

Florida Southern College
Student Handbook
2013-2014

Table of Contents

- I. Student Handbook Introduction
 - A. The Board of Trustees Statement of Policy on College Student Relations
 - B. Joint Statement of Rights and Responsibilities of Our College Community
 - C. Grievance Process

- II. Cornerstone Code of Conduct
 - A. Tenet One
 - 1. Academic Misconduct
 - 2. Alcohol
 - 3. Drugs
 - 4. Violations of Criminal Law
 - 5. Abuse of the Student Accountability System
 - 6. Compliance
 - 7. Disorderly Conduct
 - 8. False Identification
 - 9. Gambling
 - 10. Honesty
 - 11. Identification Cards
 - 12. Community Damage Billing

 - B. Tenet Two
 - 1. Obscene and Indecent Behavior
 - 2. Assembly

 - C. Tenet Three
 - 1. Computer Use and Campus-Wide Network
 - 2. Technology
 - 3. Fire Safety
 - 4. Smoking
 - 5. Pets
 - 6. Theft
 - 7. Individual and Community Damage
 - 8. Vehicle Usage

 - D. Tenet Four
 - 1. Weapons or Fireworks
 - 2. Hazing
 - 3. Harassment
 - 4. Sexual Offenses
 - 5. Personal Abuse
 - 6. Unauthorized Entry or Possession
 - 7. Joint Responsibility
 - 8. Visitation

- E. Tenet Five
 - 1. Unauthorized Entry, Damage or Alteration of Historic College Property

- III. Student Accountability Process
 - A. Introduction
 - B. Search Process
 - C. Interim Suspension
 - D. Alcohol Violations
 - E. Drug Violations
 - F. Student Accountability Procedures
 - G. Guidelines for the Greek Community Standards Board

- IV. Community Living
 - Campus Residency Requirement

- V. Student Involvement
 - A. Responsibilities of Student Organizations
 - B. Policies and Procedures
 - C. Registration
 - D. Records
 - E. Membership Requirements
 - F. Student Organization Advisor(s)
 - G. Financial Procedures
 - H. Event Registration
 - I. Inter-Student Group Mail

- VI. Student Records Policy
 - A. FERPA

- VII. General Information
 - A. Address Responsibility
 - B. Bicycles
 - C. Financial Refund
 - D. Identification Cards
 - E. Insurance and Liability
 - F. Lost and Found
 - G. Motor Vehicle Regulations
 - H. Safety Statistics
 - I. Self- Administration of Medication

- VIII. Anti-Harassment
 - A. Statement of Policy

- IX. Sexual Discrimination and Title IX Compliance

- X. Definitions

- XI. Appendix A – Health Risks Associated with Alcohol and Drugs
- XII. Appendix B – Legal Consequences Associated with Drugs and Alcohol
- XIII. Appendix C – Sexual Assault: Prevention & Reporting
- XIV. Appendix D – Interim Suspension/Voluntary/Involuntary Withdrawal
- XV. Appendix E – MRSA Policy
- XVI. Appendix F – Social Media Policy

In regard to the Student Handbook information, this edition of the Student Handbook supersedes all others and applies both to new students and students already matriculated.

The College reserves the right to change, modify, revoke, or add to the College’s academic, financial, or student requirements or regulations at any time and without prior notice.

I. Student Handbook Introduction

Florida Southern College (the “College”) wants its students to be successful both inside and outside the classroom; the opportunity for success is enhanced when students live in a community that establishes high expectations for its members. All students are expected:

- To be honest in all situations, academic and nonacademic, and to respect the rights and the property of others;
- To live in a manner that brings credit to themselves and to the College;
- To take advantage of every opportunity to expand one’s mind and to contribute positively to the College’s academic environment;
- To follow all College policies as outlined in this College Student Handbook, the Academic Catalog, and other College publications (“College Policies”).

Upon enrollment, students agree to follow all College Policies. A student’s period of enrollment begins at the time of admission to the College and ends upon graduation from the College. Students are responsible for knowing College Policies and updates.

The College expects its students to conduct themselves as responsible citizens and to comply with all College Policies. Conduct that is unbecoming to a College student; that adversely affects the College community, mission, or reputation; or that violates College Policies may subject a student to Student Accountability Proceedings by the College, regardless of whether or not such conduct occurs on College premises.

College Policies are binding upon Student Organizations at the College regardless of whether they are officially recognized by the College or receive funding, directly or indirectly, from the College.

Changes in College Policies may be enacted, amended, or changed at any time by the College Administration. College Policies will be reviewed annually under the direction of the Dean of Student Development (“Dean”).

Any new College Policies or changes to existing College Policies shall be announced through the Office of Student Development. The Office of Student Development shall publish newly enacted College Policies or changes to existing College Policies by posting them on the College website, **www.flsouthern.edu**. A newly enacted College Policy or change to existing College Policies shall become effective immediately upon publication by the Office of Student Development or earlier, in the sole and absolute discretion of the Dean.

The Dean has the day-to-day responsibility of administering, interpreting, and enforcing College Policies as they apply to students. The Dean may delegate responsibility of administering, interpreting, and enforcing College Policies to another designated College official. Any and all questions regarding the interpretation of College Policies as they apply to students may be submitted to the Dean for an advisory opinion concerning the proper interpretation of the College Policy in question. College Student Accountability bodies shall give serious consideration to advisory opinions issued by the Dean.

College Policies are based upon the assumption that individual and organizational responsibility is part of the educational process. The Cornerstone Code of Conduct fosters good citizenship, healthy

life choices, respect for self and others, personal responsibility and accountability, and protects the rights, freedom, and safety of members of the College community.

Student Accountability meetings are an educational process designed to resolve matters concerning student conduct within the framework of students' rights and responsibilities pursuant to College Policies. The College strives to provide a fair, just, and educational process for all students. However, Student Accountability Proceedings are not a legal process. Accordingly, it is not appropriate for legal counsel to represent a student in a Student Accountability Proceeding and, therefore, legal counsel is not permitted.

A. The Board of Trustees Statement of Policy on College Student Relations

Florida Southern College is committed to compliance with Title VII of the Civil Rights Act of 1964, Title IX of the Educational Act of 1972, and the Florida Civil Rights Act of 1992, and to non-discrimination based on race, creed, color, gender, marital status, religion, age, disability, sexual orientation, national origin, and any other protected category. The College ascribes to equal opportunity practices and admits all of its students to the rights, privileges, programs, and activities generally accorded or available to students at the College.

Admission to the College is open to applicants who meet its admission standards, regardless of race, creed, color, or place of origin; persons are not admitted by any quota or any formula based on race, creed, color, or place of origin.

Attendance at the College is a privilege and not a right. Students applying for admission do so voluntarily and are free to withdraw, subject only to fulfilling their financial obligations to the College.

By applying for and accepting admission to the College, each student agrees to be bound by the rules, policies, procedures, and administrative regulations of the College as they exist at the time of admission, and as they may be revised during the student's enrollment.

The College expects students to conduct themselves with dignity and respect the rights of others, realizing that sobriety and morality are not only characteristics of a mature and responsible person, but are essential to the maintenance of a free and orderly society.

Trustees, administrators, Faculty Members, students, alumni, and members of the Florida United Methodist Conference have a right to give the benefit of their insights, suggestions, and criticism in a rational and constructive manner, as well as have the duty to support the College in the context and spirit of both support and reasoned criticism.

Due to the nature and heritage of the College and its close relationship with the United Methodist Church, the continuation of certain College Policies is necessary to maintain the mission of the College. These College Policies are consistent with a belief that a college education is more than the accumulation of credit hours needed for graduation; it must also involve the preparation of students to make positive and important contributions to society.

Examples of such College Policies are that the College:

- Prohibits the use and possession of alcoholic beverages by all students on campus;
- Prohibits the use or possession of illegal drugs and the misuse of prescription and other drugs;
- Provides a regularly scheduled convocation for all students;
- Allows only limited opposite gender visitation in rooms of the residence halls
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B. Joint Statement of Rights and Responsibilities of Our College Community Adopted by the Student Body and Board of Trustees:

The College was founded on Christian principles by the Church and proudly continues its Church relationship as an agency dedicated to seeking and imparting truth. The College is composed of many constituencies, such as students, faculty, administrative officers, alumni, Trustees, and Church, as well as the residents of Lakeland and the citizens of Florida. Realizing the complexity of the constituencies, a committee of students, officially appointed by the President of the Student Government Association, working in consultation with various Faculty Members and administrative officers, developed the following “Joint Statement of Rights and Responsibilities of our College Community”:

1. Expression

The members of the College community are free to examine, discuss, and formalize resolutions on all matters of interest to them and to promote their opinions publicly or privately. At the same time, it shall be clear that they speak only for themselves and not for the entire College community. Individuals and Student Organizations shall attempt to be well informed on all issues on which they speak.

2. Press

The College is recognized as the publisher of all campus news media (newspapers, literary publications, magazines, yearbook, radio, television, and any related media including the College-sponsored website); the President is therefore responsible for and has authority over all such media, even though the President may delegate certain responsibilities and duties to individuals or committees.

All materials in campus publications or released through any of the above media, must be accurate and reflect taste and judgment appropriate to a College Publication. All of these College media must follow canons of good journalism. The President shall exercise or delegate whatever supervision over these media is necessary in order to ensure this.

3. Association and Assembly

Students are free to organize and join associations as long as there is open affiliation and there is not a conflict with any state or federal law or the stated aims of the Charter of the College.

4. Speakers and Topics

Members of the College community may assemble, select speakers for meetings of Student Organizations, and discuss issues of their choice. No speaker shall be invited or topic discussed that is detrimental to College operations or endangers property.

5. Status of a Private Citizen

In their nonacademic (off-campus) life, private or public, student members of the College community shall be free from College control except when, during an academic term in progress, a student's activities result in violation of published regulations and directly involve the College.

6. Academic Freedom

Students are responsible for learning thoroughly the content of any course of study, but they shall be free to take reasoned exception to the data or views offered, and to reserve judgment about matters of opinion. Refer to College Catalog for academic policies.

7. Discrimination

Florida Southern College is committed to compliance with Title VII of the Civil Rights Act of 1964, Title IX of the Educational Act of 1972, and the Florida Civil Rights Act of 1992, and to non-discrimination based on race, creed, color, gender, marital status, religion, age, disability, sexual orientation, national origin, and any other protected category. The College ascribes to equal opportunity practices and admits all of its students to the rights, privileges, programs, and activities generally accorded or available to students at the College.

If you are a student who has experienced sexual discrimination, or know of such a student, to report this and /or file a complaint (also known as a grievance) call, email, or come to see the Student Support Title IX Officer Dr. Marcie Pospichal, Associate Vice President for Student Support, Charles T. Thrift Building, 111 Lake Hollingsworth Drive, Lakeland, FL 33801-5698; telephone (863) 680-4197; email fscjustask@flsouthern.edu 8:00 a.m. – 5:00 p.m. She will typically assist in sexual discrimination investigations involving students, working with students on “next steps” and being sure the people necessary for moving forward receive proper communication. **If you are in immediate danger or in need of medical assistance, please dial “911” for local emergency assistance (9-11 from a campus phone) or FSC’s Campus Safety Office at 863-688-0103.**

8. Persons with Disabilities

Florida Southern College adheres to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA) as amended by the ADA Amendments Act of 2008 (ADAAA) in prohibiting discrimination against any “otherwise qualified” student with a disability. Although the college does not have an “Individualized” or “Special Program” for

students with disabilities, appropriate case-by-case accommodations may be provided for students with documentation of a protected disability.

Students with disabilities requesting accommodations should contact the Psychological Testing Office at Florida Southern College: Dr. Richard Burnette, Coordinator, Student Disability Services, Florida Southern College, 111 Lake Hollingsworth Drive, Lakeland, FL 33801-5698 (Phone: 863.680.4196; Email – rburnette@flsouthern.edu).

Florida Southern College has in place an internal grievance procedure for prompt and equitable resolution of challenges to the accommodations provided. All concerns should be sent in writing to: Dr. Marcie Pospichal, Associate Vice President for Student Support, Florida Southern College, 111 Lake Hollingsworth Drive, Lakeland, FL 33801-5698 (Phone: 863.680.4197; email – fscjustask@flsouthern.edu).

B. Grievance Process

The College is committed to a policy of treating all members of the College community fairly in regard to their personal and professional concerns. The primary objective of a student grievance procedure is to ensure that concerns are promptly dealt with and resolutions are reached in a fair and just manner. It is essential that each student be given adequate opportunity to bring complaints and problems to the attention of the College Administration with the assurance that each will be given fair treatment. As such, any currently enrolled student at the College may file a grievance in writing to the appropriate Vice President, Dean or designee.

A grievance is defined as dissatisfaction occurring when a student believes that any decision, act or condition affecting him or her is illegal, unjust, or creates unnecessary hardship. Such grievances may concern, but are not limited to, the following: academic problems; mistreatment by any College employee or fellow student; wrongful assessment of fees; and records and registration errors. Complaints covered by policies already in place (e.g., discrimination/harassment including Title IX, grade issues, confidentiality of student records (FERPA), students with disabilities (ADAAA), student accountability, student employment) are excluded from this policy.

Each Vice President, Dean or designee will reply in writing to the student who submits a formal, written grievance to that College official. Each Vice President, Dean or designee will be responsible for maintaining a record of all reports that are filed within his or her area. These records will be maintained for a minimum of five years.

If you are not sure which College Officer to contact to file a grievance, please contact Katherine Pawlak, Director of Human Resources, kpawlak@flsouthern.edu, (863) 680-3964 or Dr. Marcie Pospichal, Associate Vice President for Student Support, mpospichal@flsouthern.edu, (863) 680-4197.

II. Cornerstone Code of Conduct

The College's culture and foundation recognizes that higher education encompasses more than academic activities in the classroom. Because our goal is to produce good citizens who will make a lasting impact on their communities, we live together in a community of scholars who hold one another accountable to the high ideals, vision, and mission of the College. The following Cornerstone Code of Conduct is the shared values and communal expectations which define the standard of behavior forming a basis for our campus life.

A. Tenet One

I will practice personal and academic integrity and excellence of character and expect the same from others.

Commitment to this ideal demands personal responsibility and communal accountability. It expects truthfulness, honor, and maturity from community members.

1. Academic Misconduct

On joining the College academic community, students are expected to embrace the tenets of liberal learning – critical thinking, intellectual exploration, and academic honesty. Academic dishonesty, cheating, plagiarism, and other violations of academic integrity are causes for suspension or expulsion from the College. Responsibility for dealing with violations initially lies with the Faculty Member. Where further action is needed, cases fall under the jurisdiction of the Honor Code. Each case of academic dishonesty, however handled, is reported to the Provost as a matter of record.

2. Alcohol

The College recognizes that there are serious health risks, behavioral problems, and legal consequences associated with the abuse, irresponsible use, and/or illegal use of alcohol. The College abides by the Drug-Free Schools and Communities Act of 1990. The use, possession, purchase, and/or sale of illicit drugs or any form of alcohol on campus is prohibited. Because we believe a better learning environment exists without alcohol, alcohol use is prohibited on campus. All members of the campus community are expected to understand that alcohol abuse and use are absolutely at variance with the mission of the College. The College prohibits the use or possession of alcohol on campus. Possession, consumption, or being under the influence of alcoholic beverages on the campus is prohibited and is grounds for accountability action. All students are expected to abide by local, state, and federal laws along with the policies of the College. Violations of policy are cumulative in nature. Students who violate these policies and guidelines by infringing upon the rights of others or conducting themselves in an inappropriate manner which is caused by, or can be shown to be related to, the consumption of alcohol, shall be held accountable for their actions and may be subject to accountability processes.

