Advisors and Advisors.**

- a) Legal Counsel.** The College is not obligated to provide legal counsel on behalf of any party; however, either party may engage legal counsel to be present at the hearing on his or her behalf. Such counsel may privately consult with and advise his or her client during the proceeding, but he or she may not address the Hearing Panel, cross-examine witnesses, or have any other speaking role. The Hearing Panel may seek advice from the College's in-house or outside counsel on questions of law and procedure throughout the hearing process; however, factual determinations are solely within the domain of the Hearing Panel.
- b) Advisors.** Both the Complainant and the Respondent may have an Advisor present to support and assist them during the hearing. The Chair of the Hearing Panel may disallow the attendance of an Advisor if such Advisor is also a witness or if, in the discretion of the Chair of the Hearing Panel, such Advisor's presence would be obstructive to the hearing or otherwise warrant his or her removal from the hearing. An Advisor may communicate with a party privately, but he or she may not address the Hearing Panel, cross-examine witnesses, or have any other speaking role.
- c) Other Advisors.** Absent accommodation for disability and except as set forth in this Section V(c)(iv)(2), the parties may not be accompanied by any other individual during the hearing process.

- 3) Evidentiary Matters.** The Complainant and the Respondent will have an equal opportunity to present evidence. Formal rules of evidence will not be observed during the hearing. Accordingly, for example, the Complainant and the Respondent may elect to rely upon the statements of witnesses contained in the Investigative Report if such witnesses are unavailable to attend the hearing. Evidence of the past sexual histories of

the Complainant, the alleged victim (if not the Complainant) and the Respondent will not be permitted at the hearing, with the following exceptions:

- a) evidence is permitted to show that the Complainant or the alleged victim (if not the Complainant) has in the past been formally disciplined by the College for falsely filing Complaints alleging Sexual Misconduct,
- b) evidence is permitted to show that the Respondent has in the past been either convicted in a criminal proceeding or formally disciplined by the College for Sexual Misconduct, and
- c) evidence regarding the past sexual activity of the Respondent (regardless of whether the Respondent was formally charged with a violation of the Policy with respect to such conduct and regardless of whether a report has been filed with the College with respect to such conduct) may be permitted to show that the Respondent has engaged in a pattern of behavior similar to the alleged Sexual Misconduct at issue before the Hearing Panel, provided that (1) the Respondent has not been found "not responsible" by the Sexual Misconduct Board in a proceeding related to such sexual activity and (2) the Chair of the Hearing Panel has made written findings both that the evidence is reliable and trustworthy and that the conduct is sufficiently and substantially similar to the conduct at issue before the Hearing Panel to suggest a pattern of behavior.

#### **4) Conduct of the Hearing.**

- a) **Generally.** The hearing will be conducted in an inquisitorial manner, which means that the Hearing Panel will be responsible for asking questions of the parties and the witnesses and developing evidence through testimony. The Chair of the Hearing Panel will resolve any questions concerning procedure or the admission of evidence or testimony (including the relevancy and reliability of the evidence and testimony). Members of the College community are expected to provide truthful testimony.
- b) **Testimony.**
  - i) **Of Witnesses.** The Chair of the Hearing Panel will determine the order of the witnesses. The Complainant and the Respondent may call and, with the permission of the Hearing Panel, question their own witnesses, but they may not question each other directly. Both parties may ask the Chair of the Hearing Panel to pose additional questions or inquire further into specific matters by submitting these requests in writing or orally, at the discretion of the Chair of the Hearing Panel. If necessary, a brief recess may be granted to allow both parties an opportunity to prepare and submit such requests. The Chair of the Hearing Panel may disallow or reframe any questions that he or she deems irrelevant or redundant. The parties shall have an equal opportunity to present witnesses and are responsible for the attendance of their witnesses at the hearing
  - ii) **Of the Respondent.** The Respondent may choose not to testify; however, his or her exercise of that option will not preclude the Hearing Panel from making a determination regarding the Complaint filed against the Respondent.
  - iii) **By Closed-Circuit Technology.** Upon timely request by a party or witness, the College may be able to provide for testimony by closed-circuit technology in

appropriate circumstances. The Chair of the Hearing Panel has the sole discretion to determine whether testimony by closed-circuit technology will be made available.

- c) Closing.** After all parties and witnesses (excluding the Respondent, should he or she choose not to testify) have been questioned, the Hearing Panel will determine whether there are any unresolved issues that may be clarified by the presentation of additional information. If so, the Chair of the Hearing Panel will suspend the hearing and reconvene it in a timely manner in order to receive such additional information. A suspension may not be based on the failure of witnesses to appear without good cause or on the proposed introduction of documents or other information that should have been submitted before the hearing. Once the Chair of the Hearing Panel deems that all relevant evidence has been submitted, the Complainant and the Respondent may make a closing statement. The Chair of the Hearing Panel may permit them a short recess to prepare their closing statements.

**(v) Outcome.**

- 1) The Decision of the Hearing Panel.** Following the conclusion of the hearing, the Hearing Panel will confer and by majority vote determine whether the evidence (including the information provided in and by the Investigative Report, the parties' written statements, if any, the evidence presented at the hearing, and the testimony of the parties and witnesses) establishes that it is more likely than not<sup>6</sup> that the Respondent committed Sexual Misconduct and that the Sexual Misconduct was so severe or pervasive as to deny or limit the Complainant's (or the victim's, if he or she is not the Complainant) ability to participate in or receive the benefits of the College's programs or activities based on sex.<sup>7</sup>
- 2) Sanctions.** Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct, any record of prior discipline for Sexual Misconduct, or both. Sanctions may include, without limitation, termination, expulsion or suspension from the College, disciplinary probation, expulsion from campus housing, mandated counseling,

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<sup>6</sup> In other words, the standard of proof will be the preponderance of the evidence standard.

<sup>7</sup> In disputes about whether Sexual Harassment occurred or whether allegedly harassing conduct was welcome, the Hearing Panel will examine the totality of the circumstances, specifically giving consideration as appropriate to the following factors (although none of the factors alone is dispositive): (a) statements by any witnesses to the alleged incident, (b) evidence about the relative credibility of the alleged victim and the alleged harasser, (c) evidence that the alleged harasser has been found to have harassed others or evidence that the alleged victim has made false allegations against other individuals, (d) evidence of the alleged victim's reaction or behavior following the alleged incident, (e) evidence about whether the alleged victim filed a Complaint or took other action to protest the conduct soon after the alleged incident occurred, and (f) other contemporaneous evidence.

Furthermore, in disputes about whether conduct denied or limited the ability of the alleged victim to participate in or benefit from the College's educational programs and activities, the Hearing Panel will examine the totality of the circumstances, specifically giving consideration as appropriate to the following criteria: (1) the type, frequency and duration of the conduct (the more severe the conduct, the less the need to show a repetitive series of incidents, particularly if the harassment is physical), (2) the identity of and relationship between the alleged harasser and the alleged victim, (3) the number of individuals involved, (4) the age and sex of the alleged harasser and the alleged victim, (5) the location of the incidents and the context in which they occurred, and (6) whether there have been similar incidents (including incidents of gender-based but nonsexual harassment).

and/or other educational sanctions deemed appropriate by the Hearing Panel. The Hearing Panel will determine recommended sanctions, giving consideration to whether a given sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation. The Hearing Panel will forward its recommendations to the Assistant Dean of Student Services within three days of the conclusion of the hearing. Within three days of receipt of the Hearing Panel's recommendation, the Assistant Dean of Student Services will impose such sanctions, or, if necessary, may modify the sanctions in consultation with the Hearing Panel. Sanctions imposed are not effective until the resolution of any timely appeal of the decision of the Hearing Panel. However, if it is advisable in order to protect the welfare of the Complainant, the victim (if not the Complainant) or the College community, the Hearing Panel may recommend and the Associate Dean of Student Services may determine that any sanctions be effective immediately and continue in effect until such time as the appeal process is exhausted or the President of the College may determine.

- 3) Final Accommodations and Corrective Action.** Promptly following the conclusion of the hearing and the Hearing Panel's issuance of a determination of responsibility, the Assigned Title IX Coordinator and the Associate Dean of Student Services will determine the final accommodations to be provided to the Complainant and/or the victim (if not the Complainant), if any, and the Assigned Title IX Coordinator will communicate such decision to the Complainant and the victim (if applicable), respectively, and, to the extent that it affects him or her, to the Respondent. Such accommodations may include, but are not limited to:
- a) issuing no-contact orders to prevent any contact between the Complainant, the victim (if not the Complainant) the Respondent, witnesses, and/or third parties;
  - b) providing alternative course completion options;
  - c) arranging for an incomplete in a class;
  - d) permitting a temporary or permanent withdrawal from the College;
  - e) providing counseling services;
  - f) providing academic support services; and
  - g) providing tuition adjustments.

The Assigned Title IX Coordinator will also take steps, where necessary, to prevent the further harassment of or Retaliation against the Complainant, the victim (if not the Complainant) or third parties, such as informing them about how to report subsequent problems, following up with them to ensure that there are no subsequent problems, providing trainings for the school community, and providing Sexual Misconduct or other counseling for the Respondent. The Assigned Title IX Coordinator will also, where appropriate, take steps to prevent the harassment of the Respondent.

Furthermore, the Assigned Title IX Coordinator will take prompt corrective action if the Complainant or the victim (if not the Complainant) experiences Retaliation or is subjected to further Sexual Misconduct or if the original sanctions imposed on the Respondent are ineffective to protect the safety and well-being of the Complainant, the victim (if not the Complainant) or other members of the College community. In cases involving Sexual Harassment, the Assigned Title IX Coordinator will also take reasonable

steps to eliminate any hostile environment that has been created, such as conducting trainings and disseminating informational materials. In taking the above-outlined steps, the Assigned Title IX Coordinator will make every reasonable effort to minimize the burden on the Complainant.

- 4) Final Outcome Letter.** Within ten calendar days following the conclusion of the hearing (or such longer time as the Chair of the Hearing Panel may for good cause determine), the Hearing Panel will issue a written decision letter (the "Final Outcome Letter") concurrently to the Respondent, the Complainant and the victim (if not the Complainant). The Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible, if any, (3) sanctions imposed on the Respondent, if any, and it may set forth names of other individuals, such as a victim or witness, provided that such other individuals provide their written consent to such inclusion. However, in order to comply with FERPA, the letter will not include information considered part of the Respondent's "education record" (as that term is defined by FERPA), such as information about sanctions that do not relate to the Complainant or the victim (if not the Complainant).
- 5) Privacy and Disclosure.** In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public. Accordingly, documents prepared in anticipation of the hearing (including the Investigative Report, the notice of hearing, and the pre-hearing submissions referenced above) and documents, testimony, or other information introduced at the hearing may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law. If it is determined, however, that the Respondent committed Sexual Misconduct and that the Sexual Misconduct was so severe or pervasive as to deny or limit the Complainant's (or the victim's, if he or she is not the Complainant) ability to participate in or receive the benefits of the College's programs or activities based on sex, College policy does not prohibit the further disclosure of the Final Outcome Letter by either the Complainant, the victim (if not the Complainant) or the Respondent. The College acknowledges that sharing the Final Outcome Letter with others, including family, friends, legal counsel, mental health professionals, and sexual assault advocates or victims, may be a critically important part of the Complainant's and, if applicable, the victim's healing process.
- (vi) Appeals.** The Complainant or the Respondent may appeal the decision of the Hearing Panel and/or the sanction imposed on the Respondent within five calendar days from the date of the Final Outcome Letter. The decision of the Hearing Panel and the sanction imposed on the Respondent may, if desired, be appealed simultaneously.
- 1) Appeals of the Decision of the Hearing Panel Regarding Responsibility for Sexual Misconduct.** The only permissible grounds for an appeal are (a) insufficiency of the evidence to support the decision, (b) availability of germane new evidence not available at the time of the hearing that could significantly impact the outcome of the hearing and/or (c) procedural errors during the hearing that significantly impacted the outcome of the hearing.

Appeals of the decision of the Hearing panel must be made in writing to the President of the College (providing a copy of the appeal to the Assigned Title IX Coordinator). The Assigned Title IX Coordinator will promptly inform the other parties (i.e., the

Complainant, the alleged victim (if not the Complainant), and/or the Respondent) of the filing of the appeal. Within five days of the receipt of the appeal, the President will make a determination (i) that the decision of the Hearing Panel should stand, or (ii) that the decision of the Hearing Panel should be overturned.

In the event that the President determines that the decision of the Hearing Panel should be overturned, the President will specify, after consultation with the Assigned Title IX Coordinator and other College administrators, as necessary, the appropriate steps to be taken to come to a final resolution of the Complaint (which may or may not include an additional hearing or set of hearings before a different Hearing Panel). The President will notify the Complainant, the alleged victim (if not the Complainant) and the Respondent concurrently of his or her decision.