For more information on the health risks and legal consequences associated with alcohol, visit Appendix A and B.

a. Individual Responsibility

- Possession of and/or consumption of alcohol is prohibited on campus. All students are expected to abide by local, state, and federal laws along with the policies of the College.
- Being under the influence of alcohol is prohibited and is grounds for accountability action.
- Possession of and/or use of all alcohol paraphernalia and containers is prohibited.
- Definition of alcohol paraphernalia is at the discretion of the Office of Student Development. The College reserves the right to determine which items are considered to be contrary to the values of the College or a health or safety risk to the community.

b. Student Organization Responsibility

- All student organizations are expected to abide by local, state, and federal laws.
 - All student organizations are expected to abide by the College Policies.
 - Greek chapters are expected to adhere to the FIPG policies and all chapter and national risk management policies (including non-FIPG guidelines).
- Promotions for events will not include any reference, whether direct or indirect, to alcohol.
- Possession of and/or use of alcohol paraphernalia and containers is prohibited. Definition of alcohol paraphernalia and/or containers is at the discretion of the Office of Student Development.
- The sponsoring Student Organization shall not co-sponsor an on or off-campus event with any organization whose primary business is the sale or distribution of alcohol.

3. Drugs

The College recognizes that there are serious health risks, behavioral problems, and legal consequences with the use of illicit drugs. Therefore, all members of the campus community are expected to understand that the illegal use and abuse of controlled substances is absolutely at variance with the mission of the College. The College abides by the Drug-Free Schools and Communities Act of 1990. The use, possession, purchase, and/or sale of illicit drugs on campus is prohibited.

The on-campus or off-campus use, possession, distribution, being under the influence of, or sale of illegal drugs or drug paraphernalia, or unauthorized prescription drugs, or the misuse of any type of drug or hallucinogenic agent by individuals or organizations is prohibited and is considered a serious offense. This includes the non-prescribed inhalation, or ingestion of a substance that will alter, or give the appearance of altering a student's mental state. The College does not condone the use of illicit drugs and prohibits the use or possession of drugs on campus. Public display of posters, t-shirts, or any other advertisement encouraging the use of said drugs is prohibited. Drug paraphernalia includes any item or device which can be used to ingest or smoke an illegal substance, including but not limited to hookahs. All students are expected to abide by local, state, and federal laws along with College Policies.

College officials are empowered to search campus residential facilities, personal belongings and vehicles on campus if the possession, use, sale or distribution of illicit drugs is suspected.

For more information on the health risks and legal consequences associated with drugs, visit Appendix A and B.

a. Individual Responsibility

- Individuals who are present in their own or any other residence hall room or campus area where College Policies are being violated are subject to the same accountability action as the host of that room or area.
- Members of the campus community are responsible at all times for their guests and/or non-Florida Southern College students' actions, conduct and compliance with the policies of the College and are subject to accountability action for failure of the guests to abide by the policies. Upholding College Policies relating to drugs is the "joint responsibility" of both the host and the guest.
 - The possession, use, or distribution of illicit drugs and drug-related paraphernalia is prohibited by Florida law and College Policies. This prohibition applies to all College events, programs or studies, wherever located, regardless of locally applicable law.

b. Student Organization Responsibility

- All student organizations are expected to abide by local, state, and federal laws.
 - All student organizations are expected to abide by College Policies.
 - Greek Chapters are expected to adhere to the FIPG policies and all chapter risk management policies (including non-FIPG guidelines).
- Promotions for events shall not include any reference, direct or indirect, to drugs.
 - The possession, use, or distribution of illicit drugs and drug-related paraphernalia is prohibited by Florida law and College Policies. This prohibition applies to all College events, programs or studies wherever located, regardless of locally applicable law.

4. Violations of Criminal Law

- a. Students must obey all local, state, and federal laws and failure to do so is prohibited by College Policies and may subject a student to College accountability action. Students who are arrested for or are charged with the commission of a felony are subject to immediate suspension from the College by the Office of Student Development. Likewise, students who are arrested for, or are charged with, the commission of a misdemeanor involving moral turpitude may also be subject to immediate suspension from the College. Said suspension shall remain in effect until final disposition of the charges or until said suspension is changed or modified by the Dean.
- If a student is charged with an off-campus violation of law, accountability action may be taken for misconduct which demonstrates flagrant disregard for the College community, regardless of whether the violation is specified in the Cornerstone Code of Conduct.
 - If a student is charged with an off-campus violation of law which is also specified in the Cornerstone Code of Conduct, accountability action may also be taken by the

College without regard to the fact that civil or criminal proceedings are occurring off-campus. In taking such accountability action, the College will not be bound by the results of the off-campus proceedings.

- When a student is charged with a violation of law by local, state, or federal authorities, it is the policy of the College that the College will not request special consideration for the student by virtue of the fact that he or she is a student at the College. If the charged offense is also the subject of a proceeding before a College accountability body, the College may advise the charging authorities of the accountability proceedings and the manner in which the matter is, or may be, handled within the College community. It is the policy of the College to cooperate fully with law enforcement and other agencies in the enforcement of law on and off campus and with any conditions imposed by the court, including but not limited to conditions of release or probation. Individual students, staff, and faculty members, acting in their personal capacities, remain free at all times to interact with law enforcement or other governmental agencies in matters pertaining to the violation of local, state, or federal laws.

- b. Stalking, cyber stalking, and other related conduct are behaviors prohibited by College Policy and by Florida and federal law. Under Florida law, said conduct may constitute a misdemeanor of the first degree and under certain circumstances, a second or third degree felony. As such, said conduct is extremely serious. Under Florida Statute 784.048(2), any person who willfully, maliciously, and repeatedly follows, harasses, or cyber stalks another person may be sentenced to up to one year in jail. Under Florida Statute 784.048(3), any person who stalks another person and makes a credible threat may be sentenced up to five years in prison. Under Florida Statute 836.10, any person who threatens, in writing, to kill or do bodily injury to another may be sentenced up to fifteen years in prison.

Students, staff, and faculty may turn to the Anti-Harassment Policy Facilitators listed in the Anti-Harassment Policy or to the Office of Campus Safety and Security as appropriate for help in dealing with incidents of stalking or harassment. Additionally, students, staff, and faculty may seek assistance from the Clerk of the Court in Bartow, Florida, in obtaining an appropriate injunction for protection in cases of repeat violence and/or domestic or dating violence.

- c. The fraudulent use of personal identification information for the purpose of harassment is a violation of Florida law and may subject an offender to up to a year in jail. If said personal identification information is fraudulently used (identity theft), said conduct may subject an offender to up to five years in prison.

5. Abuse of the Student Accountability System

Abuse of the Student Accountability System includes failure to obey the summons of a student accountability board or College official; falsification, distortion, or misrepresentation of information before a student accountability board or officer; disruption or interference with the orderly conduct of a student accountability proceeding; knowingly making a false claim against someone; attempting to discourage an individual's proper participation in, or use of, the student accountability system; attempting to influence the impartiality of a member of a student accountability body prior to, and/or during the course of, the student accountability

proceeding; harassment (verbal or physical) and/or intimidation of a member of a student accountability body prior to, during, and/or after a student accountability proceeding; failure to comply with the sanction(s) imposed under the student accountability system; influencing or attempting to influence another person to commit an abuse of the student accountability system.

6. Compliance

Failure to comply with a reasonable request of a Faculty Member or College official may subject a student to accountability action. Additionally, the failure of a student to cooperate with a requested search of his or her room, property, or vehicle may also, in and of itself, constitute an admission of wrongdoing or violation of College Policies.

7. Disorderly Conduct

Conduct which is disorderly, obscene, or indecent; breach of peace on College premises or at functions sponsored by, or participated in by, the College is prohibited. Disruption or obstruction of teaching, research, administration, student accountability proceedings, residential community, or other College activities is prohibited. Throwing, dropping, projecting, or pouring any object or material from any College building is considered disorderly and therefore prohibited.

8. False Identification

The possession, creation, use, and/or distribution of false identification are strictly prohibited and may constitute a serious violation of Florida or federal law.

9. Gambling

Gambling is not permitted on the College campus or at off-campus College sponsored functions, except for College-sanctioned events which comply with Florida law.

10. Honesty

All forms of dishonesty including cheating, plagiarism, false statements, forgery, theft, and willfully taking advantage of another person, are prohibited and will result in student accountability action. (See also Honor Code in Academic Catalog.) It is a violation to falsify records, documents, I.D. cards, or driver licenses. Tampering with the election of any College-recognized Student Group is prohibited.

11. Identification Cards (I.D. Cards)

I.D. Cards must be displayed for the use of most College services and upon the request of a member of the College faculty, staff, administration, or a student official acting in the performance of official duties. A student who fails to produce a valid I.D. Card when officially requested will be subject to student accountability action. I.D. Cards are nontransferable and may not be duplicated. Alteration or misuse of an I.D. Card is a violation of College Policies.

Lost I.D. Cards and those of students who are withdrawing from the College must be turned in to the Office of Student Development. Use of an invalid I.D. Card is prohibited.

B. Tenet Two

I will respect the dignity, value, and worth of all persons while learning from the differences in people, ideas, and opinions.

A commitment to this ideal calls for members of the college community to refrain from behaviors that compromise or demean the dignity of individuals or groups.

1. Obscene and Indecent Behavior

Abusive, obscene, or inappropriate language or behavior is prohibited. Showing or displaying obscene, pornographic, or inappropriate material is a violation of College Policies. In all cases, the College reserves the right to determine what is abusive, obscene, pornographic, or inappropriate.

2. Assembly

The College recognizes the right of students to have freedom of expression. However, participation in a campus demonstration which disrupts the normal operations of the College and infringes on the rights of other members of the College community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus is prohibited. Students must follow appropriate guidelines for registering events through the Center for Student Involvement.

C. Tenet Three

I will respect the rights and property of others.

A commitment to this ideal affirms the College's goal of creating an environment where students can pursue personal growth and academic goals. It deems inappropriate all forms of theft, vandalism, arson, misappropriation, malicious damage to, and desecration or destruction of property.

1. Computer Use and Campus-Wide Network

Abuse of College computers, network or software, which includes, but is not limited to, deliberate tampering with College facilities or software or deliberate spreading of computer viruses will result in immediate accountability action. Tunneling through or attempting to disrupt the function of the firewall(s) of the College network is prohibited. Illegally downloading music, movies, software, or other copyrighted material through the College network is prohibited and subject to legal action. Additionally, sharing illegally downloaded

materials across the network – even if not acquired through the College network – is prohibited.

2. Technology

The use of web cams, camera phones, video recorders, PDAs, or similar devices to take pictures, videos, or voice recordings of others without their knowledge and consent is prohibited.

3. Fire Safety

The unauthorized or improper handling or tampering with any fire, safety, or emergency equipment or fixtures is strictly prohibited. This includes pull stations, fire hoses, extinguishers, security doors, or alarms. Arson, the tampering with fire service equipment, or causing false alarms are serious College and criminal offenses and will be treated as such. Additionally, negligence and carelessness in matters of fire safety may also result in a student moving through the student accountability process.

4. Smoking

Smoking inside all college buildings is prohibited.

5. Pets

Pets or animals (not including the College's pet therapy animal) are not permitted in College buildings or the pool area for reasons of health, maintenance, and pest control. Small fish in an aquarium no larger than ten gallons are permitted in the residence halls.

6. Theft

Theft of property, the unauthorized removal of property, and the unauthorized use or acquisition of services on College premises is prohibited and may also constitute offense under Florida law. Likewise, the knowing possession of stolen property is prohibited and may likewise constitute a criminal offense under Florida law.

7. Individual & Community Damage Billing

Damage to property, whether College property or property belonging to other persons, is prohibited. Students are responsible for restitution for damages incurred to personal property or to property, facilities, or grounds owned by the College. Residents of residence hall rooms will be held responsible for damage to the room or furnishings. Any damage by a student to College property will be charged to the student.

What is Damage Billing?

Damage billing is used to address all vandalism in public areas. These areas include lobbies, hallways, social and student lounges, recreation rooms, bathrooms, kitchens, and elevators.

When public areas are vandalized or College property is damaged, a group of students, a floor, or a building where students live in close proximity to the damage will be assessed fees for the damages if no one resident or group of residents accepts responsibility. Each time an incident occurs, a Resident Advisor, Community Living or Facilities Maintenance staff member will document it.

There are two types of damage billing: Individual Damage Billing and Community Damage Billing.

Individual Damage Billing: Individual damage billing refers to damages to an individual residence hall room whereby the resident of a room is responsible for the costs associated with any repair or replacement within his/her room.

Community Damage Billing: The philosophy behind community damage billing is that all residents in College housing are part of a larger community on campus. Therefore, residents of College housing are not only responsible for their personal accommodations, but also the community areas they share with fellow residents. One unfortunate aspect of this responsibility is that damages that may occur in common areas. It is our hope that students will create a sense of ownership of and pride in their community. As a result, residents will work to prevent damage and address incidents as they occur. Instead of requiring a damage deposit from each resident, we choose to bill the students for individual incidents. Depending on the building and the physical configuration, as well as the nature of the incident, our staff will determine whether the incident should be shared by all members of the building or by members of a particular floor, wing, or section.

Examples of Damage Billing Incidents

- Any damage that goes beyond the normal, expected wear and tear of items.
- Excessive cleaning
- Bodily fluids (blood, urine, mucous, feces, and vomit) in the halls, bathrooms, or other common areas
- Broken exit signs
- Broken windows or glass
- Inverted or incorrectly assembled beds
- Broken lounge furniture
- Damage to carpet and upholstery
- Food or trash left in sinks or water fountains
- Trash or trash bags not properly disposed (i.e. pizza boxes or room trash found in the halls, stairwell, or bathroom/lounge trash can)
- Fire extinguishers and smoke detectors that are missing or have been tampered with (greater sanctions will be given to persons found responsible)
- Removal of any College furniture from its designated location
- Holes in walls
- Sprinkler head discharges due to causes other than fire
- Graffiti

Estimated Facilities Repair Costs

The determination of who will be charged for facilities repairs is directly related to the area where the damage occurs. For example, if the damage occurs in a particular hallway or

bathroom the students of that floor will likely be billed. If the damage happens in an entry lounge, common stairwell, or elevator the charge will likely be assigned to all residents in the building. The amount of the charge may vary in cost depending on the incident and the severity and costs of repairs.

Community Damage Billing: Prior to posting community damage charges to your student account, you have an opportunity to assist us in identifying those responsible for vandalism. An email will be sent to your FSC email account reporting the damage and associated billing charges. You have until a predetermined date to either accept responsibility for all or part of the damage, or provide information leading to the adjudication of the person(s) responsible for the damage. If no community member steps forward, the charges will be distributed among all members of the community. Please contact your Hall Director or Community Living Coordinator if you have any pertinent information.

9. Only authorized vehicles are allowed to drive within the campus grounds. This is limited to carts and vehicles being used by and for the Safety and Security Office, Facilities and Maintenance, and the Center for Student Involvement and other designated campus offices.

D. Tenet Four

I will demonstrate concern for others, their feelings, and our communal need for conditions that promote personal growth and academic success.

A commitment to this ideal calls upon each member of the campus to foster a sense of community by practicing civility. It is a pledge to be compassionate and considerate, to avoid behaviors which are insensitive, inhospitable, or which unjustly or arbitrarily inhibit others' ability to feel safe.

1. Weapons or Fireworks

The unauthorized use, possession, or storage of firearms of any type, firearm look-a-likes, fireworks, explosives, ammunition, weapons of any type, dangerous chemicals, or noxious materials is strictly prohibited. Items prohibited include, but are not limited to, rifles, handguns, pellet guns, paintball guns, swords, bows and arrows, martial arts weapons, and any knife when used as a weapon. It is a felony to throw or place a bomb or other incendiary device.

2. Hazing

It is a violation for students, faculty, staff, or alumni to engage in any activity that may be construed as hazing on or off campus. Hazing is any action taken or situation created that produces mental, emotional, or physical discomfort, embarrassment, harassment, or ridicule. Such activities and situations include, but are not limited to, paddling in any form, creation of excessive fatigue, physical and psychological shocks, road trips, wearing apparel that is conspicuous and not normally in good taste, engaging in public stunts, morally degrading or humiliating games and activities that call undue attention to a difference in status between

initiated and non-initiated members (running errands, carrying food, etc.), and late work sessions which interfere with scholastic activities and College Policies. Violations by individuals or Student Organizations constitute grounds for accountability action. The policy on hazing applies to all campus Student Organizations. Hazing is also a crime under Florida law. Section 1006.63 of Florida Statutes defines criminal hazing as:

Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a postsecondary institution. "Hazing" includes, but is not limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

3. Harassment

It is the policy of this institution that no member of the College community shall be subjected to any form of discrimination, harassment, intimidation, or retaliation by any other member of this institution. For the purpose of this policy, harassment is defined as sexual harassment or harassment due to race, color, religion, gender, gender identity, age, national origin, mental or physical disability, marital status, medical condition, veteran status, citizenship, or sexual orientation. Therefore, discrimination, harassment, and intimidating acts are prohibited.

If you feel that you have been a victim of any of the above mentioned offenses, please contact any of the following to report: Campus Safety Office (863-680-4305), Human Resources (863-680-3964), Office of Student Support (863-680-4197) or the Department of Student Development (863-680-4209). You can also submit a harassment concern to the College's "Just Ask" email address at: fscjustask@flsouthern.edu.

See the following website for the full College Policy regarding harassment:

<http://www.flsouthern.edu/KCMS/HEOA-Disclosures.aspx>

4. Sexual Offenses

It is the policy of the College that no member of the College community shall be subjected to any form of unlawful discrimination, including sexual discrimination (sexual harassment, sexual misconduct, or sexual violence). Sexual violence can be defined as "physical sexual activity perpetrated against a person's will or where a person is incapable of giving consent." Rape, sexual assault, sexual battery, and sexual coercion are all acts of sexual violence and will not be tolerated at Florida Southern College.

See Section XIII-Appendix C of the Student Handbook for sexual assault prevention and reporting information. Florida Southern College's Commitment to Non-Discrimination policy can be found in the Academic Catalogue, the Student Handbook, and on the College's website at:

<http://www.flsouthern.edu/KCMS/HEOA-Disclosures.aspx>

5. Personal Abuse

All members of the College community and guests are entitled to be free from threats, hazing, stalking, intimidation, sexual misconduct, coercion, harassment, physical and verbal abuse, hate crimes, and acts of intolerance. Such actions are prohibited.

6. Unauthorized Entry or Possession

Unauthorized entry of a College building, office, residence hall room, or facility is prohibited. This includes, but is not limited to, giving codes to security doors, sharing of student identification cards, propping open doors, or allowing access to unauthorized persons. Students are barred from balconies, ledges, landings, and roofs of College buildings, fire escapes, esplanades, and areas that are designated closed. Unauthorized possession of college, city, state, federal, or others' property is also prohibited. This includes, but is not limited to, street signs, keys, holiday decorations, and parking barricades.

7. Joint Responsibility

Because upholding College Policies is a "joint responsibility," the following is expected of all students:

- All students in a room, suite, area (including outdoor areas), or vehicle may be jointly responsible for improper behavior which is occurring, even if the student is not directly participating in said behavior. Therefore, if a student is present or enters an area where a violation is occurring, the student should immediately leave and report the violation. Otherwise, by choosing to remain or not to report the behavior, the student assumes responsibility for said behavior. As such, students who are present in any area of the College where College Policies are being violated may be subject to the same accountability action as the host of that room or area.
- Students are responsible for what happens in their room, vehicle or, area under their control. If a student is a resident of a room, suite, area, or the owner or operator of a vehicle, the student may be held responsible for the behavior regardless of his or her presence unless it is clearly demonstrated that the student had no knowledge of nor contributed to or condoned the behavior.
- Members of the campus community are responsible at all times for their guests and/or non-college students' actions, conduct, and compliance with the College Policies and may be subject to accountability action for failure of their guests to abide by the College Policies.

8. Visitation

During these times students are not to have visitors of the opposite sex or guests from outside their assigned residence hall. During the hours of 10 a.m. – 1 a.m., guests are welcome in student rooms provided the guest is escorted at all times and has the approval of the student's roommate.

Residents and their guests are required to conform to the guidelines of the visitation hours established by the college. All college-owned housing works on the honor system. Abuse of the visitation policy may result in a revoking of the honor system in any residence hall. Residents are responsible for the behavior of their guests and must inform them of Community Living and College policies. Only guests of the same sex are permitted to sleep in the residence hall rooms. Cohabitation is prohibited; only the residents assigned to a room may live there. Roommate approval is required for any guest(s). Hall Director approval is required for guests of the same sex planning to stay overnight; guests of the same sex may be approved to stay up to three consecutive nights. Guests must have a guest pass and picture ID. Overnight guests must be 17 years of age or older.

Residents and/or guests may only use residence hall bathrooms designated for use by their respective sex.

E. Tenet Five

Through my actions, I will honor and contribute to the rich heritage left by those who have preceded us and work to leave the college a better place for those who follow.

The guidelines presented in The Cornerstone call upon students to practice good stewardship of resources and take responsibility for the continued success of the institution.

1. Unauthorized Entry, Damage, or Alteration of Historic College Property

The unauthorized entrance, manipulation, intentional or unintentional damage or alteration of historic college property (including but not limited to the Frank Lloyd Wright Water Dome, Annie Pfeiffer Chapel, the Esplanades, and other Frank Lloyd Wright structures) may result in fines of up to \$5,000.00 per person, plus restitution for the amount of damages or cost of restoration. The unauthorized manipulation, intentional or unintentional damage, or alteration of college landscaping or gardens may result in fines of up to \$1,000.00 per person, plus restitution for the amount of damages or cost of restoration.

III. Student Accountability Process

A. Introduction

The College student accountability process is based upon the assumption that individual and organization responsibility is part of the educational process. Student accountability proceedings foster good citizenship, healthy life choices, respect for self and others, personal responsibility and accountability, and protect the rights, freedom, and safety of members of the College community.

The student accountability process is an educational process designed to resolve matters concerning student conduct within the framework of students' rights and responsibilities pursuant to College Policies. The College strives to provide a fair, just, and educational process for all students. However, student accountability proceedings are not a legal process. Accordingly, it is not appropriate for legal counsel to represent a student in a student accountability proceeding and, therefore, legal counsel is not permitted.

A student's past behavior, acknowledgment of recent behavior, and attitude may be taken into consideration when determining the appropriate sanction for the violation. Sanctions may be assigned individually or in combination with other sanctions. Failure to comply with sanction requirements shall be considered a violation and shall result in more severe accountability action. Sanctions are in effect from the time of notification, either in person or in writing, whichever comes first.

The following sanctions may be imposed upon any student found to have violated the Code of Conduct, including but not limited to:

- **Written Warning** is a written reprimand for violation of a College Policy. A written warning becomes a part of a student's accountability file. The files are located in the Office of Student Development. Students may receive written warnings in conjunction with other sanctions including, but not limited to, educational programs and/or activities.
- **Apology** is a written or oral apology to a person or group.
- **Fines/Service Fees** shall be determined by the meeting officer or staff involved in consideration of the seriousness of the infraction. Fines must be paid before the end of the semester.
- **Restitution** is compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement. Restitution must occur prior to the close of the term in which the offense occurred.
- **Holds** are issued when a student has failed to perform according to indebtedness to the College. The College may invalidate the student's I.D. card, withhold transcripts or grades, and revoke permission to register.
 - A student accountability hold may be placed on any student's grades, records, or registration if he or she has not complied with a sanction or requirement.
 - A diploma hold may be placed on any graduating senior who has an unresolved accountability or indebtedness issue. The student may "walk" but will not receive his or her diploma until the accountability issue or the indebtedness has been resolved.
 - Housing will not be assigned to any student with a hold pending.
- **Loss of Privileges** is the denial of specified privileges (including, but not limited to, housing and parking) for a designated period of time.

- **Exclusion** for a definite or indefinite period of time from all or a portion of College premises, property, buildings, or residence areas as specified in the sanction.
- **Educational Programs** may be assigned to be completed to specifications within a specific period of time.
- **Removal from College Housing** may be for no less than the remainder of the semester or for an indefinite period of time. **There shall be no refund.** The student must appeal to the Dean for restoration of the right to return to College housing. Removal from college housing may affect a student's ability to remain as an enrolled student.
- **Referral** is defined as referring a student to counseling or to another appropriate resource in the community.
- **No Contact Directive** is a form signed by one or more parties that is an agreement to prohibit contact in any form or capacity (written, face-to-face, electronic, 3rd party, etc.). Failure to comply to the no contact directive may result in an immediate suspension.
- **Housing Probation** is defined as a specified period of time in which the student must demonstrate strict compliance with College Policies and housing rules and regulations. No violations may occur during this period of time. In most cases, students who violate a College Policy or a housing rule or regulation while on Housing Probation will lose their privilege of living in campus housing for a specified period of time or indefinitely. **There shall be no refund.**
- **Social Probation** is defined as a specified period of time in which the student will not be allowed to represent the College as an official delegate, representative, athlete, or performer, and he or she may not hold any elected office or committee chairpersonship in College organizations of any kind. The student will be allowed to attend academic classes and any activities which are a part of an academic requirement. In most cases, students who violate College Policies while on social probation will be suspended from the College. Students may receive social probation in conjunction with other sanctions.
- **Deactivation** is defined as a Student Organization losing all privileges including College recognition for a specified period of time.
- **Disaffiliation** is defined as the College severing the relationship with the student by not allowing a student to register for classes indefinitely.
- **College Suspension** is defined as separation of the student from the College for a definite period of time. The student shall not be permitted on College property or permitted to attend College functions. Conditions for readmission may be specified. College suspension goes on a student's academic record. **There shall be no refund.**
- **College Expulsion** is permanent separation of the student from the College. College expulsion goes on a student's academic record. **There shall be no refund.**
- **Disciplinary Withdraw** occurs when a student withdraws in order to avoid a disciplinary action that would have resulted in a potential suspension or expulsion from the College. **There shall be no refund.**

More than one of the sanctions listed above may be imposed for any single violation. Other than College expulsion, accountability sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential record which is maintained by the Dean of Student Development for a period of at least five years. Any sanction or combination of those listed above may be imposed upon groups or Student Organizations.

Notification of Parents and Guardians

The College may notify a student's parents or guardians regarding accountability sanctions taken by the College based on the nature of the sanction and the circumstances involved.

The College may mail to the parents or guardians a copy of the letter explaining the sanction(s).

1. Parent or Guardian may be mailed a copy of the sanction letter for alcohol and drug offenses.
2. Parent or Guardian may be mailed a copy of disaffiliation, housing probation, suspension or expulsion sanctions.

B. Search Process - By exercising the privilege of enrolling in the College, all students consent to the following and the College reserves the right to:

- Access and/or search a student's residential room for the purposes of inspection, inventory, custodial service, and protection of College property; and
- Access and/or search a student's residential room and/or possessions to ensure compliance with College Policies and to ensure the welfare and safety of individuals and groups on campus; and
- Access and/or search a student's vehicle on college property to ensure compliance with College Policies and rules to ensure the welfare and safety of individuals and groups on campus; and
- Search a student's person and personal effects in the student's possession in order to ensure the welfare and safety of individuals and groups.

The Vice-President for Enrollment Management, the Dean of Student Development, or the Assistant Dean of Student Development or designee shall have the authority to authorize any of the enumerated acts set forth above. Any search set forth above shall be conducted by the a Student Development official, the Director of Campus Safety and Security, or their designated representatives. The student may, at the discretion of the College, be allowed to be present during the search of his or her room or property, but said presence shall not be required as a condition to the search. All searches shall be conducted by at least two individuals unless there is an immediate issue involving the safety and well being of the college community. In an emergency situation or in the case where there is a perceived threat of a serious nature to the safety and well being of the college community, the College reserves the right to act in a reasonable manner to counter said threat, even if said action is not in strict compliance with the above guidelines. The College reserves the right to have law enforcement on the scene during a search.

Any student who impedes the College in acting in accordance with the above shall be subject to serious accountability sanctions.

C. Interim Suspension

In certain circumstances, the Office of Student Development may impose a College or residence-hall suspension prior to the meeting before a student accountability body or officer.

1. Emergency Interim Suspension may be imposed to ensure the safety and well-being of members of the College; to ensure the student's own physical or emotional safety and well-being; and/or if the student poses a definite threat of, disruption of, or interference with the normal operations of the College.
2. During the Emergency Interim Suspension, students shall be denied access to the residence halls and/or to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible as the Office of Student Development may determine to be appropriate.

See Section XIII. D for more information about Emergency Interim Suspensions, student Voluntary and Involuntary Withdrawal, and related information.

D. Alcohol Violations

Sanctions

1. Individuals

If a student is found to be in violation of the Cornerstone Tenet One regarding alcohol, minimum sanctions may include, but are not limited to:

- a. The parents or guardians of a student shall receive a copy of the sanction letter. The student shall be required to complete an alcohol sanctions course and be assessed a service fee. The student may also be referred to the Counseling Center. Students additionally may be placed on social probation and/or be suspended from the College. Counseling may be required prior to consideration for readmission.

2. Student Organizations

Student Organizations sponsoring on-or off-campus events are responsible for abiding by and enforcing the guidelines outlined in the Alcohol Policy and shall abide by federal, state, and local laws. If found to be in violation of the policy, the minimum sanctions include but are not limited to:

- a. Any violation: The student organization will be required to complete an alcohol education program and may lose social privileges for a specified period of time. The student organization's national office (if applicable) shall be notified along with the student organization's advisors. The student organization may lose eligibility for student organization funding for a specified period of time.
- b. Subsequent violations: In addition to above, the Center for Student Involvement has the right to terminate the relationship between the organization and Florida Southern College. After a specified period of time, the student organization may re-apply for recognition through the College's process.

E. Drug Violations

Sanctions

1. Individuals

If a student is found to be in violation of the Cornerstone Tenet One regarding drugs, minimum sanctions include, but are not limited to:

- As a violation of the drug policy, the minimum sanction will most often result in suspension. When responsibility is clear and convincing or admitted, the Dean may impose college suspension without further proceedings. Parents or guardians shall receive a copy of the sanction letter.

2. Student Organizations

Student Organizations sponsoring on or off-campus events are responsible for abiding by and enforcing the guidelines outlined in the Cornerstone Tenet One regarding drugs. If a student organization is found to be in violation of the policy, the minimum sanctions will include but are not limited to:

- The Dean or designee may select to have the case heard by the Student Accountability Committee. As a violation of the drug policy, the minimum sanction will most often result in suspension.