**2) Appeals of Sanctions.** The sanctions imposed on the Respondent may be appealed on grounds that the severity of the sanction imposed is incommensurate to the gravity of the Sexual Misconduct for which the Respondent was found responsible. Appeals must be made in writing to the President of the College (providing a copy of the appeal to the Assigned Title IX Coordinator). The Assigned Title IX Coordinator will promptly inform the other parties (i.e., the Complainant, the alleged victim (if not the Complainant), and/or the Respondent) of the filing of the appeal. Within five days of the receipt of the appeal, the President will make a determination (a) that the decision of the Hearing Panel should stand, or (b) that the decision of the Hearing Panel should be overturned. In the event that the President determines that the decision of the Hearing Panel should be overturned, the President will specify (after consultation with the Assigned Title IX Coordinator and other College administrators, as necessary) either (1) the final sanctions to be imposed on the Respondent, which will not be subject to further appeal or (2) that another hearing will be convened before the Hearing Panel for the sole purpose of considering sanctions, in which case the final sanctions set by the Hearing Panel will not be subject to further appeal. The President will notify the Complainant, the alleged victim (if not the Complainant) and the Respondent concurrently of his or her decision.

**(vii) Documentation.** The College will retain documentation (including but not limited to the written Complaint, notifications, the Investigative Report, any written findings of fact, petitions for appeal, and any written communication between the parties), for at least seven years. Documentation pertaining to expulsions or degree revocations will be retained indefinitely.

## **ARTICLE VI. INFORMAL RESOLUTION**

The following procedures apply if the Complainant elects informal resolution of his or her Complaint, provided that (1) the Respondent (and the alleged victim, if he or she is not the Complainant) agrees to such resolution, (2) the Complainant and the Respondent are both Students of the College, and (3) the Assigned Title IX Coordinator determines that informal resolution is an appropriate mechanism for resolving the Complaint.

The Complainant has the right to terminate the informal resolution process at any time and proceed with formal resolution. Furthermore, the Assigned Title IX Coordinator may terminate or decline to initiate informal resolution, and proceed with formal resolution instead. In such cases, statements

or disclosures made by the parties in the course of the informal resolution process may be considered in the subsequent formal resolution proceedings.

**(a) General Procedures and Policies.**

**(i) Applicability.** Informal resolution is not available in cases of Sexual Assault.

**(ii) The Respondent's Acknowledgement of Responsibility.** At any time prior to the imposition of sanctions, the Respondent may elect to acknowledge his or her actions and take responsibility for the alleged Sexual Misconduct. In such a situation, the Assigned Title IX Coordinator will propose sanction(s) for the Respondent. If both the Complainant and the Respondent agree to such proposed sanction(s), then the Complaint will be resolved without any further rights of appeal by either party. If either the Complainant or the Respondent objects to such proposed sanction(s), then a Hearing Panel will convene for the exclusive purpose of determining sanctions, which determination will be subject to appeal by either party pursuant to Section V(c)(vi) of this Policy. For purposes of this sanction hearing, all of the other provisions of this Policy relating to the imposition of a sanction for Sexual Misconduct shall apply.

**(b) The Informal Resolution Process.**

**(i) The Proceeding; the Presiding Officer.** When the Complainant's Complaint is to be resolved according to the informal resolution process, there will be a proceeding before a Presiding Officer. The Title IX Coordinator or a Deputy Title IX Coordinator will serve as the Presiding Officer, provided that such person is not, in any given case, the individual who made the determination that reasonable grounds exist to believe that a violation of the Policy has occurred.

**(ii) Notice of the Proceeding.** Promptly after the Assigned Title IX Coordinator has appointed the Presiding Officer, the Assigned Title IX Coordinator will provide concurrent written notice to the Complainant, the alleged victim (if not the Complainant) and the Respondent, by email or in person, setting forth (1) the date, time and location of the proceeding (which will be no more than ten days following the conclusion of the investigation, absent extenuating circumstances) and (2) the name of the individual selected to serve as the Presiding Officer. If only a portion of the alleged misconduct justifies continuing to a proceeding, the Assigned Title IX Coordinator will also specify in the notice which part(s) of the alleged misconduct will be the subject of the proceeding. Either party may challenge the participation of the Presiding Officer by submitting a written objection to the Assigned Title IX Coordinator within three days of receipt of the notice of the proceeding. Such objection must state the specific reason(s) for the objection. The Assigned Title IX Coordinator will evaluate the objection and determine whether to change the Presiding Officer. Failure to submit a timely and proper objection will constitute a waiver of any right of objection. Any substitution of the party serving as the Presiding Officer must be provided in writing to both parties at least one day prior to the date of the proceeding.

**(iii) Attendance.** The Respondent is expected to attend the informal resolution proceeding, but he or she is not required to participate in such proceeding. If either party fails to appear at the proceeding, and such party was provided proper notice of the proceeding as set forth above, then absent extenuating circumstances, the Presiding Officer may either direct that resolution of the Complaint be determined according to the formal resolution



process set forth above, or if the Complainant fails to appear without good cause, dismiss the Complaint.

**(iv) The Proceeding.**

**1) The Complainant's Rights.** During the informal resolution proceeding, the Complainant may

- a) confront the Respondent in the presence of, and facilitated by, the Presiding Officer,
- b) communicate his or her feelings and perceptions regarding the incident and the impact of the incident, and
- c) relay his or her wishes and expectations regarding protection in the future.

**2) Counsel, Advisors and Advisors.**

- a) **Legal Counsel.** Under no circumstances may legal counsel be present at the proceeding on behalf of any party.
- b) **Advisors.** Both the Complainant and the Respondent may have an Advisor present to support and assist them during the informal resolution proceeding. The Presiding Officer may disallow the attendance of an Advisor if, in his or her discretion, such Advisor's presence would be obstructive to the proceeding or otherwise warrant his or her removal from the proceeding. An Advisor may communicate with a party privately, but he or she may not address the Presiding Officer or have any other speaking role.
- c) **Other Advisors.** Absent accommodation for disability and except as set forth in Section VI(b)(iv)(2)(b) above, the parties may not be accompanied by a legal or other advisor during the proceeding.

**(c) Resolution.**

**(i) Determination.** Following the conclusion of the proceeding, the Presiding Officer will determine whether the evidence (including the information provided in and by the Investigative Report, the parties' written statements, if any, the evidence presented at the proceeding, and the testimony of the parties) establishes that it is more likely than not that the Respondent committed Sexual Misconduct and that the Sexual Misconduct was so severe or pervasive as to deny or limit the Complainant's (or the victim's, if he or she is not the Complainant) ability to participate in or receive the benefits of the College's programs or activities based on sex.

**(ii) Sanctions.** The Presiding Officer will determine recommended sanctions, giving consideration to whether a given sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation. The Presiding Officer will promptly forward its recommendations to the Associate Dean of Student Services, who will promptly set such sanctions as he or she believes are appropriate under the circumstances. Sanctions imposed are not effective until the resolution of any timely appeal of the decision of the Presiding Officer. However, if it is advisable in order to protect the welfare of the Complainant, the victim (if not the Complainant) or the College community, the Presiding Officer may recommend and the Associate Dean of Student Services may determine that any sanctions be effective

immediately and continue in effect until such time as the appeal process is exhausted or the President of the College may determine.

- (iii) Final Accommodations.** The Assigned Title IX Coordinator and the Associate Dean of Student Services will promptly determine the final accommodations to be provided to the Complainant and/or the victim (if not the Complainant), and the Assigned Title IX Coordinator will communicate such decision to the Complainant and the victim (if applicable), respectively, and, to the extent that it affects him or her, to the Respondent. Such accommodations may include, but are not limited to, those set forth above in Section IV(c)(i)(9) above.
- (iv) Appeals.** Either party may appeal the decision of the Presiding Officer and/or the sanction imposed on the Respondent according to the provisions of Section V(c)(vi) above.
- (v) Privacy and Disclosure.** In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the informal resolution process is not open to the general public. Accordingly, documents prepared in anticipation of the proceeding (including the Investigative Report or the notice of the proceeding) and other information introduced at the proceeding may not be disclosed outside of the proceeding, except as may be required or authorized by law.

## EXHIBIT A

to

### STUDENT SEXUAL MISCONDUCT POLICY AND PROCEDURES

#### Suggested Actions for Victims of Sexual Assault

If you are the victim of a Sexual Assault, the College's first priority is to help you take steps to address your safety, medical needs and emotional well-being. You are encouraged to take the following actions regardless of whether you have made a decision about whether to pursue criminal or College disciplinary charges.

##### 1. Ensure Your Physical Safety.

You may seek help from **local law enforcement agencies** or by contacting the **Flagler College Office of Safety and Security**. The College's Office of Safety and Security can assist you with contacting local law enforcement and can help you obtain transportation to the local law enforcement office. Security personnel are on duty at the Office of Safety and Security 24 hours a day, seven days a week.

You may also apply at the St. Johns County Courthouse (4010 Lewis Speedway, Room 153 (Family Services Division)) for an **Injunction for Protection** (a protective order), from Monday through Friday, 8:00 a.m. until 4:00 p.m. You may apply for emergency protection after hours with the St. Johns County Sheriff's Department. Information on obtaining an Injunction for Protection is available at <http://www.clk.co.st-johns.fl.us/family/injunctions.html>. Injunctions for Protection are enforced by the court system.

##### 2. Seek Medical Assistance and Treatment.

Local options for medical care include **Flagler College Health Services** and **Flagler Hospital**. It is crucial that you obtain medical attention as soon as possible after a sexual assault to determine the possibilities of physical injury, to prevent or treat sexually transmitted diseases (such as HIV), and to

### Important Contact Information College Resources

Flagler College's **Title IX Coordinator** is Dr. William L. Proctor, whose office is on the third floor of Proctor Library and who may be contacted by phone at 904-819-6210 or by email at [proctorw@flagler.edu](mailto:proctorw@flagler.edu). Dr. Proctor is available from 9:00 a.m. to 5:00 p.m. Monday through Friday.

The **Flagler College Office of Safety and Security** is located in the Rotunda of the Ponce de Leon Hall and is available by phone at 904-819-6200. College Security Officers are available 24/7.

**Flagler College Health Services** is located on the College campus across from the College post office and is available by phone at 904-819-6211. The office is staffed from 7:00 a.m. until 5:00 p.m. Monday through Friday.

The **Flagler College Office of the Dean of Student Services** is located on the second floor of the Ringhaver Student Center and is available by phone at 904-819-6238. The office is staffed from 8:00 a.m. until 5:00 p.m. Monday through Friday.

The **Flagler College Human Resources Office** is located in the Office of Business Services at 20 Valencia Street and is available by phone at 904-819-6311. The office is staffed from 8:00 a.m. until 5:00 p.m. Monday through Friday.

The **Flagler College Counseling Center** is located at 8 Valencia Street between Wiley Hall and Lewis House and is available by phone at 904-819-6305.

#### Community Resources

**Local Law Enforcement Agencies** can be reached by calling 911.

**St. Augustine Police Department** can be reached by calling 904-825-1070.

**St. Johns County Sheriff's Office** can be reached by calling 904-824-8304.

**Flagler Hospital** is located at 400 Health Park Blvd., St. Augustine, FL 32086. The Emergency Department can be reached at 904-819-5155.

**Betty Griffin House (for Abused Women and Men)** can be reached by calling 904-824-1555 (24 hours a day).

**Rape Crisis Hotline** can be reached by calling 1-800-956-RAPE (7273).

prevent pregnancy. Medical facilities can also screen for the presence of sedative drugs such as Rohypnol or GHB (date-rape drugs).

Employees at Flagler College Health Services can help you obtain transportation to Flagler Hospital and can help you contact a support person, such as a family member, a friend, or a roommate.

If you choose to have an evidence collection kit (or “rape kit”) completed, it is important to do so within 72 hours. Even if you have not decided to file charges, it is advisable to have the evidence collection kit completed so that you can preserve the options of obtaining an Injunction for Protection and filing charges at a later date. Flagler Hospital administers evidence collection kits. Individuals may go directly to Flagler Hospital or may be referred to the hospital by Flagler College Health Services.

In order to best preserve evidence for an evidence collection kit, you should avoid showering, bathing, going to the bathroom or brushing your teeth before the kit is completed. You should also wear (or take with you in a paper – not plastic – bag) to the hospital the same clothing that you were wearing during the assault. An evidence collection kit can still be completed even if you have showered or bathed.

You may be accompanied to the hospital by a friend or other support person. At the hospital, a physician will briefly screen you, and a forensic nurse trained in evidence collection procedures will conduct the examination, collecting hair, fluid and tissue samples. When obtaining an evidence collection kit, you have the option of filing an official police report immediately or having a “Jane Doe kit” collected, which allows the evidence to remain anonymous until you choose to make an official police report. The cost of the evidence collection kit can often be paid for confidentially through funds provided by the State of Florida.

### **3. Obtain Emotional Support**

**The Flagler College Counseling Center** can help victims sort through their feelings and begin the recovery process. The professionals at the Counseling Center are trained to provide crisis intervention on short-term and emergency issues. The Counseling Center can also provide referral services for outside providers and law enforcement. Counseling is free of charge to all Students of the College. In some instances, the law may require the disclosure of information shared by students with counselors. However, absent a legal mandate to the contrary, counseling services are strictly confidential, are not part of students’ College records, and will not be reported to other College personnel. The Counseling Center can also put victims in touch with a Victim Advocate. In addition to providing support to victims, Victim Advocates can also accompany victims to their initial meetings with the Case Manager and can be present during the investigation process.

### **4. Obtain Information**

You are encouraged to report incidents of Sexual Misconduct to the College’s Title IX Coordinator (even if you have filed a report directly with law enforcement). Further information about how to report Sexual Misconduct is provided in the body of the Policy. College personnel can help you access resources and can provide you with support and information, including information on the College’s procedures for investigating and addressing instances of Sexual Misconduct.