F. Student Accountability Procedure

The College seeks to create a community of scholars who hold one another accountable to the high ideals, vision, and mission of the College. Choosing to join the community obligates each member to a code of behavior that reflects the highest personal and communal values to which the college is committed.

Student Accountability is an educational process that holds members of the College community accountable for his or her actions. Through this process, it is our goal to educate students about making healthy choices and how their actions affect the community.

1. Student Procedural Rights

Note: Cases that fall under the jurisdiction of the Honor Code shall follow those stated processes outlined in the Academic Catalog.

A student who is alleged to have violated the College's Cornerstone Code of Conduct or any other aspect which would subject the student to accountability action, shall be entitled to certain procedural due process as follows:

- a. The student shall be notified that they have been documented and the general nature of the evidence which supports the documentation.
- b. The student shall be allowed to rebut written statements and shall be allowed to present evidence and/or witnesses in his or her behalf. Under certain circumstances, the

College, in its sole discretion, may allow an alleged victim to present his or her version of the events in question in writing or outside the presence of the affected student. Said procedure could be utilized, for example, in cases involving allegations of sexual assault, harassment, or physical violence. In such cases, the affected student shall be given broad latitude in presenting evidence to rebut said allegations.

- c. The student shall be notified in writing of the decision and shall be allowed to appeal said decision to the appropriate appeal official.
- d. The student may have the opportunity to waive an accountability meeting and the appeal process by taking responsibility for his/her action and accepting a prescribed sanction from the College.

Notwithstanding any of the above, if the health, safety, well-being of either the student or a member of the College community is affected, the College may institute immediate suspension or modify any of the above to address the specific facts of the matter. During the suspension, the student may not enter the campus without obtaining prior permission from the Dean of Student Development or other designee.

2. Student Accountability Authority

The Office of Community Living shall determine the composition of student accountability bodies and may determine which student accountability board or officer shall be authorized to hear cases.

The Office of Community Living shall develop policies for the administration of the student accountability program and procedural rules for the conduct of meetings that are consistent with provisions of the Code of Conduct.

Unless specifically deferred by the Dean of Student Development or designee pending the appeal process, all sanctions shall go into effect as soon as the student is notified either in person or in writing, whichever occurs first.

3. Student Accountability Process

When students are allegedly involved in behavior that violates the College Code of Conduct, they will follow the accountability process explained below:

- a. An Incident or Safety Report or written statement is used to report the alleged violation.
 - (1) Any student, faculty, or staff member may report a violation of policy.
 - (2) Safety reports, police reports, or any written statements are acceptable.

- (3) The Incident Report should be submitted as soon as possible after the event takes place, preferably within 24 hours.
- b. The Office of Community Living may conduct an investigation.
 - c. The Office of Community Living will determine the level at which the student accountability meeting will take place. This determination will be made based upon the seriousness of the situation, the possible sanctions, and the previous accountability record of the student(s).
 - (4) For the most serious of College Policy violations, a Student Accountability Committee meeting may be held. The Student Accountability Committee consists of students, faculty, and staff members. It is a formal meeting which involves the presentation of witness testimony and may be an opportunity for students to present evidence on their behalf and to question all witnesses. The meeting is audio taped. This Committee may be used to hear cases in which sanctions, if imposed, might include suspension or expulsion from the College (see page 27 for more information about the Student Accountability Committee).
 - d. Students are contacted via their on-campus mailbox, campus email, and/or phone to attend a student accountability meeting.
 - (1) The alleged Cornerstone Code of Conduct violation will be noted.
 - (2) The time, date, and place of incident will be noted.
 - e. Accountability Meeting Procedures

All meetings are closed and are conducted in private. Neither the College nor students shall bring attorneys to student accountability meetings. Witnesses must have personally observed, have direct knowledge of, or otherwise have relevant knowledge of the incident in question.

 - (1) In cases involving more than one accused student, the meeting may be held collectively or individually.
 - (2) The complainant and the accused may present witnesses. If after hearing the incident or Safety Report during the accountability meeting, the accused student determines if he or she has a need to call witnesses. The accused student may request a three-day waiting period. At the conclusion of the three-day period the student accountability meeting will resume.
 - (3) Pertinent records, exhibits, and written statements may be accepted as evidence for consideration.

- (4) Failure to attend or respond to a student accountability meeting notification may result in forfeiting the student's right to be heard and a sanction may be issued in his or her absence.
- a) The student enters an accountability statement of either "Responsible" or "Not Responsible."
 - 1) A statement of "Responsible" indicates the accused concurs that he or she accepts the responsibility for the conduct alleged in the accusation.
 - 2) A statement of "Not Responsible" means the accused student does not accept responsibility for the accusation.
 - b) Determination of Responsibility Phase
 - 1) The College's case may be presented via written reports.
 - 2) The accused student or Student Group will then state their case.
 - 3) Witnesses for the person presenting the charge(s) will be called in one at a time. Each witness will be asked to present information relevant to the case. The person conducting the accountability meeting may question each witness. Each witness will then be asked to leave. The accused student has the right to rebut the written statements.
 - 4) Witnesses for the person or Student Organization being accused will be called in one at a time. The person conducting the accountability meeting or the person or Student Organization accused may question each witness. Each witness will then be asked to leave.
 - 5) After all witnesses have been heard, the person conducting the accountability meeting may ask for concluding comments
 - 6) The College Student Accountability staff member will entertain a motion of "Responsible" or "Not Responsible" for each charge presented. The findings will be disclosed to the student.
 - 7) If found Not Responsible, the meeting is closed and everyone is dismissed.
 - 8) If found Responsible the College Student Accountability body or officer will assign the appropriate sanctions.
 - 9) The student will be asked to sign paperwork indicating the outcome of the accountability meeting.

(5) Sanction Completion and Appeals

- a) Sanctions are in effect as soon as the student is notified either in person or in writing, whichever comes first.
- b) After the meeting, the student or Student Organization may appeal the decision of the accountability board or officer within three business days. (See section on Appeals.)

(6) Student Accountability Committee

Purpose: The Student Accountability Committee will be utilized for all cases in which a student is already on housing probation. The Student Accountability Committee will also be called to look into all cases that occur outside of residential facilities. The Student Accountability Committee may be used in the following manner:

- a) Appeals when a College official has found it necessary to exercise immediate accountability action under unusual circumstances;
- b) Cases referred directly to the Student Accountability Committee by the Office of Community Living.

Membership: The Student Accountability Committee shall be composed of not more than ten faculty, ten students, and one staff member.

- a) The Faculty members shall be appointed by the Provost.
- b) The student members shall apply for membership through the Office of Community Living. No more than ten members shall be appointed. To be eligible for selection to the Student Accountability Committee, a student must:
 - a. The applicant must be in good standing with the College and support the FSC Student Code of Conduct and policies.
 - b. Maintain a 2.5 cumulative G.P.A.

One Student Member will serve as the Student Accountability Committee Chair.

- a. The Chair shall have no vote, except in the case of a tie.
- b. The Chair shall have the responsibility for calling to order and conducting all meetings.

Process: Six voting members should be present to hear a case with the following minimum representation: 1 Student Member serving as Chair, 1 Faculty member, 2 Student members, and 1 staff member. If fewer voting members are present, the charged student may determine whether to proceed or reschedule.

*No more than 2 Faculty Members will be present to hear a case.

- a) The Office of Community Living will present the case on behalf of the College.
- b) All Student Accountability Committee meetings are closed.
- c) In cases involving more than one accused person, the Student Accountability Committee retains the right to determine whether the cases will be heard collectively or individually.

Student Accountability Committee Meeting Procedures:

- a) Meetings are closed. Parents or guardians are not part of this process.
- b) Students may question witnesses who speak at the meeting and may challenge any written witness statements presented at the meeting. A full-time member of the student body, or a member of the Student Accountability Committee, acting as an advisor may be present. The advisor's role is to offer support and advice to the student. The advisor may not be an attorney and may not speak in place of or on behalf of the student. The student may request that an audio recording be made of the meeting.
- c) Neither the College nor student shall bring attorneys to Student Accountability Committee meetings.
- d) Witnesses must have personal involvement with, have personally observed, or have direct or otherwise relevant knowledge of the incident in question. One character witness may be heard if the student either pleads or is found responsible for any or all of the Cornerstone Code of Conduct violations. The character witness must be affiliated with the College as a full-time student, faculty, or staff members. The character witness does not have to have personal involvement in the situation being addressed. The character witness would be heard prior to the sanctioning process.
- e) Other than parents, Student Organization advisors, legitimate witnesses, and College officials, other persons with interest in the case or related in any way to the Student Organization and/or student whose case is being heard may not be permitted to enter the building where a meeting is being conducted nor congregate in the environment of the building. Doing so will subject the Student Organization and/or individuals to charges of failure to comply with the request of a College official.
- f) Campus Student Organizations involved in a meeting may be represented by a maximum of four members, all of whom must be legitimate, current officers of the Student Organization, including one who serves as the current president. The Student Organization's advisor may be admitted at the discretion of the Student

Accountability Committee Chair; however, the advisor may not speak in place of the officers.

- g) The Assistant Director of Community Living, or a designee, will be present during all hearings to ensure that the proper protocol is followed with regard to procedure.

Outline of Student Accountability Committee Meeting:

- a) The Chair will call the meeting to order and outline the purpose of the Student Accountability Committee. The Chair will ask all persons present to identify themselves and state the reason for their presence.
- b) The Chair will read the accusation(s) and ask the accused student or Student Organization to give a statement of “Responsible” or “Not Responsible” to each accusation. If the student or Student Organization enters a statement of “Not Responsible” for any or all accusations, the meeting will continue to the Determination of Responsibility phase of the meeting. If the student or Student Organization enters a statement of “Responsible” for all of the accusations, the meeting will continue to the Sanctioning Phase.

Determination of Responsibility Phase:

- a) The College’s case will be presented by a staff member from the Office of Community Living.
- b) The accused student or Student Organization will then state their case.
- c) The Student Accountability Committee may ask questions of either the person presenting the accusations(s) or the person or Student Organization being accused.
- d) Witnesses for the person presenting the accusations(s) will be called in one at a time. Each witness will be asked to present information relevant to the case. Each witness may be questioned by the Student Accountability Committee, the person presenting, or the person or Student Organization being accused. Each witness will then be asked to leave.
- e) The same process will be followed for witnesses for the person or Student Organization being accused.
- f) After all witnesses have been heard, the Student Accountability Committee may ask for final information.
- g) The person presenting accusations(s) will give a closing statement.
- h) The person or Student Organization being accused will give a closing statement.

- i) All persons, except the Student Accountability Committee, will be excused from the room.
- j) The Student Accountability Committee will determine finding of “Responsible” or “Not Responsible” for each accusation presented. The College and the accused student(s) or Student Organization will then be called back into the room. The Student Accountability Committee Chair will read the findings.
- k) If found “Not Responsible” for all accusations, the proceedings are closed and everyone is dismissed. If found “Responsible” for any accusations the meeting will continue to the Sanctioning Phase.

Sanctioning Phase: The Sanctioning Phase of the Student Accountability Committee will take place if the student or Student Organization has stated or been found “Responsible” for any of the accusations.

- a) The College will present information related to the prior accountability record of the accused student or Student Organization and present recommended sanctions.
- b) The accused student or Student Organization may then make a statement on their behalf and may call one character witness.
- c) The Student Accountability Committee may ask questions of either the person presenting the accusations(s) or the person or Student Organization being accused.
- d) If there is a victim in the situation, the Student Accountability Committee will excuse the representatives of the College and the accused student or Student Organization from the room to obtain a victim impact statement. The victim may present their statement in person or in writing.
- e) After all witnesses have been heard, the Student Accountability Committee may ask for final information.
- f) All persons, except the Student Accountability Committee, will be excused from the room.
- g) The Student Accountability Committee will conduct an open discussion of sanction(s).
- h) A determination as to the appropriate sanction(s) will be made. All sanctions except suspension and expulsion may be passed by a 51% majority of the Student Accountability Committee voting members present. Suspension and expulsion decisions must be passed with a vote of 75% of the voting members.
- i) The person presenting accusation(s), student or Student Organization being accused, and advisor will be asked to return to the room. The Student Accountability Committee Chair will read the findings.

- j) After the sanction is read, the information in the Handbook detailing the appeal process is noted. Decisions made by the Student Accountability Committee shall take effect immediately upon rendering of the decision even if an appeal is filed by the affected student or Student Organization, unless deferred by the Dean of Student Development.
- k) Everyone is dismissed

Sanctioning Phase:

The Sanctioning Phase of the SAC will take place if the student or Student Organization has stated or been found responsible for any of the accusations.

- a. The College will present information related to the prior accountability record of the accused student or Student Organization and present recommended sanctions.
- b. The accused student or Student Organization may then make a statement on their behalf and may call one character witness.
- c. The SAC may ask questions of either the person presenting the accusation(s) or the person or Student Organization being accused.
- d. If there is a victim in the situation, the SAC will excuse the representatives of the College and the accused student or Student Organization from the room to obtain a victim impact statement. The victim may present their statement in person or in writing.
- e. After all witnesses have been heard, the SAC may ask for final information.
- f. The person presenting accusation(s) will give a closing statement.
- g. The person or Student Organization being accused will give a closing statement.
- h. All persons, except the SAC, will be excused from the room.
- i. Then the SAC will conduct an open discussion of sanction(s).
- j. A determination as to the appropriate sanction(s) will be made. All sanctions except suspension and expulsion may be passed by a 51% majority of the SAC voting members present. Suspension and expulsion decisions must be passed with a vote of 75% of the voting members.

- k. The person presenting accusation(s), student or Student Organization accusations, and advisor will be asked to return to the room. The SAC Chair will read the findings.
- l. After the sanction is read, the information in the Handbook detailing the appeal process is noted. Decisions made by an accountability board or officer shall take effect immediately upon rendering of the decision even if an appeal is filed by the affected student or group, unless specifically deferred by the Dean of Student Development.
- m. Everyone is dismissed.

Appeal

An appeal is defined as a request for review of the original case. A student or Student Organization is entitled to appeal a decision rendered by a meeting officer or SAC. During the appeal process, sanctions **ARE** in effect until such time as they might be reversed, modified, or held.

Exception: The Dean or designee may require a student whose case is under appeal, or pending meeting, to leave the campus in the interim should the student's presence on campus create a situation which, in the opinion of the Dean, could be detrimental to the student involved or to the College community.

- (1) Appeals must be clearly and concisely written and must state clearly what the student or Student Organization is appealing and why.
- (2) A decision must be appealed by the accused student within three business days of the meeting. Failure to pick up mail will not be grounds for an extension of the deadline for appeal. Such appeals shall be in writing.
- (3) Appeal letters should be written according to the following:

<i>Initial Meeting Officer or Board</i>	<i>Appeal Officer</i>
Hall Director	Community Living Coordinator
Community Living Coordinator	Asst. Director of Community Living
Asst. Director of Community Living	Director of Community Living
Greek Community Standards Board	Asst. Dean of Student Development
Director of Community Living	Asst. Dean of Student Development
Asst. Dean of Student Development	Dean of Student Development
Student Accountability Committee	Dean of Student Development

There may be circumstances where a designee may be assigned in place of a current appeal officer.