## EXHIBIT B

to

### STUDENT SEXUAL MISCONDUCT POLICY AND PROCEDURES

#### Definitions

- (i) **Advisor.** An “Advisor” is an individual who is appointed by the Office of the Dean of Student Services to assist an individual involved in, and accompany an individual to meetings related to, a Sexual Misconduct proceeding. Advisors receive training in working with victims and alleged perpetrators of Sexual Misconduct.
- (ii) **Assigned Title IX Coordinator.** The “Assigned Title IX Coordinator” means either the Title IX Coordinator or the Deputy Title IX Coordinator assigned by the Title IX Coordinator to handle a given Complaint.
- (iii) **Board.** The “Board” is the Sexual Misconduct Board.
- (iv) **Case Manager.** The Case Manager is an individual appointed by the Title IX Coordinator to serve as a liaison between the Complainant, the Respondent, the Investigator, and any College offices or external resources that are involved in responding to or providing assistance in connection with a Complaint of Sexual Misconduct. The Case Manager reports to the Assigned Title IX Coordinator. The Case Manager is not an Investigator or an advocate for any party, but rather is a neutral resource who can be of assistance to both parties.
- (v) **Clery Act.** The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”) is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46. The Clery Act requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses.
- (vi) **Complainant.** A “Complainant” is an individual who reports or files a Complaint. A Complainant may be someone other than the person who may have been subjected to the Sexual Misconduct.
- (vii) **Complaint.** A “Complaint” is an allegation of Sexual Misconduct asserted against another party and reported to or filed with the College.
- (viii) **Consent.** “Consent” is informed, freely and actively given and mutually understandable words or actions that indicate a willingness to participate in mutually agreed-upon sexual activity. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to engage in certain conduct with each other. Consent cannot be gained by ignoring or acting in spite of the objections of another.

Consent cannot be inferred from:

- 1) Silence, passivity, acceptance, or lack of resistance alone;

- 2) A current or previous dating or sexual relationship (or the existence of such a relationship with anyone else);
- 3) Attire;
- 4) The buying of dinner or the spending of money on a date; or
- 5) Consent previously given (i.e., consenting to one sexual act does not imply consent to another sexual act).

Consent is not effective if it is obtained through the use of physical force, violence, duress, intimidation, coercion or the threat, expressed or implied, of bodily injury. Whether a party used intimidation or coercion to obtain consent will be determined by reference to the perception of a reasonable person found in the same or similar circumstances.

Consent may never be given by:

- a) Minors, even if the other participant did not know the minor's age.
- b) Mentally disabled persons, if their disability was reasonable knowable to a sexual partner who is not mentally disabled.
- c) Persons who are incapacitated (whether as a result of drugs, alcohol or otherwise), unconscious, asleep or otherwise physically helpless or mentally or physically unable to make informed, rational judgments. The use of alcohol or drugs does not diminish one's responsibility to obtain Consent and does not excuse conduct that constitutes Sexual Misconduct under this Policy.

If at any time during a sexual act any confusion or ambiguity is or should reasonably be apparent on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify the other's willingness to continue and capacity to consent. Neither party should make assumptions about the other's willingness to continue.

**(ix) Dating Violence.** "Dating Violence" means violence committed by a person

- 1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2) where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a) the length of the relationship,
  - b) the type of relationship, and
  - c) the frequency of interaction between the persons involved in the relationship.

**(x) Day.** A "day" is a business day, unless otherwise specified.

**(xi) Deputy Title IX Coordinator(s).** The College's "Deputy Title IX Coordinators" are (1) Ms. Tricia Kristoff, whose office is located in the Office of Business Services at 20 Valencia Street in St. Augustine and who may be contacted by phone at 904-819-6311 or by email at tkristoff@flagler.edu and (2) Dean Daniel P. Stewart, whose office is on the second floor of the Ringhaver Student Center and who may be contacted by phone at 904-819-6238 or

by email at [stewartd@flagler.edu](mailto:stewartd@flagler.edu). The Deputy Title IX Coordinators work under the oversight of the Title IX Coordinator to assist with the handling of Title IX-related Complaints. The Title IX Coordinator may, at his or her discretion, assign either of the Deputy Title IX Coordinators as the Assigned Title IX Coordinator in connection with a given Complaint.

- (xii) Domestic Violence.** “Domestic Violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the **[domestic or family violence laws of the State of Florida]**, or by any other person 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]**.
- (xiii) FERPA.** The Family Educational Rights and Privacy Act (“FERPA”) is a federal statute codified at 20 U.S.C. § 1232g, with implementing regulations at 34 CFR Part 99. FERPA protects the privacy of student education records. FERPA grants to parents or eligible students the right to access, inspect, and review education records, the right to challenge the content of education records, and the right to consent to the disclosure of education records.
- (xiv) Final Outcome Letter.** “Final Outcome Letter” is defined in Section V(c)(v)(5).
- (xv) Hearing Panel.** “Hearing Panel” is defined in Section V(c). The Hearing Panel will receive annual training on (1) issues related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking, and (2) how to conduct a hearing process that protects the safety of victims and promotes accountability.
- (xvi) Investigative Report.** “Investigative Report” is defined in Section IV(d).
- (xvii) Investigator.** The “Investigator” is a neutral fact-finder who is designated by the Assigned Title IX Coordinator to investigate a Complaint. Typically, the Investigator will be a College security officer or a member of College administration, in either case trained annually on (1) reasonable and appropriate investigative techniques, (2) issues related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking, and (3) how to conduct an investigation that protects the safety of victims and promotes accountability.
- (xviii) Respondent.** A “Respondent” is an individual who has been accused of committing Sexual Misconduct by the report or filing of a formal or informal Complaint.
- (xix) Retaliation.** “Retaliation” means any adverse action threatened or taken against a person because he or she has filed, supported, or provided information in connection with a Complaint of Sexual Misconduct, including but not limited to intimidation, threats, and harassment.
- (xx) Sexual Assault.** “Sexual Assault” means any actual, attempted, or threatened sexual act with another person without that person’s Consent. Sexual Assault includes but is not limited to:

  - 1) Sexual Battery and attempted Sexual Battery;

- 2) Intentional and unwelcome sexual touching (including disrobing or exposure), however slight, with any body part or any object, by a man or a woman upon a man or a woman, without effective Consent, of a person's breasts, buttocks, groin, or genitals (or clothing covering such areas), or coercing, forcing, or attempting to coerce or force another to touch you, themselves, or a third party with any of these body parts or areas when such touching would be reasonably and objectively offensive;
  - 3) Any sexual act in which there is force, violence, or use of duress or deception upon the victim;
  - 4) Any sexual act perpetrated when the victim is unable to give Consent; and
  - 5) Sexual intimidation, which includes but is not limited to:
    - a) Threatening, expressly or impliedly, to commit a sexual act upon another person without his or her Consent,
    - b) Stalking or cyber-stalking, and
    - c) Engaging in indecent exposure.
- (xxi) Sexual Battery.** "Sexual Battery" means oral, anal, or vaginal penetration by, or union with, the sexual organ of another by the anal or vaginal penetration of another by any other object.
- (xxii) Sexual Exploitation.** "Sexual Exploitation" means any act of taking non-Consensual, unjust or abusive sexual advantage of another person for one's own advantage or benefit or to benefit or advantage anyone other than the person being exploited. Sexual Exploitation includes, but is not limited to:
- 1) Causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such person;
  - 2) Prostituting another person (i.e., personally gaining money, privilege or power from the sexual activities of another);
  - 3) Non-Consensual videotaping, photographing, or audio-taping of sexual activity and/or distribution of these materials via media such as, but not limited to, the Internet;
  - 4) Exceeding the boundaries of Consent (e.g., allowing another person to observe Consensual sex without the knowledge of or Consent from all participants);
  - 5) Voyeurism; and
  - 6) Knowingly or recklessly transmitting a sexually transmitted disease (including HIV) to another individual.
- (xxiii) Sexual Harassment.** "Sexual Harassment" is any unwelcome verbal, nonverbal, written, electronic or physical conduct of a sexual nature. Examples of Sexual Harassment include instances in which:



- 1) Submission or consent to the behavior is reasonably believed to carry consequences for the individual's education, employment, on-campus living environment, or participation in a College activity. Examples of this type of sexual harassment include:
  - a) pressuring an individual to engage in sexual behavior for some educational or employment benefit, or
  - b) making a real or perceived threat that rejecting sexual behavior will carry a negative educational or employment consequence for the individual.
- 2) The behavior is so severe or pervasive that it has the effect of substantially interfering with the individual's work or educational performance by creating an intimidating, hostile, or demeaning environment for employment, education, on-campus living, or participation in a College activity. Examples of this type of sexual harassment include:
  - a) one or more instances of Sexual Assault;
  - b) persistent unwelcome efforts to develop a romantic or sexual relationship;
  - c) unwelcome sexual advances or requests for sexual favors;
  - d) unwelcome commentary about an individual's body or sexual activities;
  - e) repeated and unwelcome sexually-oriented teasing, joking, or flirting; and
  - f) verbal abuse of a sexual nature.

Sexual harassment also includes acts of intimidation, bullying, aggression or hostility based on gender or gender-stereotyping, even if the acts do not involve conduct of a sexual nature.

**(xxiv) Sexual Misconduct.** "Sexual Misconduct" means any conduct or act of a sexual nature perpetrated against an individual without Consent. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. The College encourages reporting of all Sexual Misconduct. Sexual Misconduct includes but is not limited to:

- 1) Dating Violence;
- 2) Domestic Violence;
- 3) Non-forcible sex acts, which are unlawful sexual acts where Consent is not relevant, such as sexual contact with an individual under the statutory age of Consent, as defined by State law, or between persons who are related to each other within degrees wherein marriage is prohibited by law;
- 4) Sexual Assault;
- 5) Sexual Exploitation;
- 6) Sexual Harassment; and
- 7) Stalking.

**(xxv) Sexual Misconduct Board.** The “Sexual Misconduct Board” or the “Board” is a standing group composed of students and/or faculty and staff who are specially trained to handle cases involving Sexual Misconduct. The Board members and the Chair of the Board will be appointed by the College President. All Board members will receive regular (at least annual) professional training in hearing practices and procedures, including sensitivity training.

**(xxvi) Stalking.** “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- 1) fear for his or her safety or the safety of others; or
- 2) suffer substantial emotional distress.

**(xxvii) Student of the College.** A “Student of the College” is any student who:

- 1) is registered at the College or enrolled at the College (a) at the time of the alleged Sexual Misconduct *and* (b) at the time a Complaint is filed; and
- 2) is either:
  - a) registered to be enrolled or is currently enrolled at the College on a full-time basis, or
  - b) registered to be enrolled or is currently enrolled at the College on less than a full-time basis and is not an employee of the College. Solely for purposes of this definition, the term “employee of the College” does not include those individuals who are employed by the College through a work-study or similar program.<sup>8</sup>

**(xxviii) Title IX Coordinator.** The College’s “Title IX Coordinator” is Dr. William L. Proctor, whose office is on the third floor of Proctor Library and who may be contacted by phone at 904-819-6210 or by email at proctorw@flagler.edu. The Title IX Coordinator has ultimate oversight responsibility for handling Title IX–related complaints and for identifying and addressing any patterns or systemic problems involving Sexual Misconduct. The Title IX Coordinator is available to meet with individuals who are involved with or concerned about issues or College processes, incidents, patterns or problems related to Sexual Misconduct on campus or in College programs. All allegations involving Sexual Misconduct should be directed to the Title IX Coordinator.

**(xxix) Victim Advocate.** A “Victim Advocate” is an individual who is trained to provide free, confidential crisis intervention, advocacy, emotional support, referral and accompaniment services to individuals who may have been subjected to Sexual Misconduct.

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<sup>8</sup> Individuals who are enrolled at the College on less than a full-time basis and are “employees of the College,” as that term is defined above, are governed by the College’s Faculty & Staff Sexual Misconduct Policy & Procedures (available from the Vice President of Academic Affairs at 904-819-6248 or from the Human Resources Generalist at 904-819-6311), as appropriate.

EXHIBIT C  
FLAGLER COLLEGE STUDENT SEXUAL MISCONDUCT POLICY AND PROCEDURES

**SEXUAL MISCONDUCT COMPLAINT FORM**

Today's date: \_\_\_\_\_

**Information Regarding the Complainant:**

Name of the Complainant: \_\_\_\_\_

Complainant's Phone Number: \_\_\_\_\_

The Complainant is (please check one):  
 a faculty member                       a student (current /former   
 a staff member                               not affiliated with the College

**Information Regarding the Victim (if he or she is not the Complainant):**

Name of the victim: \_\_\_\_\_

The victim is (please check one):  
 a faculty member                       a student (current /former   
 a staff member                               not affiliated with the College

**Information Regarding the Respondent:**

Name of the Respondent: \_\_\_\_\_

The Respondent is (please check one):  
 a faculty member                       a student (current /former   
 a staff member                               not affiliated with the College

**Information Regarding the Alleged Sexual Misconduct:**

Time and date of the alleged Sexual Misconduct: \_\_\_\_\_

Location of the alleged Sexual Misconduct:

on campus: \_\_\_\_\_  
 off campus: \_\_\_\_\_

Witnesses or third parties who may have information regarding the alleged Sexual Misconduct:

\_\_\_\_\_  
\_\_\_\_\_

**Please provide a brief description of the alleged Sexual Misconduct:**

*You may wish to consider including, among other things, some or all the following information in your description: the gender of the parties, the relationship between the parties, whether one or more of the parties were under the influence of alcohol or drugs at the time of the alleged Sexual Misconduct, whether the Respondent used pressure or force (physical or otherwise) in the course of the alleged Sexual Misconduct, and the frequency (if applicable) of the alleged Sexual Misconduct.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Please feel free to use the reverse side of this form to continue your description, if desired.*

**Signature of the Complainant:** \_\_\_\_\_

**Student Complaints:** Students who wish to file a formal complaint must do so in writing. A written student complaint should be addressed to the appropriate member of the President's Cabinet. The complaint will be acknowledged within five days with a copy to the Assistant to the President. The Administrator shall subsequently send a memorandum outlining the action taken to address the complaint. The Assistant to the President shall be responsible for receiving and logging student complaints and for ensuring that complaints are properly processed. If the student is not satisfied with the action taken or with the proposed resolution, he or she may appeal the matter to the President; however, such appeal must be based upon evidence of the neglect or violation of College policies or procedures by a member of the staff or faculty. The President may elect to meet with the student and with the person(s) to whom the complaint is directed; however, the President's decision is final.

**Withdrawal from the College:** A student who finds it necessary to withdraw from the College must complete an official withdrawal form, which can be obtained from the Office of the Registrar, located on the second floor of Wiley Hall. The withdrawal form requires the student to obtain clearance signatures from Academic Advising and Retention, Financial Aid, Business Services, and the Registrar.

When a student leaves the College without following the proper procedures, his or her permanent record is marked as an "unofficial withdrawal." Students who do not adhere to the prescribed procedure for withdrawing are subject to receiving failing grades in all courses. Before leaving, students must return all keys to the Office of Student Services, the Director of Residence Life or Office of Campus Safety and Security.

## **Disciplinary Procedures:**

**Disciplinary Procedures:** The College strives to maintain high standards of personal conduct and ethics. These standards are expressed in rules, regulations and policies which the College has adopted to maintain order on campus, to promote student safety and welfare, to foster civility and respect among constituents and to further the College's purpose, goals and values. In some instances, the rules, regulations and policies may limit certain activities and proscribe behavior that is detrimental to the orderly operation of the institution and to the pursuit of its goals. All students are charged with knowledge of these rules as stated in the Catalog and in the Student Handbook and are required to comply with them.

Under the College's disciplinary procedures the student's rights are not as extensive as those of a defendant in a criminal prosecution in a court of law. Moreover, the disciplinary procedures at Flagler may differ somewhat from those at colleges and universities, especially with respect to a student's due process rights in disciplinary proceedings at public institutions. The College's disciplinary procedures are intended to provide an expeditious, administratively practical but fundamentally fair process for resolving contested disciplinary cases in the context of a private, traditional institution of higher education, where the institutional interest in upholding high standards of conduct, maintaining order on campus and protecting the health, safety and welfare of the student body must be balanced against ensuring the rights of the accused. By enrolling at Flagler, students accept the College disciplinary process as fundamentally fair and agree to abide by its disciplinary policies and procedures, as stated in the Student Handbook and as they may be amended from time to time.

Grievance procedures with regard to sexual harassment, sexual assault, or sexual battery, will be provided by the Title IX coordinator. Referral back to these Disciplinary procedures may be part of the process.

**Review and Referral:** The Associate/Assistant Dean of Student Services reviews disciplinary complaints for appropriate disposition. If there is a possibility that a student may be suspended, dismissed or expelled from the College, the case is deemed to involve a major infraction. In such cases, the student is given a choice between an administrative hearing conducted by the Associate/Assistant Dean of Student Services or a hearing conducted by the College Disciplinary Committee. The Associate/Assistant Dean may refer less serious complaints to the Student Judiciary Council or dispose of them without formal proceedings by issuing a verbal warning or written reprimand.

**Administrative Disposition:** If the student who is charged with a major violation does not contest the charge, the student may elect to have an administrative hearing conducted by the Associate/Assistant Dean of Student Services. In choosing this option, the student waives his/her right to contest the charges at a disciplinary hearing and forfeits other rights afforded in the hearing process. The Associate/Assistant Dean of Student Services takes such disciplinary action as may be appropriate. The Associate/Assistant Dean's decision is not subject to appeal.

The hearing procedures outlined below do not apply when a student does not contest the charges and agrees to have an administrative hearing conducted by the Associate/Assistant Dean of Student Services.

**College Disciplinary Committee:** The College Disciplinary Committee reviews cases involving major violations of College rules and regulations (e.g., those involving the possibility of suspension, dismissal, or expulsion), determines the guilt or innocence of the accused, and makes recommendations regarding the disciplinary actions that should be taken by the College. The Committee reports its findings and recommendations to the Associate/Assistant Dean of Student Services for his/her review and consideration.

The College Disciplinary Committee shall consist of five individuals: two staff members appointed by the President, two faculty members appointed by the Dean of Academic Affairs (upon the recommendation of the Faculty Senate), and one student appointed by the Vice President of Student Services.

In general, cases involving the possibility of suspension, dismissal or expulsion are referred to the College Disciplinary Committee for hearing. However, the Associate/Assistant Dean of Student Services will conduct a hearing when cases occur during the summer session, or during the vacations or breaks between terms. For purpose of this provision, a case is deemed to be initiated when the Office of Student Services gives the student formal written notice of the charges.

**College Continuation Committee:** Matters referred to the College Continuation Committee may be of an academic or disciplinary nature and also may involve behavioral, social or emotional problems, which call into question the student's continuing enrollment at Flagler.

In these instances, the Vice President of Student Services, in consultation with the Dean of Academic Affairs, shall appoint an ad hoc College Continuation Committee to hear the case and to recommend appropriate action. The ad hoc committee may recommend to the Vice President of Student Services such action as probation, suspension, dismissal, expulsion, voluntary withdrawal, or other stipulations. The Dean of Academic Affairs' decision is not subject to appeal.

**Disciplinary Hearing Procedures:** Under the foregoing guidelines, the College Disciplinary Committee, the College Continuation Committee, the Vice President of Student Services, and the Associate/Assistant Dean of Student Services all have occasion to conduct disciplinary hearings in contested cases, which may result in a student being suspended, dismissed, or expelled from the College.

The College endeavors to follow its procedures in contested disciplinary cases. It should be understood, however, that the procedures for disciplinary hearings are not intended to mirror the procedures found in a court of law. Representation by counsel; confrontation and cross-examination of witnesses; discovery and appeals beyond the Vice President of Student Services are not allowed. The focus of disciplinary hearings is not on process and or procedure; rather, hearings are conducted to determine whether or not a student has committed a serious violation of the rules of conduct.

The basic procedures in such cases are as follows:

1. The student is given written notice of the charges. The written notification shall include:
  - a. the nature of the hearing and the hearing body;
  - b. the specific charges of complaint; and
  - c. the date, time and place of the hearing.
2. During the hearing the accused student has the opportunity to respond to the charges and to present evidence and witnesses on his or her behalf. However, evidence may be rejected if it is deemed immaterial, cumulative or otherwise unworthy of consideration.
3. In hearings conducted by the College Disciplinary Committee, the Committee makes a recommendation as to the guilt or innocence of the student and, if appropriate, as to what disciplinary action should be taken. The Committee reports its findings and recommendation(s) to the Associate/Assistant Dean of Student Services. After due consideration of the Committee's findings, the Associate/Assistant Dean shall determine guilt or innocence and, if appropriate, shall take disciplinary action.
4. In hearings conducted by the Associate/Assistant Dean of Student Services, the Associate/Assistant Dean investigates the matter, listens to the accused, considers the evidence presented and makes a decision about the guilt or innocence of the accused.
5. In hearings before the College Continuation Committee, the Committee makes recommendations on the advisability of allowing the student to remain enrolled at the College. The Committee may make other recommendations, as may be appropriate, including guilt or innocence and disciplinary action where infractions of rules, regulations or requirements are involved.

If the matter is academic in nature (e.g., failure to attend class, incivility toward the instructor or students in class, disruptive behavior in class, etc.), the Committee shall report its findings and recommendation(s) to the Associate/Assistant Dean of Academic Affairs. If the matter is non-academic in nature (e.g., social, behavioral, emotional, psychological, etc.), the Committee shall report its findings and recommendation(s) to the Associate/Assistant Dean of Student Services.

After due consideration of the College Continuation Committee's findings and recommendations, the Associate/Assistant Dean of Student Services or the Associate/Assistant Dean of Academic Affairs shall determine guilt or innocence and, if appropriate, shall take disciplinary action. The Associate/Assistant Dean of Student Services or the Associate/Assistant Dean of Academic Affairs shall notify the student in writing of the disposition of the charges and any disciplinary action. The Dean of Academic Affairs or the Vice President of Student Services will handle appeals of the decision(s) rendered upon the recommendation(s) of the College Continuation Committee.

6. The Associate/Assistant Dean of Student Services shall notify the student in writing of the disposition of the charges and any disciplinary action.
7. The student has the right to appeal any adverse decision to the Vice President of Student Services. Such appeals must be in writing and submitted 48 hours after the notice of disposition is delivered to the student. The Vice President of Student Services will conduct his/her own investigation into the matter, will confer with the Associate/Assistant Dean, and will meet with the accused student. After considering the evidence, the Vice President of Student Services will make a decision on the appeal. The Vice President may uphold the decision of the Committee and the Associate/Assistant Dean; may modify the decision of the Committee and the Associate/Assistant Dean; or may approve the student's appeal. The decision of the Vice President of Student Services is final.

All hearings are closed to the public. Committee members, administrators and staff, keep the content of all hearings confidential. The names of those involved will not be made public.
8. The College reserves the right to modify the foregoing procedures in response to the exigencies and circumstances of a particular case.
9. The college will, upon written request, disclose to the alleged victim of any crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the college against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

The term "crime of violence" means:

- (a) An offense that has as an element the use, attempted use or threatened use of physical force against the person or property of another, or
- (b) Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

The final results of any disciplinary proceeding:

- (i) Shall include only the name of the student, the violation committed and any sanction imposed by the institution on that student; and
  - (ii) May include the name of any other student, such as a victim or witness, only with the written consent of that other student.
9. Flagler College reserves the right to summarily suspend a student prior to hearing when such action is deemed necessary. The student must leave campus as instructed. The student will be notified of the hearing date.
  10. The College reserves the right to modify the foregoing procedures in response to the exigencies and circumstances of a particular case.

The College endeavors to follow the foregoing procedures in contested disciplinary cases. However, it should be understood that it is not intended that College disciplinary boards and officials adhere to the procedures of a court of law. Representation by counsel, confrontation and cross-examination of witnesses, discovery and appeals beyond the Vice President of Student Services are not allowed. The focus is not process and procedure, but rather whether or not the student has committed a serious violation of the rules of conduct. Accordingly, it is unlikely that the Vice President of Student Services will reverse a disciplinary decision on appeal because of procedural technicalities, unless it appears they resulted in the student being found guilty of an offense he or she did not commit.

**Summary Suspension:** Flagler College reserves the right to summarily suspend a student prior to a hearing when such action is deemed necessary. The student must leave campus, as directed. The student will be notified of the hearing date.

**Types of Disciplinary Action:** There are five general types of disciplinary action that may be imposed by the College: reprimands, probation, suspension, dismissal and expulsion. Each type of disciplinary action is explained below.

**Reprimands:** The Associate/Assistant Dean of Student Services may issue reprimands notifying a student or students of possible misconduct or violation of College rules or regulations. Reprimands may be issued verbally; however, a written record of reprimands shall be placed in the student's file in the Office of Student Services and may be included in any subsequent proceedings of related or unrelated offenses.

**Probation:** There are two types of probations — General and Restrictive. Probation usually involves constructive guidelines intended to motivate the student to comply with College regulations and to promote both academic success and social adjustment.

- (a) General Disciplinary Probation: When a violation requires more than a letter of reprimand the student will be placed on General Disciplinary Probation.
- (b) Restrictive Disciplinary Probation: Restrictive Disciplinary Probation results in the loss of good standing and is placed in the Student Confidential file in the Office of Student Services. Restrictive Disciplinary Probation may include, but is not limited to, residence hall restrictions, campus restrictions, activity restrictions and club/organization restrictions. Restrictions are in effect for the stated probationary period.

**Suspension:** A student involved in a serious violation of College rules or regulations or in repeated incidents of misconduct may be suspended. The length of the suspension period will be clearly defined and may extend from the remaining days in a semester to a number of semesters. A suspended student is prohibited from being on the College campus except by scheduled appointment for official business. After the suspension period is completed, the student will be allowed to resume his/her enrollment at the College. Depending on the circumstances, the student may or may not be placed on probation. Suspension will become a part of the student's permanent record until the time of the suspension is completed, at which point it will be removed from the record.

**Dismissal:** In instances wherein the College does not wish to specify a definite period of suspension, the term "dismissal" rather than "suspension" will be applied. A dismissal entails the possibility of appeal and readmission to the College under appropriate circumstances at a later date. A review of the student's records will be undertaken before re-enrollment is approved. "Dismissal" will become a part of the student's permanent record.

**Expulsion:** When a violation is so severe that the College will not allow the student to remain enrolled or be readmitted, the student will be expelled. When a student has been expelled from the College for disciplinary or academic reasons, a full report will be placed in the student's file and become part of the student's permanent record.