- (4) Except as required to explain the basis of new evidence, an appeal shall be limited to review of the record of the initial meeting and for either of the following purposes:
 - a) The student or Student Organization provides evidence that was not available at the original meeting and can defend why said evidence was not made available in a timely manner.
 - b). There were procedural irregularities in the original meeting.
- (5) A disagreement with the sanction issued is not, in itself, sufficient reason to appeal.
- (6) In cases involving appeals by students accused of violating the Cornerstone Code of Conduct, the appeals officer or board may reverse, modify, or uphold the previous action.
- (7) Any case may be appealed to the next level. The decision of the appellate body or officer is final.
- (8) A College Official may find it necessary to exercise immediate accountability action under unusual circumstances. Such a case may be appealed to the Dean or designee. In this case, the “new information” requirement is waived.
- (9) If a student decides to select the waiver process outlined in 1.d. under *Student Procedural Rights*, the student waives the right to an appeal.

Guidelines for the Greek Community Standards Board

The Greek Community Standards Board (GCSB) was established in order to protect the rights of chapters and individual members in order to promote responsible self-governance of the Greek community at the College. The GCSB allows Greek students the opportunity to become actively involved in the accountability processes at the College. Also, those students who are selected to serve on the board will assume leadership and service positions which will aid the College Student Accountability System.

The GCSB is designed to assist the College in fostering and promoting appropriate behavior in the conduct of the Greek Community. The purpose of the GCSB is to establish a level of acceptable behavior for all fraternities and sororities.

Another purpose of the GCSB is to complement the educational mission of the College. This is accomplished by fostering a sense of community with established standards of behavior that are appropriate to the character and purpose of Greek Chapters and the College.

The GCSB hears cases related to chapter events, not those related to individual Greek members. Examples of cases may include:

- Social event violations
- Alcohol violations
- Minor vandalism (paint on sidewalks, etc.)—if the damage is minor
- Hazing (if recommended to the GCSB instead of the Student Accountability Committee)
- Educational opportunities (risk management, attitude towards other chapters, academics, etc.)

Incident reports may be referred to the GCSB by either the Director or the Assistant Director of Community Living.

In conjunction with the Director and/or Assistant Director of Student Involvement, cases may be deferred to the Student Accountability process at the discretion of the Office of Student Development.

Greek Community Standards Board

A. Membership

The GCSB shall consist of not more than one representative from each social fraternity/sorority and two co-chairs. The Director of Student Involvement and the Assistant Director of Student Involvement will serve as the co-advisors to the GCSB.

B. Selection

The members shall be elected by their chapter to serve as the Standards Board representative for their chapter which also means serving on the Greek Community Standards Board. The Co-Chairpersons of the Greek Community Standards Board shall be the Vice President of Organizational Accountability on the Panhellenic Council and the Executive Vice President on the Interfraternity Council. They shall serve as the Co-Chairpersons of the GCSB at the first sitting of the Board each academic year. Members of the GCSB shall be selected each November and their training shall begin the subsequent January.

C. Justice Eligibility Criteria

1. Each member shall maintain a cumulative 2.5 Grade Point Average and shall earn a 2.5 Grade Point Average each semester.
2. Each member shall be in good social standing with his or her respective Greek Chapter and with the College.
3. A member shall not serve as his or her Greek Chapter's president.
4. Each member shall demonstrate knowledge of College, Interfraternity Council, Panhellenic Council, and Fraternal Information and Programming Group (FIPG) Policies.

D. Process

The Chairpersons of the GCSB shall preside at all hearings and shall make determinations on questions of order and procedure.

1. The Chairpersons of the GCSB shall schedule hearings, provide appropriate evidentiary materials, and ensure that all parties to the hearing have been properly notified of the hearing.
2. The Chairpersons of the GCSB shall not vote on any matter before the GCSB unless his or her vote is required to break a tie vote.
3. An incident report is presented to the GCSB.
4. The proceedings of the GCSB shall be closed to observers.
5. A member will recuse her or himself if her or his organization is involved in the process currently before the Board.

E. The GCSB Proceedings:

1. Community Standards Conference
 - a. The Director of Student Involvement, Assistant Director of Student Involvement and the Chairpersons of the GCSB shall meet with the president of the accused Greek Chapter/Council to discuss the charges, facts, and pleas of the Greek Chapter/Council.
 - b. If the Greek Chapter pleads "responsible," the Chairpersons of the GCSB shall schedule a hearing with the GCSB to determine sanctions.
 - c. If the Greek Chapter pleads "not responsible," the Chairpersons of the GCSB shall schedule a formal proceeding with the GCSB.

F. The Formal GCSB Proceeding

1. The proceeding shall be closed to observers.
2. Prior to the proceeding, the Greek Chapter/Council shall have the right to consult with its national office, its faculty/staff advisor, and its chapter advisor. The Greek Chapter/Council may have one advisor present during the GCSB Proceeding, but the advisor may not speak to the Board. The advisor may not be an attorney.
3. The Greek Chapter/Council may be represented by its president and by two (2) other active members. The president may serve as the only spokesperson for the Greek Chapter/Council at the proceeding.
4. The proceeding shall be recorded.
5. The order of events at a GCSB proceeding shall be:

- a. Call to order by the Chairpersons of the GCSB.
- b. Introduction
- c. Opening statement by the Co-Chair of the Greek Community Standards Board.
- d. Opening statement by the Greek Chapter/Council.
- e. Witnesses for the College shall be called in one at a time by the Board. Each witness may be questioned by the Director of the Center for Student Involvement, Assistant Director of Student Involvement, the GCSB, and the Greek Chapter/Council.
- f. Witnesses for the Greek Chapter/Council shall be called in one at a time by the Board. Each witness may be questioned by the Director of the Center for Student Involvement, Assistant Director of Student Involvement, the GCSB, and the Greek Chapter.
- g. After all witnesses have been heard, the Board may, at its sole and absolute discretion, ask for any final information.
- h. Closing statement by the Co-Chair of the Greek Community Standards Board.
- i. Closing statement by the Greek Chapter/Council.
- j. All participants, with the exception of the Board are excused.
- k. The accusations against the Greek Chapter/Council are stated by the Chairpersons of the Board.
- l. The Chairpersons request a motion from a member.
- m. Discussion of motion.
- n. A verdict is rendered by a simple majority of the board members.
- o. If the Greek Chapter/Council is determined responsible, the members shall, in their sole and absolute discretion, and by consensus, determine the appropriate sanction, if any. If the Greek Chapter/Council is determined not responsible, the accusations are dismissed
- p. If the Greek Chapter/Council is determined to be responsible, the verdict and any relevant appeal information shall be mailed to the Greek Chapter/Council on the business day following the conclusion of the proceeding.

G. The GCSB Sanction Hearing

1. If the Greek Chapter/Council enters a statement of “Responsible” at the Greek Community Standards Board Hearing, the Greek Community Standards Board shall meet and be told the accusations and the statement of “Responsible.”

2. The GCSB shall proceed directly into deliberations and make a determination as to what sanctions, if any, shall be imposed against the Greek Student Group.

H. Appeal of a Decision of the GCSB

Appeals of decisions of the GCSB shall be made in writing and shall be submitted to the Asst. Dean of Student Development (for Student Involvement) to the Center for Student Involvement within three (3) business days of the Greek Chapter/Council's receipt of the GCSB's report.

Except as required to explain the basis of new evidence, an appeal shall be limited to review of the record of the initial meeting and for either of the following purposes:

- a) The student or Student Organization provides evidence that was not available at the original meeting and can defend why said evidence was not made available in a timely manner.
- b). There were procedural irregularities in the original meeting.

I. The GCSB Proceedings:

1. Community Standards Conference
 - a. The Director of the Center for Student Involvement and/or the Assistant Director of Student Involvement, and the Chairpersons of the GCSB shall meet with the president of the accused Greek Chapter to discuss the charges, facts, and pleas of the Greek Chapter.
 - b. If the Greek Chapter pleads "responsible," the Chairpersons of the GCSB shall schedule a hearing with the GCSB to determine sanctions.
 - c. If the Greek Chapter pleads "not responsible," the Chairpersons of the GCSB shall schedule a formal proceeding with the GCSB.

J. The Formal GCSB Proceeding

1. The proceeding shall be closed to observers.
2. Prior to the proceeding, the Greek Chapter shall have the right to consult with its national office, its faculty advisor, and its chapter advisor. The Greek Chapter may have one advisor present during the GCSB Proceeding, but the advisor may not speak to the Board. The advisor may not be an attorney.
3. The Greek Chapter may be represented by its president and by two (2) other active members. The president may serve as the only spokesperson for the Greek Chapter at the proceeding.
4. The proceeding shall be recorded.
5. The order of events at a GCSB proceeding shall be:

- a. Call to order by the Chairpersons of the GCSB.
- b. Introduction
- c. Opening statement by the Co-Chair of the Greek Community Standards Board.
- d. Opening statement by the Greek Chapter.
- e. Witnesses for the College shall be called in one at a time by the Board. Each witness may be questioned by the Director of the Center for Student Involvement, Assistant Director of Student Involvement the GCSB, and the Greek Chapter.
- f. Witnesses for the Greek Chapter shall be called in one at a time by the Board. Each witness may be questioned by the Director of the Center for Student Involvement, the Assistant Director of Student Involvement, the GCSB, and the Greek Chapter.
- g. After all witnesses have been heard, the Board may, at its sole and absolute discretion, ask for any final information.
- h. Closing statement by the Co-Chair of the Greek Community Standards Board.
- i. Closing statement by the Greek Chapter.
- j. All participants, with the exception of the Board are excused.
- k. The accusations against the Greek Chapter are stated by the Chairpersons of the Board.
- l. The Chairpersons request a motion from a member.
- m. Discussion of motion.
- n. A verdict is rendered by a simple majority of the board members.
- o. If the Greek Chapter is determined responsible, the members shall, in their sole and absolute discretion, and by consensus, determine the appropriate sanction, if any. If the Greek Chapter is determined not responsible, the accusations are dismissed
- p. If the Greek Chapter is determined to be responsible, the verdict and any relevant appeal information shall be mailed to the Greek Chapter on the business day following the conclusion of the proceeding.

K. The GCSB Sanction Hearing

1. If the Greek Chapter enters a statement of “Responsible” at the Greek Community Standards Board Hearing, the Greek Community Standards Board shall meet and be told the accusations and the statement of “Responsible.”
2. The GCSB shall proceed directly into deliberations and make a determination as to what sanctions, if any, shall be imposed against the Greek Student Group.

L. Appeal of a Decision of the GCSB

Appeals of decisions of the GCSB shall be made in writing and shall be submitted to the Asst. Dean of Student Development (for Student Involvement) at the Center for Student Involvement within three (3) business days of the Greek Chapter’s receipt of the GCSB’s report.

Except as required to explain the basis of new evidence, an appeal shall be limited to review of the record of the initial meeting and for either of the following purposes:

- a) The student or Student Organization provides evidence that was not available at the original meeting and can defend why said evidence was not made available in a timely manner.
- b). There were procedural irregularities in the original meeting.

IV. Community Living

Campus Residency Requirement

From the Trustees to the professional staff in Student Development, the College believes deeply in the educational and personal benefits of being a residential campus. The Trustees state that this policy is “consistent with a belief that a college education is more than the accumulation of credit hours needed for graduation; it must also involve the preparation of students to make positive and important contributions to society.” Every day we strive to create a community that is conducive to student growth and development.

As a College residence hall community member, the following are the rights a student can expect and has both a responsibility for and the right to:

- Read and study free from undue interference in one’s room (unreasonable noise and other distractions inhibit the exercise of this right).
- Sleep without undue disturbance from noise or guests of a roommate
- Expect that a roommate will respect one’s personal belongings.
- A clean environment in which to live.
- Freely access one’s room and facilities without pressure from a roommate.
- Personal privacy.

- Host guests who respect the rights of the host's roommate(s), other hall residents, and the visitation policy.
- Address grievances. Residence hall staff is available for assistance in settling conflicts.
- Be free from all forms of intimidation, harassment, prejudice, and physical and emotional harm.

The purpose of the residential community of the College is to enhance the academic environment and provide students with a well-maintained, safe, and positive living experience. Students have the responsibility to maintain an environment that is conducive to study, sleep, and socialization.

Many diverse individuals and lifestyles make up the population living in the College residential community. As a result of this shared environment, it is necessary for the College to have policies and procedures in place that serve as standards for resident behavior. These policies are not meant to hinder the student, but to protect individual and community rights.

Our dynamic residential program allows our students to interact with a broad range of people. These interactions help to shape them as individuals. Some of the many advantages to campus residency, and why we believe so deeply in it, are found in big and small occurrences: from the conversations in Wynee's Bistro to the walks across campus to ACE events, from late night conversations with hall mates to access to Resident Advisors (RAs) as peer mentors, and from ready access to campus resources to the growth that occurs from communal living. As such, we know the events, programs, and services we offer augment and supplement the College curriculum. The programs offered in the residence halls are designed for the residents of that building or community. The programs evolve to meet student needs at each stage of his/her educational journey.

It is for these reasons that the College has a four-year residency requirement. However, we do recognize that there are some cases when a student should be considered for exemption. Approved reasons for consideration of an exemption from the residency requirement are:

- to be at least 23 years old prior to the semester you are requesting to live off campus
- to be married or have custodial children
- to live with your custodial relative in their primary residence, within a 30 mile radius of the campus.

Link to Off Campus Housing Request Form:

<http://www.flsouthern.edu/KCMS/FSC/media/Academics/StudentLife/OffCampusRequest.pdf>

Students who meet one of these criteria must complete an "Off-Campus Request Form" which is available on the Office of Community Living website. Students who do not meet these criteria will remain residential students. *Any student may complete the form, but must await approval **BEFORE** signing an off-campus lease.* Denial of the off-campus housing request means that students are still considered a part of the campus residential community. If approval is given, students must provide an off-campus address. Students who lose the privilege of campus housing because of a housing probation violation will be unable to remain a student unless he/she meets the approved reasons for residency exemption.

The deadline to cancel housing is June 1 for the fall semester and Dec. 15 for the spring semester. Cancellation following those dates will result in a \$500 charge. Cancellation must be received in writing.

Each student completes and signs a housing agreement. This document is a binding agreement between the student and the College. By signing the agreement, the student understands and will abide by all terms set forth in the agreement. Housing agreements are effective for one academic year, provided the student has been accepted to the College and has made all payments in full.

The housing agreement only assures housing during the period of time when classes are in session.

Campus housing is provided for only full-time registered students **that are at least 17 years of age**. A student who is under the age of 17 years or who is dropping below full-time hours must be given permission by the Dean of Student Development to remain in the halls. Conduct standards are in place and if a violation occurs, the student may be removed from campus housing. If the student does not meet the off-campus criteria, he/she must withdraw from the institution. In order to obtain college housing all students must ensure that all holds are removed from their student account before the housing selection process can be finalized. Florida Southern also reserves the right to prohibit any student who is pregnant from residing in the residence halls. If a pregnant student is given permission by the Dean of Student Development to remain residential, the student must follow guidelines provided by the Office of Community Living. Residency in campus housing is not permitted during the final trimester.

Self-administration of medicines and medical treatments prescribed by a physician or other licensed medical professional is permitted in the residence halls but must be done in a medically safe and appropriate manner. Additional procedures that require treatment by an outside healthcare provider must be administered off-campus by an appropriate professional. It is the student's responsibility to arrange for regular transportation to and from treatment sites.

Florida Southern does not currently offer gender-neutral housing in the Florida Southern College residence halls.

Should a student's behavior become disruptive to the residential living environment, the College may refuse the student on-campus housing.