**Finality:** Flagler College grants students the privilege of attending the institution on the condition that they accept and abide by its rules, regulations, policies and procedures. It is the policy and practice of the College to internally resolve all disciplinary cases involving violations of rules and regulations. As stated previously, in contested cases involving major infractions, a student has the right to appeal adverse decisions (e.g., suspension, dismissal or expulsion) to the Vice President of Student Services. The decision of the Vice President of Student Services on those appeals is final, conclusive and binding. A disciplinary decision is not subject to any other appeal, judicial review or collateral attack in court. By accepting the privilege of attending Flagler, students agree to abide by all rules and regulations and agree to accept disciplinary decisions against them, subject only to the prescribed appeal to the Vice President of Student Services. Students waive any right to redress in court and agree and covenant not to sue the College on account of disciplinary action.

**Financial Refund:** In all cases involving withdrawal, suspension, dismissal or expulsion, no financial refunds will be made by the College, and the student's account is due and payable.

**Student Judiciary Council:** The Student Judiciary Council consists of seven members and two alternates. All council members are selected through an application and interview process and chosen on the basis of their academic performance, maturity and ability to perform their duties in a fair and objective manner.

The Associate/Assistant Dean of Student Services is responsible for assigning cases to the Student Judiciary Council. As a rule, all initial violations that are not likely to result in suspension, dismissal or expulsion are referred to the Council. If in the course of a hearing, evidence should be presented which indicates a violation of a more serious nature than was initially reported, the Council will suspend the hearing until such time as the Associate/Assistant Dean of Student Services may determine whether the case should be referred to another committee.

A student has the right to present evidence on his or her own behalf and to present witnesses with testimony relevant to the case in question. Notification of the appearance of witnesses must be submitted to the Pre-Hearing Interviewer 24 hours before the scheduled hearing. An informal deposition may be presented at the hearing if a witness is unable to appear.

In order for there to be a quorum, at least five members must be present, alternates included.

Student Judiciary Council hearings are held on a designated day each week. Students appearing before the Council are required to dress appropriately; dress pants, dress shirt, and dress shoes.

**Penalties:** A student pleading guilty to a charge waives his or her right to a full hearing, and the Student Judiciary Council will impose the penalty. A student found guilty of a violation of College rules or regulations is subject to penalties commensurate with the offense, which may include one or more of the following:

1. Written reprimand
2. General Disciplinary Probation
3. Restrictive Disciplinary Probation
4. Residence hall dismissal
5. Payment of damages
6. Assessment of fines
7. On-Campus service
8. Counseling referrals
9. Recommendation for activity suspension

The Student Judiciary Council may refer a student disciplinary case to the Associate/Assistant Dean of Student Services for an Administrative Hearing or a College Disciplinary Hearing.

**Appeals:** Upon receipt of written notification of the Council's verdict, the student may appeal within 48 hours.

Appeals can be made on one or more of the following grounds:

1. The Council committed a procedural error during the hearing;
2. The rights of the student were violated;
3. Additional evidence or information not available at the time of the hearing.

The Vice President of Student Services will evaluate and make final judgment on all Student Judiciary Council hearing appeals.

**2013-2014 Student Judiciary Council:**

**Chairperson:** Courtney Meadows

**Vice Chairperson:** Jonathan Hermes

**Council Clerk:** Justin Katz

**Pre-Hearing Interviewer:** Jourdan Maney

**Disciplinary Counselor:** Matt Minton

**Disciplinary Counselor:** Marie Taylori

**Disciplinary Counselor:** Nicholas Pearce

**Alternate:** Lindsay Tarr

**Membership:** The Student Judiciary Council is comprised of a Chairperson, a Vice Chairperson, a Council Clerk, a Pre-Hearing Interviewer, and Disciplinary Counselors. Two alternates serve as Recording Secretaries and further assist the Council as needed. Alternates must attend all Council sessions but do not have voting privileges.

Candidates for the Judiciary Council must have a cumulative GPA of 2.0 or above, be a full-time student, and not be serving on the Executive Board or Leadership Team of the Student Government Association or employed as a Resident Advisor. Selections to the Student Judiciary Council are made during the spring semester; all members serve for one academic year. Current Council members have the privilege of requesting reappointment; any council member with the desire to be reappointed must have the approval of the Associate/Assistant Dean of Student Services.

**ACADEMIC POLICIES:**

**Consent to Academic Policies, Regulations and Procedures:** Students are responsible to know and abide by all academic policies, regulations and procedures as set forth in the Catalog and the Student Handbook. Students are also expected to be aware of specific course requirements, as set forth in the course syllabus distributed at the beginning of each term. Inasmuch as important information is periodically distributed by campus email, including communications from the faculty and administrators, students are required to check their Flagler College email regularly and to respond to written requests in a timely manner.

**Academic Advisement:** A significant aspect of Flagler College's strength rests on the conviction that advisement is as crucial to education as the classroom experience. These two phases of the total educational program are regarded as the fundamental responsibilities of the faculty. Academic advisement is a continuous rather than periodic process, and students are encouraged to visit regularly with their advisors. All students are assigned to an advisor, who usually is a full-time faculty member. The student's advisor will provide assistance in planning a program of study; however, it is the student's responsibility to plan and carry out a program of study in accordance with departmental requirements. For additional information on degree requirements, see the College Catalog.

**Office of Academic Advising and Retention:** Flagler College has an Office of Academic Advising and Retention located on the second floor of the Ringhaver Student Center. This is where students may go if they want to change a major, have academic related questions, or to address any concerns they may have about the College.

**Continuing Students:** A continuing student, sometimes referred to as a returning student, is a full-time student who was enrolled full-time during the previous semester.

**Part-Time Students:** The programs and activities of Flagler College are planned to meet the needs and interest of full-time students. A limited number of students, however, may be allowed to matriculate on a part-time basis (less than 12 hours), provided that space in the desired course(s) is available. All part-time students must apply for admission and be formally accepted prior to registering for classes. Part-time students are not eligible for medical and health services and are not allowed to participate in College-sponsored student activities. While part-time students may be eligible for certain types of federal financial aid programs, they are not eligible for State of Florida or institutional financial aid programs. Full-time students who wish to change to part-time enrollment must complete a "Withdrawal to Part-Time Status" form and must notify the Office of the Registrar when returning to full-time status.

**Transfer Credits from Another Institution:** Applicants transferring from another institution must be in good standing and must be eligible to return to the college or university previously attended. Transfer applicants from four-year institutions may receive a maximum of 75 semester hours of credit awarded. Recipients of the Associate of Arts (A.A.) Degree are generally admitted at the junior level; however, applicants who transfer from community/junior colleges will be allowed no more than 64 semester hours of credit toward the completion of degree requirements at Flagler.

Transfer credits will be granted for courses in which a grade of "C" (2.0) or better was earned. Grades are not transferable; hence, quality points earned for transfer credits are not used in computing a student's grade point average at Flagler.

Students who have successfully completed the requirements for an A.A. Degree may transfer up to three courses in which a "D" grade was earned, provided the total number of transfer credits does not exceed 64 semester hours.

The Registrar will determine the amount of transfer credit and advanced standing allowed by the College. In some instances, the Office of Academic Affairs and/or department chairs are consulted prior to awarding transfer credit. Transfer students are responsible for submitting all official transcripts, CLEP or Advanced Placement test scores, and for confirming their level of advanced standing prior to registering for classes at Flagler.

**Transient Transfer Credits from Another Institution:** Flagler students who wish to take courses at another institution during the summer must complete the Application for Transient Study. Additionally, students must receive approval from their Faculty Advisor, the Department Chair of the course and the Office of the Registrar before enrolling as a transient student at another college or university. Application forms are available in the Office of the Registrar. Students who fail to receive prior approval before enrolling at another institution will be denied transfer credit.

Flagler College limits the number of hours a student may earn during the summer at another college or university after that student has enrolled at Flagler. Students may earn up to nine semester hours of credit from another institution. Seniors must complete their final 30 semester hours of credit at Flagler College, except for those students participating in a Study Abroad or Study Away Program. Students may not earn credit for courses taken at a two-year college after they have earned 60 or more semester hours.

**Schedule Changes:** Subject to the approval of the Academic Advisor, courses may be added during the first week of each semester. Courses may be dropped through the first week of each semester without a grade. After this time, a student may drop a course prior to the last four weeks of a semester and receive a grade of W. However, this policy does not apply to students enrolled in ENG 152, ENG 172, or remedial courses. Any student withdrawn from any of these courses will receive a "WF" and must retake the course. A student who is withdrawn from a course during the last 4 weeks of the semester will receive a grade of WF, regardless of whether the withdrawal is student or faculty initiated.

**Class Attendance:** The nature of the educational process at Flagler College, with emphasis on classroom teaching, seminars and special projects, presumes a continuous close working relationship between teacher and student. Accordingly, class attendance is deemed essential to the educational process. Regular and punctual class attendance is expected of all students, and the responsibility for class attendance rests with the individual student. The student is expected to carry out all assigned work and to take all examinations as specified by the instructor. Failure to carry out assignments or to take examinations at designated times may result in a lower grade for the course. The student, therefore, must accept the consequences of not attending class.

Students are responsible for making arrangements with their instructor(s) to make up missed assignments, class projects, or exams. Whenever possible, students should inform their instructor(s) in advance of a College-related activity that will cause them to be absent from their class(es). Students with excessive absences will be dropped from a course. Excessive absence is defined as failing to attend 80% of the scheduled class meetings. A student who is absent, for any reason, excused or unexcused, more than 20% of the scheduled class meetings for the academic semester will not receive credit for the course. For example, in the fall and spring semesters, a student may miss no more than eight Monday/Wednesday/Friday classes or five Tuesday/Thursday classes and still receive credit for the course. For a class that meets once a week, a student can have no more than two absences and receive credit for the class. In the summer term, a student may miss no more than five classes and receive credit for the course. A student who has excessive absences will be assigned a grade of W or WF, depending upon the date at the time the 20% limit is exceeded. Individual instructors and departments may establish more stringent attendance requirements for their courses. A student who is withdrawn from a course by the instructor due to excessive absences during the last four weeks of the semester will receive a grade of WF.

Specific attendance policies are determined by the individual instructor and are stated in the course syllabus, making clear the instructor's expectations regarding class attendance. Students are advised that unexcused absences should be used for reasons such as travel difficulties, bad weather, conflicting schedules, minor sickness, doctor or dentist appointments, job interviews, or oversleeping. Attendance requirements for internships are determined in advance by the College coordinator of the internship and are communicated in writing to the student intern.

Excused absences, with permission to make up missed assignments or exams, will be granted for the following reasons:

1. Admission to a hospital (verified by the College Nurse or the Dean of Student Services or Associate/Assistant Dean of Academic Affairs).
2. Serious illness/sickness (verified by the College Nurse or the Dean of Student Services or Associate/Assistant Dean of Academic Affairs)
3. Serious emotional illness (verified by the Director of Counseling, by the College Nurse, the Vice President of Student Services or Associate/Assistant Dean of Academic Affairs)
4. Participation in approved academic events (verified by the Advisor or Sponsor of the club or organization, the Academic Department Chair or the Associate/Assistant Dean of Academic Affairs)
5. Participation in a scheduled intercollegiate athletic contest away from the campus (verified by the Director of Intercollegiate Athletics)
6. Death of a family member or hospitalization of an immediate family member (verified by the Vice President of Student Services or the Associate/Assistant Dean of Academic Affairs)
7. Very unusual circumstances as determined by the instructor or the Associate/Assistant Dean of Academic Affairs or the Dean of Academic Affairs.

Students requesting excused absences must make their request within two weeks of their returning to class. Some instructors reserve the right to drop a student from a course automatically if the student does not attend the first class meeting. This action is taken to allow students on the waiting list to enter the course. Since this action may or may not happen, all students should follow the official Drop/Add process to avoid receiving a WF in the course.

**Directory Information:** The College may release Directory information without the student's written consent. Directory information may include student's name, address, telephone number, date of birth, dates of attendance, degrees and awards received, the most recent previous educational institution attended, photographs, participation in officially recognized activities and sports and the height and weight of athletes. A student has the right to refuse permission to release any or all directory information without the student's prior written consent. The student, at the time of registration, must request in writing that the directory information not be released. A "Request for Non-Disclosure of Information" form is available in the Office of the Registrar. The student must notify the Registrar in writing each academic year of enrollment to deny the release of this information. To deny the release of information, including photographs, pertaining to participation in recognized activities, programs, services and sports, the student must notify, in writing, the Office of Admissions, the Office of the Registrar, the Office of Academic Affairs, the Vice President of Student Services, the Director of Intercollegiate Athletics and the Office of Public Information each academic year.

**Academic Honesty:** Flagler College affirms the value of academic honesty and requires all students to adhere to the highest standards of integrity in their academic work. Students are entrusted to be honest in every phase of their academic life and to present as their own work only that which is genuinely theirs. Cheating, plagiarism, violation of test conditions, complicity in dishonest behavior or other falsification of academic work is a serious breach of College expectations and is subject to immediate disciplinary action.

Plagiarism is defined as any attempt to represent the work of another as one's own original work. More specifically, plagiarism is the direct appropriation of the language, thoughts or ideas of another — either literally or in paraphrase — without appropriate citation of the source and in such fashion as to imply that the work is one's own original work. To this end, Flagler College subscribes to Turnitin.com, a web-based plagiarism detection service that enables professors to determine if a paper has been documented properly.