V. Student Involvement

The Center for Student Involvement has general responsibility for student activities, student organizations and services, and administers the student development program which includes all extracurricular activities with the exception of intercollegiate sports, campus ministries, and wellness programming including intramural sports. All student social events and organized extracurricular activities must be registered with the Center for Student Involvement. Events must be sponsored by recognized student organizations unless special arrangements for sponsorship are made with the Director of the Center for Student Involvement, Assistant Director of Student Involvement, or the Assistant Dean of Student Development. All fund-raisers (car washes, raffles, etc.) and sales by vendors (sportswear sales, Greek composite sales, etc.) must be authorized by the Director of Student Involvement or Assistant Director of Student Involvement. College guidelines for registering, scheduling, advertising, and conducting all such activities and events are to be followed.

The College reserves the right to cancel an activity or event when there are reasonable grounds to believe that the activity or event will be detrimental to College operation or will endanger persons or property or if proper procedure is not followed.

A. Responsibilities of Student Organizations

Recognized Student Organizations, or students acting with a common purpose, shall adhere to all College Policies. Failure to do so may result in the initiation of Student Accountability proceedings against the Student Organization. Consequently, all College Policies apply to Student Organizations collectively. Student Organizations may be held responsible when any of the following situations exist or occur:

1. Members of the Student Organization act in concert to violate College Policy.
2. A violation of College Policy arises out of an event sponsored, financed, or endorsed by the Student Organization.
3. A leader of the Student Organization has knowledge of a violation of College Policy before or while it occurs and fails to take preventive or corrective action.
4. A violation of College Policy occurs at an off-campus facility that is leased, rented, or used by the Student Organization.
5. A pattern of individual violations of College Policy has existed without proper or appropriate Student Organization control, remedy, or sanction.
6. Members of the Student Organization attempt to cover up or fail to report violations of College Policy to appropriate College officials.

Delivery of written notice to a Student Organization shall be made according to the delivery requirements set forth in Section III.F. of this Student Handbook to the president or equivalent head of the Student Organization. A Student Organization shall be represented by the president or equivalent head of the Student Organization in any Student Accountability Meeting involving that Student Organization. If the president or equivalent head of the Student Organization is not able to attend the Student Accountability Meeting, the Student Organization may designate one of its members, in writing, to represent it in lieu of the president or equivalent head.

B. Policies and Procedures

Student Organizations exist at the College by agreement between the Student Organization and the College through the Dean, and are subject to the rules and approval of the College. The policies governing constitutions, by-laws, rules, and regulations of these Student Organizations must not conflict with the rules, regulations, and mission of the College and all state and federal laws.

Student misconduct within such Student Organizations may subject both the members and the Student Organization to accountability action by the College, which may include withdrawal of the College's agreement to permit the Student Organization to exist on campus.

The College and the Student Government Association will continue to recognize those Student Organizations that serve the educational and general purposes of the College, contribute to the interests of their members, and are consistent with the standards and policies of the College. In order

to use the name of the College, College facilities, and to qualify for Student Government Association funding, recognized Student Organizations must function under the general supervision of the Center for Student Involvement and the Student Government Association, and fulfill the following responsibilities:

1. Registration

At the beginning of the fall semester, each Student Organization must register with the Student Government Association. This is done by registering through the Student Organizations website and by attending the Leadership Series sponsored by the Student Government Association. Student Organizations that do not register will be considered inactive and will not be eligible to sponsor activities and must then go through the Student Organization recognition process. All Student Organizations must maintain a membership of at least seven (7) members.

New Student Organizations must go through the process of recognition. Recognition will be granted in conjunction with the Center for Student Involvement, Campus Ministries, and the Student Government Association. Information about the process may be obtained from the Center for Student Involvement, located in the Bandshell. Social Greek letter fraternities and sororities must also petition through their respective governing councils for membership and be granted permission. The process for recognition requires the following items: 1) meeting with the Assistant Director of Student Involvement to discuss the petitioning Student Organization, 2) first reading before the SGA Senate, 3) trial period for establishment, 4) second presentation before Presidents' Circle through SGA with the following criteria being met: explanation of the Student Organization and how it will contribute to the mission of the College, constitution and by-laws, a list with a minimum of 7 members, a letter of support if the Student Organization is an inter/national Student Organization from the governing Student Organization, and a 2/3 vote of members in attendance at the Senate and Presidents' Circle meetings at which the petitioning Student Organization is presenting.

2. Records

Each Student Organization is required to have all necessary forms and documents on file with the Center for Student Involvement. The necessary information includes a copy of the current items: constitution and bylaws, the Student Organization Registration Form, the Executive Officer Report Form, and the Advisor Appointment Form (for social Greek letter Student Organizations they must also have an off-campus advisor in addition to their on-campus advisor). Student Organizations that do not follow the procedures for maintaining recognition risk losing recognition. All information may be updated through the Student Organizations website.

Maintaining status of recognition for Student Organizations is as follows: all registered Student Organizations must send a representative to meetings of Presidents' Circle through SGA, keep all records up to date with the Center for Student Involvement, and check their assigned mailbox every 48 hours, during the business week.

3. Membership Requirements

Membership and participation in all Student Organizations will be open to all students without regard to race, creed, gender, national origin, religion, political affiliation, age, physical capability, or sexual orientation. Approved Greek letter social fraternities and sororities are, through Title IX, exempt with regard to gender only and must meet all other requirements mentioned above. Officers in Student Organizations must maintain a 2.0 grade point average (both semester and cumulative), and be free from academic probation and social probation.

4. Student Organization Advisor(s)

All Student Organizations are required to have a faculty or staff advisor registered with the Center for Student Involvement in order to maintain active status. All social fraternities and sororities must also have an off-campus advisor(s) and they must also be registered with the Center for Student Involvement.

5. Financial Procedures

Student Organizations have the responsibility to be good financial stewards of the funds entrusted to them.

Once these requirements have been met, the Student Organization must be approved by the Director of the Center for Student Involvement, Assistant Director of Student Involvement, and the Student Government Association. Greek letter sororities or fraternities must be approved by their respective governing council and the College.

6. Event Registration

All Student Organizations must register events and activities through the Center for Student Involvement by completing the Activity Registration Form. All events sponsored by Student Organizations must be registered seven (7) business days prior to the event. All events where alcohol is present must follow FIPG policy (a copy may be obtained in the Center for Student Involvement.).

7. Inter-Student Group Mail

All registered Student Organizations have a mailbox located in the Center for Student Involvement. These boxes shall be used for all inter-student organization mail. Boxes must be checked every 48 hours during the business week.

VI. STUDENT RECORDS POLICY

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act of 1974 as amended (PL 93-0280), better known as “FERPA”, directs how student education records are maintained. When a student enters college, the following four rights transfer from parents or legal guardians to the student, regardless of the student’s age.

1. FERPA provides opportunities for students to inspect and review their education records within 45 days of a written “request for access” identifying the records of interest to FSC’s FERPA Compliance Officer.

2. FERPA provides paths for students to seek amendment to education records they believe to be inaccurate or misleading. A written request should be made to FSC's FERPA Compliance Officer.
3. FERPA allows students the right to provide written consent before the College discloses Personally Identifiable Information from the student's education records, except to the extent that FERPA authorizes disclosure without consent, including:
 - Florida Southern College officials, including contractors and students working in a official capacity, with "legitimate educational interests" who require information for the proper performance of their professional responsibilities
 - Officials at an institution at which a student seeks to enroll
 - Organizations conducting studies for educational and governmental agencies
 - Accrediting agencies
 - Appropriate persons in case of health or safety emergencies
 - Agencies or offices in connection with the student's application for or receipt of financial aid
 - Governmental officials, as identified in Public Laws 93.31 & 99.35
 - Parents of students who are defined as dependents in the Internal Revenue Code of 1986
 - Parents of students (1) younger than 21 years of age or (2) who are dependents for tax purposes regardless of student age for violations of campus alcohol and drug policies
 - An appropriate official in response to a court order
 - An alleged victim of a crime of violence or a non-forcible sex offense concerning the final results of an investigation
 - The general public, if the school determines a student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against her/him
 - Directory Information
 - For a complete list of such exceptions, for further questions, or to request to inspect, review, or amend records, please contact the College's FERPA Compliance Officer Dr. Marcie Pospichal 111 Lk. Hollingsworth Dr., Lakeland, FL 33801; email: mpospichal@flsouthern.edu; tel: (863) 680-4197

FERPA gives students the right to file a complaint with the U.S. Department of Education concerning alleged failures by Florida Southern College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education

400 Maryland Avenue, SW, Washington, DC 20202

The College's complete FERPA policies can be found in the Academic Catalogue or online at:

<http://www.flsouthern.edu/KCMS/HEOA-Disclosures.aspx>

VII. General Information

A. Address Responsibility

Each student shall be responsible for notifying the Registrar's Office and the Office of Student Development of a change of permanent home address and local address.

B. Bicycles

Bicycles must be parked or stored in areas specifically designated for this purpose. Bicycles may be stored inside residence hall rooms but not in lobbies, chapter rooms, stairwells or other public or semi-public spaces inside the residence halls. Bicycles are provided by the College for students' recreational use and may be checked out at the Wellness Center.

C. Financial Refund

In cases involving suspension, dismissal or expulsion, no financial refunds will be made by the College. In cases of voluntary withdrawal from Florida Southern College during a regular semester, the student is eligible for a partial refund of tuition, room, board and fees:

If the student withdraws during the first three days of class of a regular semester, the student will receive a 100% refund. Beginning with the fourth day of classes through the tenth calendar day, there is a 90% refund on tuition, room, board, and fees. During the 11th through the 25th calendar day, a 50% refund is made. A 25% refund is made during the 26th through the 50th calendar day. After the 50th day, refunds are made only in cases of serious accident or illness with the recommendation of the college health center. In serious accident or illness cases extending beyond a two-week period, a student who withdraws receives a 75% refund of any unused tuition, room, board, and fees.

If the student withdraws during the first three days of class of a summer session, the student will receive a 100% refund. Beginning with the fourth day of classes through the seventh calendar day, there is a 50% refund of tuition. During the eighth through the 13th calendar day, a 25% refund is made. After the 13th day, refunds are made only in the case of serious accident or illness with the recommendation of the Student Health Committee. To qualify as a medical withdrawal and be eligible for refund consideration, documentation must be provided within 3 business days of the withdrawal, at which time this information will be reviewed by the Student Health Committee and the Dean of Student Development or designee for consideration of refund.

The refund policies for evening and graduate programs are covered elsewhere in this *Catalog* and in the respective program guides.

D. Identification Cards

During orientation a student is issued a nontransferable coded picture identification card (I.D. Card) which is used primarily to gain access to his or her residence hall. This card must be presented when requested by a member of the safety staff, residence hall staff, the Guest Services staff, or other College official. The I.D. Card will serve as a meal ticket for residential students and a ticket to all A.C.E. functions and athletic events. There is a \$15.00 replacement charge for the first lost or willfully damaged I.D. Card. Each subsequent card is a \$25.00 fee. Replacement I.D. Cards may be obtained at the Office of Safety and Security Monday - Friday from 8:00 a.m. - 5:00 p.m. Alteration or misuse of an I.D. Card is a violation of College regulations. When a student withdraws from the College, the student must surrender the I.D. card to the Office of Student Development. A student who fails to produce a valid I.D. card upon the request of a College official will be subject to the student accountability process.

E. Insurance and Liability

The College is not responsible for injuries to students occurring on or off the campus, nor is the College responsible for student loss of, or damage to, personal property (including automobiles). This coverage can be provided through a family or homeowner's policy. College fees include accident insurance for each full-time student. Illness insurance is not covered in the College fees. Group illness insurance (hospitalization) is required of each full-time student unless written waiver and proof of insurance is received by the required date as stipulated on the illness insurance proposal form.

F. Lost and Found

Lost and Found is located at the Office of Safety and Security. Items are kept for a period of ninety days.

G. Motor Vehicle Regulations:

The privilege of owning, maintaining, or having in one's charge a motor vehicle may be extended to a student who: (1) completes formal application for a permit and pays permit fee, (2) agrees to comply with the College regulations in effect throughout the entire academic year, including holidays and examination periods, (3) has not lost his motor vehicle privileges through suspension or revocation, and (4) complies with all local and state traffic laws.

Every student who possesses a motor vehicle in the City of Lakeland during the time College is in session shall register the vehicle with the Office of Safety and Security. Students are not permitted to register automobiles for other students. Any vehicle that requires a state license is classed as a motor vehicle, including trailers of all types. Students receiving permission to operate any motor vehicle at the College will be required to have a state vehicle registration and a state operator's license.

Detailed vehicle regulations will be issued when a car is registered. The enforcement of these regulations is the general responsibility of the Office of Safety and Security. This office assesses fines and reports cases involving liability or revocation of motor vehicle privileges or other disciplinary action to the proper College authority.

The College reserves the right to withdraw motor vehicle privileges from any person at any time or remove any unregistered vehicle. The College does not accept any liability for damage to or loss of any automobile or its contents.

H. Safety Statistics

The Student Right-to-Know and Campus Security Act of the Higher Education Amendment of 1992 require institutions to publish campus policies and statistics relating to campus safety and security. Anyone with questions regarding this report or any other safety-related matter is welcome to contact the Director of Campus Safety & Security at 863-680-4447. Additional information on these statistics can be found on the U.S. Department of Education's Office of Post-Secondary Education website at <http://ope.ed.gov/security/>.

I. Self Administration of Medicine

Self-administration of medicines and medical treatments prescribed by a physician or other licensed medical professional is permitted in the residence halls but must be done in a medically safe and appropriate manner. Additional procedures that require treatment by an outside healthcare provider must be administered off-campus by an appropriate professional. It is the student's responsibility to arrange for regular transportation to and from treatment sites.

VIII. Anti-Harassment

Florida Southern College Anti-Discrimination/Anti-Harassment Policy Including Sexual Discrimination, Harassment, Misconduct, Violence, and Retaliation, Dating Violence, Domestic Violence, and Stalking

A. Preamble

We at the College share a common belief that every individual should be able to work and study in an environment free from discrimination, harassment or intimidation based on race, color, religion, gender, gender identity, age, national origin, mental or physical disability, marital status, medical condition, veteran status, sexual orientation, citizenship, or any other characteristic protected under federal or state law or local ordinance.

Discrimination and Harassment are illegal and in direct conflict with the mission of the College. It exposes the College and the individuals involved to liability under the law. Accordingly, the College prohibits any physical, written, or spoken conduct that violates the prohibitions on harassment set forth in the policy.

B. What is "Title IX"?

Title IX of the Educational Amendments Act of 1972 prohibits sex discrimination in educational institutions. It states, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance". Title IX compliance is overseen by the Office of Civil Rights of the U.S. Department of Education. It is an amendment to the Higher Education Act of 1965 which, itself, sprang from the Civil Rights Act of 1964, including Title IV, which broadly prohibits harassment and discrimination on the basis of many personal characteristics including race, color, sex, religion, or national origin. Consequently, the College is responsible to promptly, equitably, and reliably address allegations of sexual harassment, discrimination, violence, and retaliation and established the "Just Ask" Title IX program to respond to reports of Title IX violations.

C. What is the Campus SaVE Act?

The Campus Sexual Violence Elimination Act (Campus SaVE Act) of 2013 reauthorizes the earlier Violence Against Women Act (VAWA). With guidance from the U.S. Departments of Justice, Education, and Health and Human Services, institutions of higher education such as Florida Southern College are required to report annual statistics of domestic violence, dating violence, stalking, and sexual assault. The College must make community members aware of resources for victims of such acts, provide prompt, equitable, and reliable investigations of such reports, and establish sexual violence education and prevention programs. At Florida Southern College, many of these programs are part of the greater "Just Ask" Title IX initiative.