Fabrication is defined as the use of created or invented information or research for the purpose of deceiving an instructor or other College personnel. Bribery is defined as the promising, offering, giving, receiving or soliciting of any materials, items or services of value to influence the judgment or conduct of College personnel.

Misrepresentation is defined as giving false information to any College representative with the intent to deceive or gain an unfair advantage. This may include using computer programs generated by another person and submitting the information to an instructor as your own work (unless expressly allowed by the instructor).



Instructors are responsible for explaining to students what constitutes academic dishonesty in relation to particular course requirements. Instructors are also responsible to ensure that examinations and quizzes are administered in a fashion that discourages dishonesty. Depending upon the nature of the case, a student guilty of academic dishonesty may receive a penalty ranging from a grade of "F" for the work in question to expulsion from the College. The official actions of the College may be either academic in nature or both academic and disciplinary.

In all cases wherein an instructor accuses a student of academic dishonesty, the instructor will confer in private with the student and will inform the student of the charge of academic dishonesty, as well as the penalty. The instructor will make a written record of the conference, will confirm in writing the accusation and penalty, and will immediately refer the matter to the Office of Academic Affairs.

Should the student wish to appeal the penalty, they must contact the Associate Dean of Academic Affairs. The student will be advised that he/she may accept the penalty or may request a hearing. In the event the student denies the allegation or objects to the severity of the penalty, the student may request a hearing before the College Academic Disciplinary Committee.

The Dean or the Associate/Assistant Dean of Academic Affairs will refer the request for a hearing to the College Academic Disciplinary Committee. The Dean or the Associate/Assistant Dean of Academic Affairs will prepare and issue the charge. The procedure for the hearing is as follows:

1. **Notice.** As soon as reasonably possible after the incident occurs, a written notice of the charge shall be given to the student by the Dean or the Associate/Assistant Dean of Academic Affairs. The notice will include:

- a. A statement of the date, time and place of the hearing;
- b. A statement of the composition of the College Academic Disciplinary Committee and the nature of the hearing; and
- c. A statement of the charge.

All parties shall be notified of the hearing at least one week in advance. The accused student, however, may waive the right to the one-week notification of his or her case. The student will acknowledge receipt of the notice by responding by e-mail or by signing and returning the notice to the Dean or the Associate/Assistant Dean of Academic Affairs. The response will become a part of the record.

2. **Safeguard the Student's Rights.** All members of the Academic Disciplinary Committee, except the chair, will refrain from pre-hearing conferences with any student involved in a scheduled hearing. The chair will advise the student of his or her rights and of the evidence being presented.

3. **An Orderly Hearing.** Academic dishonesty hearings are considered to be of an administrative nature; hence, the presence of counsel and the cross examination of witnesses are precluded. The student has the right to call witnesses to testify on his or her behalf and to present evidence in his or her defense. The hearing will be closed to any other persons not immediately involved in the situation.

If a student fails to appear at the specified hearing time, the hearing may proceed in the student's absence and a decision may be rendered. The student, however, may request a postponement in the hearing, provided that the request is made in advance of the hearing for good cause. The request for postponement must be submitted to the chair of the College Academic Disciplinary Committee, who may grant the request at his or her discretion.

The chair may admit credible affidavits, and the members shall use their discretion in determining the validity or amount of weight to be given to such affidavits.

After all witnesses have been heard and all other testimony has been presented, the student shall be allowed to summarize his or her position. Upon the completion of the presentation of evidence, the chair shall recess the hearing and the members shall meet privately to determine whether the charges are substantiated.

During the deliberations, each member bears an equal responsibility for decision-making and must cast a vote for or against all motions. All decisions are determined by majority vote.

The Committee members must treat all aspects of deliberations as confidential. If the student is found guilty of academic dishonesty, the College Academic Disciplinary Committee will determine the action or actions to be taken. Such action may be of an academic, as well as a disciplinary, nature.

4. **Appeal.** The student has the right to appeal the decision of the College Academic Disciplinary Committee to the Dean of Academic Affairs. The appeal must be in writing and must be submitted to the Dean within three days of notification of the Committee's decision. Such appeals are not of a de novo nature.

In the event that a charge of academic dishonesty occurs at the end of the semester and involves a graduating senior, a diploma will not be awarded to the student until the matter has been resolved sufficiently to justify the awarding of a degree. The student's right to appeal the charge will follow the prescribed procedures described, and every effort will be made to ensure the timely and fair adjudication of the case.

**Copyright Infringement and Digital Piracy:** U.S. copyright law (Title 17, U.S. Code) prohibits the unauthorized reproduction or distribution of copyrighted materials. Except as permitted by the principles of "Fair Use," users may not copy or share printed works or digital material (including electronic text, graphic files, commercial software and audio and video files) without the explicit permission of the copyright holder. An attached copyright notice is not needed in order for this protection to apply. Anyone who willfully disregards copyright policy or associated licensing agreements does so at his/her own risk and assumes all liability.

**Intellectual Property Rights:** Copyright is the ownership and control of the intellectual property in original works of authorship. Flagler College does not generally claim ownership to scholarly or artistic works, regardless of their form of expression. These also include student-produced works, such as papers, articles and art/design pieces. Student ownership of such works does not preclude the College from using such works for internal instructional, educational, administrative and promotional purposes.

**Student Evaluations:** The evaluative process at Flagler College places emphasis on all aspects of the student's academic performance. Class attendance, participation, reports, projects, and test grades are considered in determining final grades. Continuous evaluative efforts, facilitated by a favorable faculty-student ratio, serve to identify learning deficiencies before the end of the course, thus enabling instructors to provide individual assistance when needed. Comprehensive examinations may be given in major fields of concentration during the final semester of the senior year.

**Final Examinations:** A period for final examinations is scheduled from Monday through Thursday during the last week of the fall and spring semesters. The Registrar prepares the final examination schedule and makes it available online on the campus website. Faculty are required to adhere to the published schedule, and students must take the exams at the published times. Students are strongly advised to refrain from making travel arrangements until the end of Final Examination Week.

**Assessment:** Because of the commitment to provide quality educational experiences, Flagler College uses information from and about students to improve programs, services and overall institutional effectiveness. The College obtains much of this information through the assessment of students' skills, abilities, competencies and satisfaction. From time-to-time, College faculty or staff may administer formal examinations, surveys or other forms of assessment designed to assess institutional effectiveness. Each year, the College asks special student groups to complete surveys related to particular topics. To ensure that adequate data are collected, students are asked to cooperate with these assessment procedures. For additional information contact the Office of Institutional Research.

**Exit Assessment:** The College requires that all graduating seniors, during their final semester, participate in assessment procedures as defined for their majors. This assessment may be in the form of departmental, state or national exams; surveys; senior papers; portfolios; final projects or other types of assessment. Each academic department determines the particular form and time of these assessments. In cooperation with each department, the Office of Institutional Research may administer additional assessments. Satisfaction of exit assessment requirements is necessary for graduation.

**Grading of Academic Work:** Final grades are available to students via the campus website at the conclusion of each semester and at the end of summer term, and are recorded on the student's permanent record. At the student's request, copies of grade reports will be sent to the legal home permanent address furnished by the student.

The grading system is as follows:

P = Passing	C+	I = Incomplete
A = Excellent	C = Average	NG = No Grade
A-	C-	WF = Withdrew Failing
B+	D+ = Below Average	W = Withdrew
B = Good	D	AU = Audit
B-	F = Failure	

**Incomplete Grade:** A grade of "I" (Incomplete) is assigned by the instructor when a student is unable to complete a course due to extenuating circumstances and when all requirements can be completed in a short time following the end of a term. In the absence of justifiable cause, an incomplete grade will not be assigned.

In order to receive an incomplete grade, a student must initiate the process by completing a "Request for Incomplete Grade" form. The form is available in the Registrar's Office, and the student, the instructor and the Associate/Assistant Dean of Academic Affairs must sign it.

The student is responsible for making arrangements with the instructor to complete the requirements for the course and to remove the incomplete grade within eight weeks following the semester or term in which the incomplete grade was received. The eight-week period is the maximum time allowed, and the instructor should establish an earlier date, if possible. Students who fail to complete the course requirements within the prescribed period will automatically receive a grade of "F" for the course.

Incomplete grades are included in the calculation of a student's grade point average. Upon completion of the course requirements, the incomplete grade will be removed, and the final course grade will be used to compute the student's grade point average.

**Grade Correction:** The student must report any errors in grades, including omissions, to the Office of the Registrar. A "Grade Correction Authorization" form may be obtained by the instructor from the Office of the Registrar and must be completed and signed by the appropriate faculty member, the department chairperson, the Associate/Assistant Dean of Academic Affairs and the Registrar. No corrections, additions or changes will be made unless the student reports grade errors to the Registrar within the first two weeks of the semester following the term in which the course was taken. Failure to report a grade error within the time specified above will result in the original grade being filed on a permanent basis.

**Appeal of Grade:** As a general rule, faculty decisions regarding academic matters within their purview are not subject to appeal, unless the student can present evidence indicating mitigating circumstances of a substantial nature. In an effort to minimize such occasions, it is anticipated that members of the faculty will provide students with adequate explanation of course requirements and grading standards. It is expected that attendance requirements and other standards pertaining to classroom deportment will be explicit. Additionally, grading procedures should be designed to keep students informed of their relative standing.

A student has the right to appeal a course grade, provided there is evidence that the grade is an inaccurate assessment of the student's work or that it is inconsistent with stated grading criteria. The student must first consult with the instructor to clarify the grading method used and the rationale for the grade issued. If the matter cannot be resolved between the student and the instructor, then the student should consult with the appropriate department chair. The department chair, in turn, will consult with the instructor and then inform the student of his or her decision.

If a student wishes to appeal the department chair's decision, he or she must submit a formal written appeal to the Office of Academic Affairs. Such an appeal must be submitted within two weeks of the beginning of the next semester and should contain information pertinent to the appeal. The Office of Academic Affairs may dismiss a grade appeal for lack of merit or may appoint a faculty committee to review the appeal and to consider all related evidence. If a committee is appointed, the Committee's recommendation will be forwarded to the Associate/Assistant Dean of Academic Affairs who will act on the committee's recommendation and will notify the student of his decision. The Associate/Assistant Dean's decision may differ from the Committee's recommendation. The Associate/Assistant Dean of Academic Affairs, at his discretion, may conduct a hearing without appointing a faculty committee. The decision of the Associate/Assistant Dean of Academic Affairs is final and may not be appealed further.

If the College no longer employs an instructor, the student grade documentation will be used in the event of a grade appeal. The grade documentation will be maintained in the Registrar's Office for one year, and then destroyed.

**Appeal of Academic Disciplinary Action:** When a student wishes to appeal some other disciplinary action (e.g., expulsion from class) taken by a faculty member, the student must first contact the faculty member and obtain a thorough explanation of the reasons for the faculty member's action. If, in the student's opinion, the reasons provided are inadequate or the action taken is too severe, the student should then contact the department chair. In the event that the chair is also the faculty member involved, the student should then contact the Associate/Assistant Dean of Academic Affairs. The chair (or the Associate/Assistant Dean) may counsel with the faculty member and the student in an

effort to resolve the matter. The chair, however, is not authorized to require that a student be reinstated in a class; rather, the chair should submit a recommendation to the Associate/Assistant Dean of Academic Affairs.

If the issue is not resolved at the departmental level, the student may request a hearing with the Associate/Assistant Dean of Academic Affairs. A hearing will involve both the faculty member and the student. The Associate/Assistant Dean may conduct the hearing in an informal manner; however, the student should be advised of the date of the hearing and should have an adequate opportunity to present evidence or testimony in his or her behalf. The decision of the Associate/Assistant Dean may be appealed to the Vice President of Academic Affairs.

**Grades of D or F in the Major or Minor:** A student may earn no more than two grades below C- in the courses of a major, including ancillary courses, and only one grade below C- in the courses of a minor. An ancillary course is any course that is a requirement for the major but not a course offered within the major's Department Course offerings.

**Repeat Courses:** Students may only repeat a course in which a grade of D+, D, F, or WF was earned to improve their grade point average. While a record of both courses will remain on the transcript, only the most recent grade assigned for the repeated course will be computed into the student's cumulative grade point average. The most recent repeat grade recorded will be used in calculating the grade point average. Students who repeat a course in which a grade of "F" was originally earned will receive credit hours for the repeat course; provided that a passing grade is earned. However, students who repeat a course in which a grade of "D+, D" was originally earned will not receive credit hours for the repeat course, since credit hours have already been awarded.

Students who earn a grade of D+, D, F, or WF in a course at Flagler College may not repeat that course at another institution for purposes of transferring the grade or the credit back to Flagler College. No Flagler College course may be attempted more than three times; withdrawals (W, WP, WF) are counted as attempts.

A student receiving financial aid, a student athlete or an international student who considers repeating a course should contact the Office of Financial Aid to determine if he/she will earn sufficient hours for continued eligibility of that financial aid.

**Dean's List and President's List:** The Dean's List and the President's List are compiled in recognition of students achieving a certain standard of academic excellence. To qualify for the Dean's List a student must complete at least 12 semester hours of letter-grade courses with a 3.4 grade point average and with no grade less than C- for the semester. Students who earn a 4.0 grade point average with at least 12 semester hours of graded credit are also named to the President's List.