For the purpose of clarity, sexual harassment, misconduct, violence, retaliation, and domestic violence, dating violence, and stalking may be referred to as acts of “sexual discrimination”. Unless otherwise specified, referring to one form of sexual discrimination does not exclude any other form. The term “harassment” will always be understood to comprise all forms of harassment, including sexual discrimination and harassment.

D. Anti-Discrimination/Anti-Harassment Statement of Policy

It is the policy of the College that no member of the College community shall be subjected to any form of unlawful discrimination, harassment, retaliation, or violence by any other member of this institution.

IX. Sexual Discrimination and Title IX Compliance

A. Harassment, Including Sexual Harassment

For the purpose of this policy, harassment is defined as sexual harassment or harassment due to race, color, religion, gender, gender identity, age, national origin, mental or physical disability, marital status, medical condition, veteran status, citizenship or sexual orientation. Inappropriate and illegal verbal, physical or electronic conduct constitutes harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, academic advancement or campus involvement;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, academic decisions, or residential and other campus involvement opportunities affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creating an intimidating, hostile, or offensive living, working, academic, or campus involvement environment.¹

Harassment, including sexual harassment, while taking many forms, would include, but not be limited to, the following types of conduct:

Verbal: Inappropriate noises, remarks or jokes; negative stereotyping; unwelcome remarks about a person’s body, color, physical characteristics or appearance; sexual propositions; sexual innuendoes or sexual remarks about clothing, body or sexual activities.

Nonverbal: Demeaning or offensive pictures, posters, calendars, objects, cartoons, cards, inappropriate gestures or offensive notes or letters. No messages with derogatory or inflammatory remarks about an individual’s or group’s race, religion, national origin, physical attributes, disability, age, gender, or sexual preference will be tolerated or transmitted; unwanted, protracted staring or leering are also forms of nonverbal sexual harassment.

Physical: Aggressive or violent touching, imitating or exaggerating another’s physical characteristics, threatening or intimidating behavior; touching, hugging, patting, or pinching that is uninvited and/or unwanted.

Retaliatory: Assigning low grades, changing work assignments, or refusing to cooperate with a person who has complained about or resisted harassment or discrimination; denying participation, membership; making retaliating verbal or physical threats to a person who has reported or resisted harassment or discrimination; imposing physical, social, or emotional sanctions on a person who has reported or resisted harassment or discrimination (see also section on Retaliation and Reprisals, below).

1 EEOC Interpretive Guidelines on Discrimination Because of Sex under Title VII, 29 CAR 1603:00. Harassment of employees on the basis of sex is a violation of Sec. 703 of Title VII of the Civil Rights Act of 1964. Harassment of students is a violation of Section 902 of Title IX of the Education Act of 1972.

Harassment, including sexual harassment, includes harassment of women by men, men by women, women by women and men by men. It can occur between teachers and students, teachers and staff, staff and students, and those at different levels of management, as well as between persons of the same College status, i.e., student-student, faculty-faculty, and staff-staff. Harassment, including sexual harassment, can also occur between any Florida Southern community member (student, faculty, or staff) and a third party. It may be found in a single episode, as well as in persistent behavior.

Harassment, including sexual harassment, can seriously threaten the relationships between teacher and student and between supervisor and subordinate. Through grade assignments, wage increases, recommendations for graduate study, jobs, and promotion, a teacher or supervisor can have a significant impact on a student's or a staff member's present success and future career.

Subjection to unwanted attention, including sexual attention, creates a devastating atmosphere for both individuals and the academic community as a whole. Individuals, fearing retribution, may submit to unwanted attention, may withdraw from a course, or may change jobs, all at the expense of their own self-esteem and their plans for the future.

At the same time, however, a teacher or supervisor should not be reluctant to develop a professionally appropriate relationship with a student, subordinate or colleague, fearing that conduct may be misinterpreted as harassment.

Many times, the person accused of harassment is unaware that behavior is inappropriate, coercive or misunderstood. Even the accusation of harassment can have a destructive impact on the academic community. As such, the College will not tolerate any form of discrimination or harassment, or false accusations of such.

In the interest of protecting the College community, Florida Southern College has developed procedures to investigate and resolve harassment complaints. Those procedures are set forth in Section III of this policy.

B.. Statement of Sexual Discrimination and Harassment

It is the policy of the College to provide fair, equitable, reliable, and compassionate responses to reports of any type of sexual discrimination or violence and that no member of the College

community shall be subjected to any form of unlawful discrimination, including sexual discrimination (sexual harassment, sexual misconduct, sexual violence, retaliation, and domestic violence, dating violence, or stalking). Examples of sexual harassment are provided in the previous section and examples of these other forms of sexual discrimination are described below. None of them will be tolerated at Florida Southern College. All forms of sexual discrimination involve unwelcome and/or nonconsensual actions.

Florida Southern College's Commitment to Non-Discrimination policy can be found in the Academic Catalogue, the Student Handbook, and on the College's website <http://www.flsouthern.edu/policies/heoa-disclosures.aspx>

C.What is Consent?

Consent in terms of sexual conduct is freely and actively agreeing together, with clear understanding, to engage in mutually agreed-upon sexual activities. Persons who can never provide Consent include:

- Minors (in Florida, this is anyone under the age of 18);
- People with cognitive or social limitations that render them incapable of providing Consent;
- Incapacitated persons. Incapacitation can occur through excessive alcohol or drug use or for other reasons such as unconsciousness, being asleep, or being otherwise physically unable to respond fully and effectively to the environment, such that they cannot make a knowing agreement to sexual activity.

Consent is dynamic and ongoing throughout any given sexual encounter. It can be revoked by either party. It does not "carry over" to future encounters. If one person's response is unclear or ambiguous, it is the other person's responsibility to confirm Consent.

Finally, intoxication is not the same as incapacitation. Thus, the use of alcohol or other drugs does not release anyone from the requirement to seek and provide Consent.

D.Other Forms of Sexual Discrimination

Sexual misconduct, violence, retaliation, dating violence, domestic violence, and stalking are forms of sexual discrimination. The College will not tolerate sexual discrimination in any form and, in the interest of protecting the College community, Florida Southern College has developed procedures to investigate and resolve such sexual such complaints. Those procedures are set forth below, under Section III of this policy.

E.Sexual Misconduct

Sexual misconduct occurs in the absence of consent, including when the person is unable to refuse to participate, or despite a person's refusal to participate in the activity. Sexual misconduct activities would include, but are not limited to:

- Giving sedative or "date rape" drugs such as GHB or Rohypnol to someone;
- Obscene or indecent behavior such as exposing one's genitals/breasts without Consent or despite refusal;

- Deliberate observation, photography, or other forms of recording of others for sex-related reasons, including posting such images without Consent or despite refusal;
- Possessing or distributing illegal or unwanted pornographic images;
- Intentional transmission of HIV or other sexually transmittable diseases (STDs);
- Prostitution;
- Being an accomplice in the commission of sexual misconduct;
- Attempting sexual misconduct.

F. Sexual Violence

In alignment with the U.S. Department of Justice, the College defines sexual violence as occurring when someone is forced to take part in a sex act when this person has not provided consent, including when the person is unable to refuse to participate, or despite a person's refusal to participate in the activity. "Force" includes the use of threatening words, gestures, or weapons to convey the intent to harm in order to intimidate someone into having sexual contact. Sexual violence would include, but would not be limited to:

- Non-Consensual Sexual Intercourse: Sexual intercourse of any duration, using any object (animate or inanimate), imposed upon a person without their consent or despite their refusal;
- Non-Consensual Sexual Touching: Any sexual touching (for example, of another person's genitals/breasts/mouth) of any duration, including the use of an object (animate or inanimate), imposed upon a person without their consent or despite their refusal. This includes making one person sexually touch another person against her/his will;
- Continuing sexual activity of any sort after one person has clearly communicated, through words or actions that she/he does not wish to continue the sexual contact;
- Sexual contact with a minor or child
- Being an accomplice to sexual violence; and
- Attempting acts of sexual violence.

G. Dating Violence

The U.S. Department of Justice and the College define Dating Violence as... violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

The State of Florida defines Dating Violence as abuse or the reasonable fear of abuse by someone you have had a continuing and significant romantic or intimate relationship with in the past six months. It does not apply to casual or merely social relationships.

Dating Violence is not limited to male-female heterosexual relationships but can occur between couples of any sex or gender-identity partnership.

Dating Violence behaviors can include, but would not be limited to:

- Controlling behavior, such as not allowing a partner to socialize with friends or family, texting/phoning a partner excessively, dictating attire, conversation and activities, and insisting on continuously being together;
- Verbally/emotionally abusive behavior, such as repeatedly speaking to a partner in a degrading or belittling way, an abuser threatening to harm a partner, a partner's loved one, or the abuser him/herself if the abuser's needs are not met, and unreasonable or excessive jealousy.
- Physically abusive behavior including pinching, striking, hair pulling, shoving, or strangling.

H.Domestic Violence

The U.S. Department of Justice and the College define Domestic Violence as “a pattern of abusive behavior that is used by an intimate partner to gain or maintain power and control over the other intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.”

A Domestic partner could include:

- A current or ex-spouse
- A person related to you by blood or marriage such as a cousin, parent-in-law, etc...
- Any person who has lived in the same home with you as “part of the family”, including a roommate or boyfriend/girlfriend
- The parent of your child, even if you have never been married or lived together

I.Stalking

The U.S. Department of Justice and the College define stalking as a “pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear”.

J.Retaliatiion and Reprisals

No individual will suffer any retaliation or reprisals for truthfully reporting any incidents or making any complaints of discrimination, including sexual discrimination (sexual harassment, sexual misconduct, sexual violence, dating violence, domestic violence, or stalking), or for participating in any investigation of incidents of discrimination or perceived discrimination. Acts of retaliation or reprisal under these circumstances are prohibited under Title IX, Campus SaVE Act, and other state and federal laws and are strictly prohibited by the College. Reprisal and retaliation, either through direct actions or as a third party, will result in disciplinary consequences. Examples of retaliations or reprisals would include, but would not be limited to:

- Assigning low grades, changing work assignments, or refusing to cooperate with a person who has complained about or resisted harassment or discrimination;
- Denying participation, membership, or relationship to a person who has reported or resisted harassment or discrimination;
- Imposing physical, social, or emotional sanctions on a person who has reported or resisted harassment or discrimination;
- Failing to comply with No Contact Directives, acting in ways that interfere with the process or outcome of an anti-discrimination/anti-harassment investigation, or failing to respect the privacy and dignity of those involved in such an investigation.

A range of sanctions is possible, up to and including removal, suspension, or expulsion from the College. Sanctions will be determined by the appropriate Title IX Officer in collaboration with other College officials.

K.False Accusations- Definition

If an investigation results in a finding that the complainant intentionally falsely accused another of sexual discrimination (including sexual harassment, sexual misconduct, or sexual violence), the complainant will be subject to appropriate sanctions, as described below, including the possibility of expulsion, suspension and/or termination (in the case of employees). The fact that no action is taken as a result of the complaint against the respondent does not mean that the complaint was not false or malicious.

L.Sexual Violence, Dating Violence, Domestic Violence, and Stalking Prevention Education

The College provides Title IX/Campus SaVE Act sexual violence education and preventive information to all campus community members through the Office of Student Support and the Office of Human Resources, in collaboration with the Student Health Center, the office of Community Living, the Nina B. Hollis Wellness Center, and the Office of Campus Safety and Security.

FSC's Student Counseling Center offers sexual violence counseling as needed.

Matriculating first-year students receive sexual violence education and prevention information through the "Alcohol.Edu" (previously through "Alcohol.Wise") and "Haven" (being implemented in summer 2014) online education programs, and other programs throughout the year help educate students regarding sexual violence prevention. The "Haven" program will also be used by other student and employee groups.

"Just Ask" is Florida Southern College's Title IX education/prevention initiative developed especially for students. Posters, brochures, Convocation events, and campus programs are included through this initiative. Learn more at:

<http://www.flsouthern.edu/KCMS/Notice-of-Non-Discrimination/Just-Ask.aspx>

M."No" Means *Know*: How Men and Women Can Take Steps to Prevent Sexual Violence

- *Know* and avoid exceeding your limits in alcohol and drug use. Intoxication can make you vulnerable to profoundly regrettable decisions, including those related to non-consensual sex.
- *Know* when to say "no". *Know* your own mind and listen to your "inner voice". The moment you are uncomfortable, speak up and stop the action.
- *Know* how to say "no". Say it firmly and loudly. Avoid unnecessary politeness.
- *Know* your partner and, when that person has said "no" in words or actions- or when they cannot speak for themselves- stop physical interactions immediately.
- *Know* the warning signs of abuse as described under "Other Forms of Sexual Discrimination", above, and remove yourself from such situations quickly, safely, and permanently.
- *Know* the warning signs of abuse as described under "Other Forms of Sexual Discrimination", above, and be an effective bystander -intervener. For example, if you observe a situation of apparent risk, abuse, or violence to another and it is safe for you to do so, share your concern with the people involved, deny any statements made by others that anyone 'deserves' to be raped or

treated violently, or if you observe someone who appears to be intoxicated, ask if that person wants to use the College's *Safe Ride Home* program (see last page of this document).

- *Know* how to ask for help, whether it is to be “buddies” who mutually watch out for one another, reach out to a passerby and ask for assistance, or dial “911” (9-911 from a campus phone) if there is peril and you can call. There is no such thing as over-reacting when the option is to experience sexual violence- or to be accused of committing sexual violence.

N.Safety First! A Quick Overview: How to Report Sexual Violence

The Officer for Title IX Compliance (Katherine Pawlak) and the Student Support Title IX Officer (Dr. Marcie Pospichal) investigate reports of sexual discrimination, including sexual harassment, misconduct, and violence, retaliation, dating violence, domestic violence, and stalking. They are neither equipped nor trained to handle emergencies. *If you have been the victim of sexual violence, you should:*

- **Get to a safe place** and away from the alleged attacker(s) immediately. This is important regardless of when the assault took place;
- **Notify an authority**. This is important not only for your safety but for the safety of the greater campus community, in case the alleged perpetrator intends to harm others. We advise you to dial “911” (**9-911 from a campus phone**) to receive necessary medical attention and/or to notify local law enforcement that a crime may have been committed. If you are on campus, a good place to contact (or go to) is Florida Southern College's Campus Safety Office, (863) 688-0103. The Campus Safety Office is on the corner of Ingram Avenue and Lake Hollingsworth Drive, across from the College's swimming pool; or at least...
- **Tell someone else you trust**, to help you decide your “next steps”. This could be someone associated with the College- the Counseling Center (863-680-6236), Student Health Center (863-680-4292), Chaplain (863-680-4297), Dean of Student Development (863-680-4209), your Residential Advisor (RA) or other Community Living representative, the Officer for Title IX Compliance, Katherine Pawlak (863-680-3964), or the Student Support Title IX Officer, Dr. Marcie Pospichal (863-680-4197), or a trusted friend. A list of resources for FSC community members and is found at the end of this document.
- **Preserve evidence**. Do not bathe, douche, wash your hands, wash or change clothes, eat, drink, smoke, or brush your teeth. Do not “tidy up” or disturb the scene where the event took place.
- **Know that there are many people at Florida Southern College ready to assist you**. As a community, we will promptly and equitably respond to your report.