**Academic Requirements for Continuation:** Attendance at Flagler College is a privilege granted solely by the College. Enrollment for one semester or term in no way obligates or requires the College to extend or continue a student's enrollment beyond the semester or term. At the conclusion of any semester or term, the College is at liberty to disallow a student to continue his or her enrollment. Moreover, the College reserves the right to withdraw, dismiss or suspend at any time a student whose conduct is adjudged as inconsistent with the traditions, rules, standards and regulations of the College.

The following procedures are designed to ensure that students are making satisfactory academic progress toward a degree and are meeting the prescribed academic requirements for continuation. Students at Flagler are required to maintain a cumulative grade point average of 2.0 or better to remain in good academic standing. At the conclusion of each term, the Associate/Assistant Dean of Academic Affairs reviews the academic records of students whose semester average or cumulative average falls below a 2.0. The Associate/Assistant Dean considers the student's cumulative grade point average, semester grade point average, number of semesters enrolled, current academic status, declared major, performance related to academic aptitude and performance related to the guidelines for continuation. After careful review and in light of his/her professional judgment, the Associate/Assistant Dean of Academic Affairs determines whether a student receives an academic warning, is placed on probation, is suspended or is dismissed. Listed below are explanations of, and conditions for, the four types of action that can be taken by the Associate/Assistant Dean of Academic Affairs.

**Warning:** An academic warning is issued to students whose semester grade point average is below 2.0 and/or whose good academic standing is in jeopardy. Academic warning is a precautionary admonition that is meant to draw attention to a student's unsatisfactory academic performance and to encourage renewed diligence in the pursuit of educational goals.

**Probation:** A student whose cumulative grade point average is below 2.0, or whose academic performance is judged to be of poor quality, will be placed on academic probation. Probation covers a stated trial period during which it will be determined whether the student is returned to good standing, remains on probation, is suspended, or is dismissed at the end of the probation period for failure to meet the stated academic standards.

Students placed on academic probation are expected to complete at least 12 semester hours and to achieve a 2.0 grade point average in the subsequent term. Other conditions for continuation may also be stipulated. For example, students may be required to repeat one or more courses in which they earned a grade of D+, D, or F. Students on probation are notified in writing of any continuation requirements that must be satisfied in the subsequent semester, and a copy of the notification is kept on file in the student's permanent record. Failure to satisfy any of these conditions may result in a continuation review and academic dismissal.

Students who fail to maintain satisfactory academic progress towards the awarding of a degree may lose eligibility for certain financial aid programs.

The Associate/Assistant Dean of Academic Affairs, at his/her discretion and irrespective of grades, may place a student on probation for failure to perform at a level commensurate with the student's ability.

**Suspension:** Academic suspension is the involuntary separation of the student from the College. Student records are reviewed carefully before a decision for suspension is made. Students are subject to academic suspension if, in the professional judgment of the Associate/Assistant Dean of Academic Affairs, the student's academic performance is consistently below the College's standards or otherwise indicates the inability to maintain good academic standing. Academic suspension will be for a specified time. After the period of suspension has lapsed, students will be allowed to return to the College, will be placed on probation and will be expected to meet certain expectations specified by the Associate/Assistant Dean of Academic Affairs. Suspension becomes a part of the student's permanent record until the time of the suspension is completed, at which point it will be removed from the record.

**Dismissal:** Academic dismissal is also the involuntary separation of the student from the College. Dismissal may or may not be a permanent separation, and it does not entail a definite time of eligibility to return. Student records are reviewed carefully before a decision for dismissal is made. Students are subject to academic dismissal if, in the professional judgment of the Associate/Assistant Dean of Academic Affairs, the student's academic performance is consistently below the College's standards or otherwise indicates the inability to maintain good academic standing. "Dismissal" will be a part of the student's permanent record.

Criteria used in a decision for suspension for any of the following:

- (1) Failure to maintain a minimal level of academic progress from semester to semester, as suggested in the following guidelines:

Semester Enrolled in College	Semester Hours Earned	Quality Points Earned	Cumulative Grade Point Average
1st	12	15	1.20
2nd	24	36	1.50
3rd	36	60	1.67
4th	48	84	1.75
5th	60	111	1.85
6th	72	138	1.92
7th	84	165	1.96
8th	96	192	2.00
9th	108	216	2.00
10th	120	240	2.00

- (2) Failure to meet the stipulated conditions for continuation as specified in the notification of being placed on academic probation;  
(3) Failure to remove the probationary status after two consecutive semesters on probation; and  
(4) Failure to make satisfactory academic progress toward fulfilling degree requirements beyond the junior year.

The guidelines for continuation listed in (1) above are regarded as minimal levels of progress. Students who fall below these levels are subject to automatic dismissal; however, students who are above these minimal requirements, but below the required 2.0 cumulative grade point average, are also subject to academic dismissal.

A decision for dismissal ultimately is made on the basis of a student's total academic record and in light of appropriate expectations of academic progress. Students who are experiencing academic difficulty are strongly encouraged to seek assistance from their academic advisors, their course instructors and the Office of Academic Affairs.

In the case of dismissal, a student may appeal the decision and request to be reinstated as a full-time student. All such appeals must be directed to the Vice President of Academic Affairs within a period of time specified in the letter of dismissal. This appeal may be granted if, in the judgment of the Vice President of Academic Affairs, such a decision will benefit both the student and the College. There must be extenuating circumstances for the Vice President of Academic Affairs to consider an appeal of dismissal.

**Suspension or Dismissal During the Semester or Term:** Students who are suspended or dismissed during the term for academic reasons will receive a grade of withdraw (W) or withdraw failing (WF) for the courses in which they were enrolled. The grades assigned by the instructors will be based upon the time of separation from the College. Students who are suspended or dismissed during the semester or term, for disciplinary reasons, will be assigned a grade of W or WF, depending upon the time of their suspension or dismissal.

Additional information is located at <https://my.flagler/ICS/Academics>.

## RESIDENTIAL LIVING

**General Information:** It is the intent of the College to make the residence hall environment an integral part of the total college program. To this end, the College brings together individuals of widely varied backgrounds, personalities and educational interests and endeavors to provide an environment in which the students can develop both intellectually and socially. Moreover, it is believed that the residence hall program complements the total college program by helping students to realize their educational goals, to work toward solutions of personal problems, to refine personal values, and to develop greater concern and respect for one another. Additionally, the residence hall program is intended to encourage students to be participating individuals and to take a greater role in regulating their living conditions.

The residence halls are located in Ponce de Leon Hall, Lewis House, Cedar Hall and Florida East Coast Railway (FEC) A, B and C towers. The residence halls are within close proximity to all other campus facilities including classrooms, faculty and administrative offices, the auditorium, the library, the dining hall, the gymnasium and other recreational facilities.

**Musical Equipment:** Radios, stereos, CD players, television, etc., should be played at a level not disturbing to others. Excessive noise may result in the removal of equipment by the Student Services staff. Drums, drum sets, or amplification equipment are not permitted. (Also see *Courtesy Hours and Quiet Hours* below)

**Bicycles:** College policy prohibits the entry of bicycles in any College building, including the residence hall. Fire safety evacuation precautions, room space allocation and resulting room and hall damage dictate this regulation. A violation will result in confiscation of the bicycle and a fine assessed. It is recommended that all bicycles be registered with the Office of Safety and Security and be locked in a bike rack using a heavy duty U-lock. (Also see *Fire Control and Escape Routes and Vehicles and Parking Regulations in the Administrative Policies* section.)

**Closing/Opening of Residence Halls:** The contract for room and board begins and ends with the first and last day of classes as stated on the College Calendar. Residents may not reside on campus early; residents may not remain on campus beyond the indicated closing date unless they are graduating boarding seniors, approved athletic team members, or approved by the Office of Student Services. Any unauthorized stays on campus will result in a fine. (Also see *Early Arrivals/Late Departures* section)

**Courtesy Hours:** In order to curtail excessive noise and establish reasonable quiet for those students who wish to study during the daytime, courtesy hours are maintained from 7:00 am to 7:00 pm daily. (Also see *Quiet hours* below.)

**Dismissal from Residence Hall:** In order to ensure appropriate living conditions within the residence halls and to provide adequate opportunity for study, the Vice President of Student Services or the Associate Dean of Student Services reserves the right to dismiss a student from the residence hall. The student is responsible for his or her financial obligation regardless of the dismissal. A dismissed student must submit keys

and vacate the residence halls within the designated time or 24 hours.

**Early Arrivals/Late Departures:**

- Students needing residence hall accommodations due to College related activities are allowed to arrive early/stay late free of charge at the request of their coach/advisor and approval of the Vice President of Student Services, Associate Dean of Student Services, or Director of Residence Life.
- Students requesting residence hall accommodations for the purpose of convenience will be allowed to arrive early/stay late at the approval of the Vice President of Student Services, Associate Dean of Student Services, or Director of Residence Life. Students approved to arrive early/stay late for the purpose of convenience will be required to pay a \$25.00 convenience fee PER night. This fee will be charged to the student's account and be paid in the Business Services Office. Approval for early arrivals/late departures will be limited to 2 days prior to the student's normally scheduled arrival date and 2 days after the student's normally scheduled departure date.
- Students requesting to move belongings only into the residence halls for the purpose of convenience will be allowed to move their belongings in at the approval of the Vice President of Student Services or Associate Dean of Student Services. Students approved to move belongings only into the residence halls early for the purpose of convenience will be required to pay a \$15.00 convenience fee per night. This fee will be charged to the student's account and paid in the Business Services Office. Approval to move belongings only into the residence halls will be limited to 2 days prior to the student's normally scheduled arrival date.

**Electrical Appliances:** Electric (auto shut-off) iron, electric toothbrushes, shavers, curlers, curling irons, fans, hair dryers, radios, stereos, crock pots, George Forman type grills, and television sets may be used in the residence hall rooms.

*Unauthorized refrigerators or refrigerator type devices (plug-in coolers), and microwave ovens are not permitted. In addition, toaster ovens, hot plates, or other appliances with a visible heating element are not permitted in the residence halls because of fire and safety regulations.*

The Vice President of Student Services reserves the right to exclude any electrical appliance or fixture that may be judged as dangerous or a fire hazard (*Also see Refrigerator Policy*).

**Food in Rooms:** Food is to be kept in tin or plastic containers to achieve maximum health and pest control. Food, utensils, dishes, or glasses may not be taken from the Dining Hall.

**Furnishings:** Each room has a twin XL bed, mattress, dresser, desk, desk chair, closet or wardrobe for each student and one wastebasket for the room. Students should bring an alarm clock, pillows, linens, study lamps, and flashlights. College furnishings are not to be removed from the room. Bed risers are permitted on non-bunked beds, with approval from the Office of Residence Life.

**Hall Meetings:** There are mandatory floor meetings at the beginning and end of each semester and Resident Advisors will schedule additional meetings as needed for the residents on their floor. These meetings are designed to provide residents with information pertinent to residence hall life. Residents are required to attend these meetings. Missing a hall meeting is subject to a fine.

**Housekeeping:** The Custodial Staff will clean corridor areas and provide minimal cleaning supplies for student use. It is recommended that students bring additional cleaning supplies as well as a vacuum cleaner for their residence hall room.

Authorized personnel will inspect rooms and baths at least monthly. If this inspection reveals that a room or bath is not being maintained at reasonable standards of cleanliness, the incident will be reported to the Office of Student Services. Students who have rooms or bathrooms in need of cleaning will be notified and given ample time to rectify the situation. If, after reasonable time, the room or bathroom has not been cleaned, the Custodial Staff may be instructed to clean the area(s) with appropriate billing to the student(s).

Nothing may be painted, hung, or displayed that would alter the appearance of the room or damage the interior walls. Additionally, reasonable standards of propriety are required. Hanging items in windows, visible from the streets or sidewalks is not permitted.

**Inter-hall Visitation:** College policy does not permit inter-hall visitation. Students are not allowed to visit the rooms or the halls of the opposite sex. Students who violate this regulation are subject to disciplinary action. In the event of a violation of this regulation all parties involved, occupants and visitors, are held responsible.

**Keys & Key Cards (rooms):** Room and/or ID/Key cards are distributed to resident students at the beginning of the semester in which they begin. All keys must be returned at the end of the semester in which the student leaves or the end of the academic year. Keys not returned will result in a \$30.00 lock change charge. A \$5.00 charge is assessed for the replacement of each key including roommates. Lost or damaged ID/key cards will be replaced at a charge of \$25.00. College policy prohibits duplication of residence hall room keys, ID/key cards, or entrance keys. Violators will be subject to disciplinary action. Rooms should be kept locked at all times. Students are subject to a \$50.00 charge for having security or the Resident Advisor open a room.

**Lights:** Residential students are encouraged to conserve energy. Students are requested to turn off lights and electrical equipment when leaving their room.

**Maintenance and Housekeeping:** The Office of Student Services will conduct general maintenance and housekeeping inspections monthly. The primary purpose of these inspections is to evaluate the general condition of each residence hall room and to recommend any necessary maintenance operations. Students are responsible for reasonable care of all common areas near their own living quarters. Any damage to hallways or other common areas will be repaired and the cost assigned on a pro-rata basis to those deemed liable.

**Overnight Guests:** Visitors of residential students may spend the night in the residence halls if space is available. With a 3 day (work days) advance notice, guests are charged \$3.00 per night. This applies whether a mattress is needed or not.

In order to ensure that their stay will be a pleasant one, please observe the following procedures:

1. Three days in advance of the guest arriving, you will need to complete a guest registration form and submit a cash only payment in the Office of Student Services. Failure to give a 3-work-day advance notice will increase the fee to \$10.00 per night. Payment must be paid at the time of registering a guest with a check or exact cash amount.
2. Any one guest may not stay more than two nights in one seven-day period.
3. Students who have an unapproved or unauthorized overnight guest may be assessed a fine of \$50 per day.
4. Guests are required to comply with all campus rules, regulations and policies. Student hosts are responsible for the behavior of their guests.
5. No overnight guests are permitted in the residence halls during Spring Break, Thanksgiving break, or the first or last week of each semester.

6. Upon arrival, all guests should obtain a Visitor's Parking Permit from the Ponce Security Office.
7. Age limits for guests who are family members is 13+ and non-family members is 17+.

**Pets:** Properly documented services animals and non-aggressive fish are allowed in the residence halls. Fish are to be kept in an bowl/ aquarium no larger than 10 gallons. For reasons of health, sanitation and pest control, pets (including dogs, cats, rodents, reptiles, birds, or other animals) are not permitted in or on the College premises under any circumstances. A minimum charge of \$30 per day will automatically be assessed to the account of any student in violation of these regulations and the student will be billed additionally for any damage caused by such animals.

**Privacy of Rooms:** The Flagler College administration anticipates that students will comply with the regulations and standards as presented in this Handbook. However, for the safety and well-being of all students, it is necessary for the College to reserve the right to enter student rooms at any time for reasons of emergency, security, maintenance or to maintain order. The staff of the Office of Student Services will conduct routine room inspections for cleanliness and orderliness. Students will be advised if the room is in need of improvement.

College officials may enter a student's room and conduct a search for purposes other than those stated above when the following conditions exist:

1. There is probable cause to believe that a violation of law or institutional regulations has occurred or is taking place.
2. Imminent danger to life, safety, health, or property is reasonably feared.

For these reasons, students are not permitted to install extra locks or dead-bolt security systems on their doors.

**Property Damage:** The College is responsible for property damage through normal wear and tear. However, for damage due to carelessness or malicious intent, the responsible individual(s) will be billed the cost of repair and/or replacement, and will be subject to disciplinary action. When the responsible individual(s) cannot be identified, the cost will be pro-rated and charged to all individuals living in the residence hall room, residence hall floor or wing.

**Quiet Hours:** Quiet hours are to be maintained within the residence halls from 7:00 pm to 7:00 am daily. Radios, stereos, television sets, etc., are to be kept low so students wishing to study in their rooms may do so. Resident Advisors are responsible for maintaining quiet hours. Failure to cooperate with the Resident Advisor or comply with this regulation will result in disciplinary action by the Student Services staff.

**Refrigerator Policy:** Students who wish to have a microwave or refrigerator must rent a microfridge from Student Services on a first-come, first-served basis. No other microwaves or refrigerators may be brought into the residence halls.

**Residence Hall Policy:** All new incoming freshmen must reside on campus, unless they live locally with their parents or are over 20 years of age. Transfer students who have completed less than 24 semester hours of credit are also required to live on campus. For students who enroll for the fall semester, housing contracts are for the full academic year; thus, the student is responsible for the Fall and Spring semester room charges.

Exceptions to this policy are: students who will complete their degree requirements at the end of the fall semester; students who are dismissed from the College for academic or disciplinary reasons; students who are interning away or in a study abroad program; or students who choose not to return to the College for the spring semester. Students entering Flagler in January will contract for housing for the spring semester only. Readmitted students, for whatever reason (return from study abroad, dismissal), are required to have permission of the Vice President of Student Services for residing on campus.

**Room Change Policy:**

- Room changes are not allowed until 2 weeks after move-in
- Students are allowed one room change without any requirements
- Students must stay in the new room a minimum of 2 weeks
- For each requested room change after the first one, students must do the following:
  - a. Participate in roommate mediation with their current roommate(s) or pay a \$50 room change fee. This room change fee will be charged to the student's account and be paid in the Business Office.
  - b. Complete a roommate contract with their new roommate(s) and submit it to Residence Life Staff

**Room Damage:** All rooms are inspected before students move in and after they depart. Any damage to rooms during occupancy will be charged to the student(s) responsible. The cost for repairing damage to common areas will be pro-rated among residents unless persons responsible are reported.

**Room Decoration:** The use of decals, staples, tacks, tape, or 3M style hooks on residence hall walls, furniture or doors IS PROHIBITED. For hanging wall decorations, the College recommends the use of "Fun Tac" or similar adhesive putty. It is the student's responsibility to see that decorations do not damage the room or furnishings, or create a fire hazard. Alcohol containers may not be used as room decorations. It is assumed that good taste will be used in the selection of room decorations. Nothing should be placed on any part of the fire sprinkler system, including pipes.

## **Student Activities**

### **CAMPUS PROGRAMS**

**Eligibility for Extracurricular Activities:** Students wishing to participate in organizations, clubs, honor societies, cheerleading squads, athletic teams, publications, etc., must maintain the grade point average prescribed by the club or organization. Students on restrictive disciplinary probation may forfeit their position in such organizations until the disciplinary probation is removed. All students are encouraged to participate in at least one club or organization on campus.

**Student Groups on Campus:** Student groups on campus consist of 4 types: honor societies, student clubs; special interest groups; and academic organizations.

These groups sponsor a range of interesting and fun activities from academic to social to community service.

### Honor Societies

Alpha Chi (academic honor society)  
Alpha Psi Omega (theatre honor society)  
Lambda Pi Eta (communications honor society)  
Phi Alpha Theta (history honor society)  
Pi Sigma Alpha (national political science honor society)  
Sigma Beta Delta (business honor society)

Alpha Kappa Delta (sociology honor society)  
Kappa Delta Pi (education honor society)  
Omicron Delta Kappa (leadership honor society)  
Pi Alpha Delta (pre-law honor society)  
Psi Chi (psychology honor society)  
Sigma Tau Delta (english honor society)

### Student Clubs

Archaeology Club  
Association of Fundraising Professionals  
Best Buddies  
Campus Activities Board (CAB)  
Campus Crusade for Christ  
Catholic College Fellowship  
Club Unity  
Deaf Awareness Club  
Fine Arts Guild  
Flagler College Service Club  
Glee Club  
Home Team  
Human Rights Advocates  
Ink Slingers

Intersivity Christian Fellowship  
Mu Epsilon Nu  
Multi-Cultural Crew  
Phi Alpha Omega  
Philosophy / Religion Symposium  
Photography Club  
Political Guild  
Rotaract  
Social Sciences Club  
Spanish Culture Club  
Spirit (Singing Hands)  
Sport Management Club

Sport Clubs: Men's and Women's Lacrosse Club and Surf Club

### Academic Organizations:

AIGA – Graphic Design  
Model United Nations  
Public Relations Student Society of America (PRSSA)  
Students in Free Enterprise (SIFE)

Dow Advantage (Student-run Public Relations Firm)  
Phi Alpha Delta  
Society for Advancement of Management (SAM)  
Society of Professional Journalists (SPJ)

**Club Advisor:** The Club Advisor is a faculty or staff member who serves as a sponsor to an organization or club. The role of the Club Advisor is to:

1. Supervise the activities of the organization in accordance with the approved purpose of the organization and assist in the planning and coordination of activities
2. Provide continuity for the organization to ensure consistency of purpose and activities from year to year
3. Ensure the maintenance of accurate and complete records and minutes of the organization
4. Provide guidance and interpretation in the area of administrative policies and decisions
5. Report to the Director of Student Activities on the progress and needs of the organization

### **New Student Groups:**

1. Clubs: The approval for a new club to become active comes from the Student Government Association, the Vice President of Student Services, and the College administration via the President's Cabinet. All College club officers and members must be full-time Flagler students. Students must request approval to form a new club by submitting a petition to the Director of Student Activities. The petition must include:
  - a. A proposed constitution
  - b. A statement of purpose
  - c. A list of projected activities
  - d. A proposed budget
  - e. Names and signatures of at least 20 students interested in charter membership
  - f. Names of provisional officers
  - g. The name of the faculty or staff advisor
2. Academic Organizations: Students wishing to form a new academic organization must submit a petition to the Vice President of Academic Affairs. The approval for a new academic organization to become active comes from the Vice President of Academic Affairs, in consultation with the Vice President of Student Services, and the President's Cabinet. The petition must include:
  - a. A statement of purpose
  - b. All stipulations for membership
  - c. A list of and budget for projected activities or competitions
  - d. The names of provisional officers
  - e. The name of the faculty or administrative sponsor
3. Special Interests Groups: Students must request approval to form a new special interest group by submitting a petition to the Director of Student Activities to become active from the Student Government Association, the Vice President of Student Services and the College administration via the President's Cabinet. The petition must include:
  - a. A Special Interest Group name
  - b. A statement of purpose
  - c. A list of interested students
  - d. The name of the faculty or staff advisor

- e. The name and contact of group leader who will act as liaison to the Director of Student Activities.
- f. Expected activities of the group
- g. Membership Guidelines
- h. Expenses/Budget
- i. Present the group to the SGA, where a vote will take place for approval
- j. Groups must also be approved by the Vice President of Student Services

Each Special Interest Group will be provided with the following privileges:

- a. Opportunity to represent the group at club night
- b. Allowed eight approved copies per event
- c. \$25 in print money
- d. Access to Astra and Flagler facilities for meetings and events
- e. One mass email sent out for each group event
- f. Opportunity to request grants from the SGA

Special Interests Groups must renew their active status with the SGA each fall. This will entail going before the Student Government Association at the beginning of every academic year for approval. The group must present the purpose of the organization, the intentions, and SGA will vote.

**Academic Honor Groups or Societies:** Honor groups or societies are required to submit a petition for approval to the Office of Academic Affairs located in Ponce de Leon Hall. These organizations are distinguished from other clubs and organizations by selection of membership. The College reserves the right to accept or deny clubs or organizations based on the college mission and its place in the local community. All fundraising projects for activities and organizations must have prior approval by, and be coordinated with, the Office of Student Services. Clubs and academic organizations are not permitted to solicit off-campus funding without prior approval.

**Campus Publications:** Campus publications are produced by student staff working closely with the Office of Public Information, which has administrative control and sets editorial policy.

The Gargoyle, the official on-line College newspaper, published year round for members of the Flagler College community can be found at <http://gargoyle.flagler.edu>. Students interested in working on The Gargoyle should contact the Office of Public Information.

**Intercollegiate Athletics:** Intercollegiate athletics are an integral part of the total College program. The College's intercollegiate teams compete against some of the top teams in the state, the region and the nation.

The College has thirteen (13) intercollegiate teams:

Men's: Baseball, Basketball, Cross Country, Tennis, Golf, and Soccer;

Women's: Basketball, Cross Country, Tennis, Golf, Softball, Soccer, and Volleyball.

The College is a member of the National Collegiate Athletic Association (NCAA) Division II and subscribes to the rules, regulations, and eligibility requirements set forth by this association. The College is also a member of the Peach Belt Conference.

Flagler College also has a Cheerleading Squad and Dance Team, which are under the supervision of the Intercollegiate Athletic Department. The College will not tolerate inappropriate comments, signage or actions at any intercollegiate event. Individuals will be subject to disciplinary action for violating this rule.

**Intramural Sports:** All Flagler students are encouraged to participate in some phase of the Intramural Sports program. There are team and individual sports activities, which may include flag football, billiards, table tennis, bowling, mini-golf, basketball, soccer, volleyball, swimming, tennis and softball. The Director of Intramurals coordinates the intramural program. The Intramural program also provides Tai Chi, Zumba, Yoga, Pilates, and Ballroom Dance classes. Available space for classes is limited. Students interested in participating in the Intramural Sports program may contact the Director of Intramurals.

**Resident Advisor Program:** In addition to the professional staff, the College employs Resident Advisors, whose duties include supervising the residence halls and ensuring that residence hall life contributes to the total education of each student.

Resident Advisors are students currently enrolled at the College and are selected on the basis of their academic performance, class standing, maturity, leadership, personality and ability to assume responsibility. The Resident Advisors, assigned to each area of the residence hall, have responsibility for helping residential students maintain an environment conducive to study and to assist residents with academic, social and personal problems. The Resident Advisors are not regarded as counselors but play a vital role in referring students to the appropriate supportive service.

All students are required to cooperate in making the role of the Resident Advisor successful. To ensure that students understand the role of the Resident Advisor, it is important to clarify the responsibilities as follows:

1. To maintain courtesy and quiet hours
2. To assist with room inspections and fire drills
3. To assist students during illness or emergency
4. To schedule hall meetings
5. To report infractions of College regulations
6. To develop a sense of community among hall members
7. To initiate hall activity programs

Resident Advisors have the right to inspect packages that students are bringing in and confiscate any items determined to be in violation of the rules and regulations.

**Scheduling Events:** Organizations and/or individuals wishing to schedule an event on or off campus during the academic year are required to complete an Event Request form at least two weeks prior to the event. The online forms for on and off campus activities are available at <calendar.flagler.edu>.

**Speakers Policy:** No commitment shall be made to a speaker without prior approval from the Vice President of Student Services and/or the Vice President of Academic Affairs. Clubs, organizations, and/or students wishing to sponsor a speaker at Flagler College should contact either of these individuals.