O.Easy Student Rule! Report Sexual Discrimination Involving a Student to Dr. Marcie

Pospichal (detailed grievance procedures are in Section III, below). If you are a student who has experienced sexual discrimination, or know of such a student, to report this and /or file a complaint (also known as a grievance) call, email, or come to see the Student Support Title IX Officer Dr. Marcie Pospichal, Associate Vice President for Student Support, Charles T. Thrift Building, main floor, 111 Lake Hollingsworth Drive, Lakeland, FL 33801-5698; telephone (863) 680-4197; email fscjustask@flsouthern.edu, 8:00 a.m. – 5:00 p.m. She will typically assist in sexual discrimination investigations involving students, working with students on “next steps” and being sure the people necessary for moving forward receive proper communication.

If you are in immediate danger or in need of medical assistance, please dial “911” for local emergency assistance (9-911 from a campus phone) or FSC’s Campus Safety Office at (863) 688-0103. The College’s primary concern is the safety of its community members and guests.

Sometimes students are reluctant to report instances of sexual assault because they fear being charged with policy violations, such as underage alcohol consumption. To encourage reporting of acts of sexual discrimination, including harassment, misconduct, and violence, any other policy violations may be addressed (if necessary) separately from a sexual discrimination allegation.

P. Title IX and Campus SaVE Complaint/Grievance Policies and Procedures: Information for Complainants and Respondents, Employees, and Students

Procedures for Reporting Sexual Discrimination, Including Sexual Harassment, Sexual Misconduct, Sexual Violence, Retaliation, Dating Violence, Domestic Violence, or Stalking

Florida Southern College conducts prompt and equitable investigations in response to claims of all forms of sexual harassment and sexual discrimination. Persons who have engaged in acts of sexual discrimination, based on a “preponderance of the evidence” standard (*i.e.*, it is more likely than not that sexual discrimination occurred), may receive institution-imposed sanctions. Additionally, anyone who retaliates against an individual who has made a complaint, or against an individual about whom a complaint has been filed, is acting unlawfully and will be subject to appropriate disciplinary actions. Finally, anyone who has knowingly made false accusations related to sexual discrimination will also be subject to disciplinary actions.

As Stated Previously- Safety First if you Have Experienced Sexual Violence

- Get to a safe location;
- Tell someone who can help. “Next Steps” are your decision;
- Preserve any evidence;
- Remember, we are here to help and support you.

Terms and Definitions Related to Sexual Discrimination Grievances

Equal Opportunity Officer/Officer of Title IX Compliance:

The Human Resources Director Katherine Pawlak will act as Equal Opportunity Officer (EOO)/Officer of Title IX Compliance and ensure continuity in resolving harassment complaints. The obligation of this position is:

- To distribute and make available the Anti-Discrimination/Anti-Harassment Procedures to every student and employee at the College;
- To implement Anti-Discrimination/Anti-Harassment Procedures;
- To keep ongoing statistics and report them annually to the President and the cabinet;
- To train faculty and staff as Anti-Discrimination/Anti-Harassment Policy Facilitators;
- To maintain records of all cases noting any patterns of misconduct and advising the appropriate administrator(s); and
- To ensure that policies, procedures and the educational programs are properly administered.

Student Support Title IX Officer: Works with and reports to the Officer for Title IX Compliance to serve the special needs of students in sexual discrimination situations. The Student Support Title IX

Officer, Dr. Marcie Pospichal, helps investigate and resolve student-student, student-employee, and student-third party complaints.

Complainant: Any member of the College community who files a harassment complaint, based on a protected category or sexual harassment.

Respondent: Any member of the College community who becomes the subject of a harassment complaint, based on a protected category or sexual harassment.

Report: Sharing that sexual discrimination, including sexual harassment, sexual misconduct, or sexual violence, dating violence, domestic violence, or stalking has occurred either on campus or off campus at a College-sponsored function. A report does not mean a student must file charges, but the College must investigate such reports (see Confidentiality “Privilege” and Duty to Report, below).

Administrative Complaint/Grievance: A complaint/grievance that seeks a resolution agreeable to both parties does not require a formal hearing. If they wish, employees and students of the College can begin an administrative procedure with either the Officer of Title IX Compliance Katherine Pawlak or the Student Support Title IX Officer Dr. Marcie Pospichal. Mediation on a voluntary basis can be used to resolve some forms of reported sexual discrimination but will not be used to resolve cases of reported sexual violence. This does not preclude the use of other informal approaches to resolving such complaints.

Hearing Process Complaint/Grievance: A complaint/grievance that may result in an imposed resolution through the formal hearing process.

Anti-Discrimination/Anti-Harassment Policy Facilitator Committee (APFC): When a Hearing process is requested by either the complainant or the respondent, a three- member response team is drawn from the APFC (“Response Team”). The make-up of the APFC is based on faculty and staff demographics that are re-evaluated annually. Faculty committee members are selected in the spring semester by divisional appointment with approval by the Faculty Senate for terms beginning the following fall semester. Staff committee members are appointed by senior staff.

Members are primarily responsible for facilitating the initial contact with the complainant, forwarding all information to the appropriate Title IX Officer, and acting as Response Team members when selected.

Response Team: Three-member subgroup of the Anti-Discrimination/Anti-Harassment Policy Facilitator Committee that investigates hearing process complaints between employees. Members are selected as follows:

- one chosen by the complainant
- one chosen by the respondent
- one chosen by the President, Dr. Anne B. Kerr

When a student is a complainant or a respondent and a College employee, or another student, is also involved, members are selected as follows:

- one chosen by the complainant(s)
- one chosen by the respondent(s)
- one chosen by the Dean of Student Development, Bill Langston

For incidents involving multiple complainants or respondents, additional members may, at the College's discretion, be permitted.

Student Accountability Process: Some complaints of student sexual discrimination situations may also involve the Student Accountability Process, based on the judgment of the Officer for Title IX Compliance Katherine Pawlak and/or the Dean of Student Development Bill Langston.

Procedures for Making a Sexual Discrimination Complaint Important Information for both the Complainant and the Respondent: How to Report Title IX or Campus SaVE Act Complaints/Grievances

The College provides members of the academic community prompt, equitable, and reliable mechanisms for reporting incidents of sexual discrimination, including sexual harassment, sexual misconduct, sexual violence, harassment based on a protected category, retaliation, dating violence, domestic violence, stalking, and false accusations.

A sexual discrimination report does not have to result in filing charges. However, a report of the sexual discrimination charge must be investigated. A complainant can report an initial complaint/grievance about sexual discrimination to any Florida Southern employee she/he feels comfortable speaking to. The information will then be shared with the appropriate Title IX Officer and the complaint/grievance addressed (but see below, Confidentiality "Privilege" and Duty to Report). Additionally, if you are concerned you will be named as a respondent in a sexual discrimination report, you are also encouraged to contact the Officer of Title IX Compliance or the Student Support Title IX Officer. ***We promptly, equitably, and reliably support the rights of all Florida Southern community members-complainants, respondents, and witnesses.***

Complaints/grievances about acts of sexual discrimination, including sexual harassment, misconduct, violence, or acts of retaliation that are in violation of the Anti-Discrimination/Anti-Harassment policy will be taken seriously, will be investigated, and will be treated in a compassionate and discreet manner.

When an initial report of sexual discrimination is made to local law enforcement or a member of the Florida Southern College community, all reports will ultimately be received by the Officer for Title IX Compliance Katherine Pawlak to ensure appropriate management of the complaint. Ms. Pawlak should be contacted at: Office of Human Resources, Raulerson Building, 111 Lake Hollingsworth Drive, Lakeland, FL 333801-5698; telephone (863) 680-3964; email kpawlak@flsouthern.edu. Title IX complaints/grievances, investigation, and appeal procedures can also be found in the Student Handbook and online at <http://www.flsouthern.edu/policies/heoa-disclosures.aspx>

Complaints/grievances may be investigated through either an Administrative process or Hearing process upon notice of the complaint. Complainant and respondent may choose at the time of notice whether they want the College's response to the complaint to be handled through the Administrative process or Hearing process. If there is a disagreement between the complainant and respondent, the Hearing process will prevail. Additionally, although it is ideal to report a complaint/grievance as soon after the event as possible, there is no time limit to making a sexual discrimination report.

Complaint Against Student:

When sexual discrimination complaints are brought against a student, a visitor of a student, or a third party acting against a student, this complaint will typically be investigated by Student Support Title IX Officer:

Dr. Marcie Pospichal
Associate Vice President for Student Support
Charles T. Thrift Building (main floor)
111 Lake Hollingsworth Drive
Lakeland, FL 33801-5698
Telephone: (863) 680-4197
Email: fscjustask@flsouthern.edu

If you are a student who has experienced sexual discrimination, or know of such a student, Dr. Pospichal can be your first call. **If you are in immediate danger or in need of medical assistance, please dial “911” (9-911 if calling from a campus phone) for local emergency assistance or FSC’s Campus Safety Office at (863) 688-0103.**

Complaint Against Employee:

An employee complainant should bring grievances against any other individual(s) to:

Katherine Pawlak
Director of Human Resources and Title IX Officer
Raulerson Building
111 Lake Hollingsworth Drive
Lakeland, FL 33801
Telephone: (863) 680-3964
E-mail: kpawlak@flsouthern.edu

Complaints Against Other Individuals:

A complainant should bring grievances against any other individual(s) to:

Katherine Pawlak
Director of Human Resources and Title IX Officer
Raulerson Building
111 Lake Hollingsworth Drive
Lakeland, FL 33801
Telephone: (863) 680-3964
E-mail: kpawlak@flsouthern.edu

Q. Privacy Statement

Most College employees, including faculty, staff, and Residential Advisors, are obligated to respond to reports of sexual discrimination, including sexual harassment, sexual violence, dating violence, domestic violence, and stalking, even if the individual reporting the incident requests that no action be taken.

Florida Southern College understands that prompt, equitable, and reliable responses to Title IX and Campus SaVE harassment and discrimination reports often require obtaining sensitive information about the complainant and other members of the College community. The privacy of reports will be strictly kept when possible, or tightly maintained among persons who have a need to know to keep the complainant and the community safe when strict privacy is not possible. Unless a Hearing process is initiated, the identity of the complainant and/or the respondent will be disclosed only on a need-to-know basis to the extent feasible in light of the need to conduct an investigation and to promote community safety. Persons with whom the College may share investigation-related information include, but might not be limited to:

- Florida Southern College employees working in an official capacity who require information for the proper performance of their professional responsibilities, particularly in matters of conducting an investigation and/or protecting individual student and campus-wide safety. These could include the Dean of Student Development and appropriate senior staff, the Director of Campus Safety and Security, and the College's Title IX Officers
- A complainant or respondent of an investigation, when such information is necessary for the effectiveness of interim conditions (e.g., enforcing a "No Contact" directive)
- A complainant or respondent of an investigation, concerning the final results of the investigation i.e., a determination that discrimination did or did not occur and remedies being offered; however, all disciplinary actions taken against a respondent will not necessarily be released to the complainant without the respondent's consent
- Appropriate persons in case of health or safety emergencies
- Outside law enforcement officials, when the College deems this appropriate or necessary
- Local, state, or federal entities that require College reporting of sexual assault and other violent incidents e.g., Clery Act, Campus SaVE Act (personally identifiable information about the participants will be redacted whenever permissible)

R. Confidentiality "Privilege" and Duty to Report

There are four groups of professionals who, in some circumstances, can maintain confidentiality in the case of reported sexual discrimination, including sexual harassment, sexual misconduct, and sexual violence, dating violence, domestic violence, and stalking. These include:

- Clinical Counselors such as someone's personal, licensed therapist or those in the College's Counseling Center;
- Licensed Health Care Providers such as someone's personal healthcare provider or those in the College's Student Health Center;
- The College Chaplain and other ordained ministers who are acting in their ministerial capacities for the College;

- Off-Campus Rape Crisis Facilities (please see resource information at the end of this document).

However, even they must report information when

- A minor is involved (in Florida, this is anyone under the age of 18)
- There is eminent potential for harm to self, and/or
- There is eminent potential for harm to others.

Employees and students are encouraged to utilize available resources listed at the end of this document as needed in the aftermath of an experience involving sexual discrimination. The Officer of Title IX Compliance Katherine Pawlak and Student Support Title IX Officer Dr. Marcie Pospichal will help identify additional resources to both complainants and respondents as necessary.

All other Florida Southern College employees, including students (such as Residential Advisors) employed by the College and FSC faculty, have a duty to report observations or knowledge of sexual discrimination, including sexual harassment, sexual misconduct, and sexual violence, or other criminal acts such as dating violence, domestic violence, stalking, and child abuse (when a crime has been committed against a Minor which, in Florida, is anyone under the age of 18). Employees should report their knowledge to their immediate supervisors and to a designated Title IX Officer. If the immediate supervisor is a potential respondent to the discrimination complaint, report the information to Officer for Title IX Compliance Katherine Pawlak or Vice President for Finance and Administration Terry Dennis if the incident involves an employee, or Student Support Title IX Officer Dr. Marcie Pospichal or to Dean of Student Development Bill Langston if the incident involves a student (see the final section of this document for contact information).

S. Investigations

In addition to the Officer of Title IX Compliance, Student Support Title IX Officer, and members of the APFC, all Florida Southern College employees receive training about sexual discrimination, including sexual harassment and violence, and on the procedures outlined in this policy.

Complainants and respondents share equally in the right to have private interviews. Since these are not legal proceedings, legal representation for Title IX/Campus SaVE Act investigations will not be appropriate for either party.

NOTE: Title IX/Campus SaVE Act Investigations Are Not Criminal Investigations

Sexual discrimination, including sexual violence, dating violence, domestic violence, and stalking, are potential crimes that can be reported to the police or other law enforcement agencies. However, they are also Title IX and Campus SaVE Act violations and violations of College Anti-Discrimination/Anti-Harassment policies and procedures. **Florida Southern College is committed to addressing and preventing sexual discrimination in all its forms regardless of whether or not such activity constitutes a crime.**

Please see the final pages of this document for information about how to file a police report or request injunctions in response to sexual violence, dating violence, domestic violence, and stalking.

Interim Steps: Depending on the facts and circumstances known to it the College, in its discretion and judgment, may take appropriate interim steps to support and protect the complainant or respondent prior to the outcome of any Administrative process or Hearing process. Accordingly, the Vice President for Finance and Administration Terry Dennis (if the incident involves an employee) and/or the Dean of Student Development Bill Langston (if the incident involves a student) may approve interim conditions which would include, but would not be limited to:

- “No Contact” directives
- Change of class schedules
- Change of campus employment arrangements
- Change of residences, when incidents involve residential students and/or campus employees who reside in College housing
- Emergency Interim Suspension

These actions are not intended to be punitive but to protect the safety of individuals and the greater community and to promote accountability. Every effort will be made to minimize unnecessary or unreasonable burdens to both the complainant and the respondent.

All College investigative, protective, and interim measures and remedies will be available to both complainants and respondents whether or not either party files a police report.

Complaint/Grievance Investigation and Hearing Time Tables: Every effort will be made to strictly adhere to the time tables in this document. However, if investigations extend to when school is out for prolonged periods or if there are unavoidable challenges in communications or evidence-collection with the complainant, respondent, or others involved in an investigation or hearing, the College may require extensions to the below time tables. Such extensions will be approved by the Vice President for Finance and Administration Terry Dennis (if the incident involves an employee) and/or the Dean of Student Development Bill Langston (if the incident involves a student) and the complainant and respondent notified accordingly.

Immediately upon a complaint being filed, the investigation will proceed as follows:

Administrative Complaints: Employee-to-Employee, Employee-Third Party, Student-to-Student, Student-Employee, or Student-Third Party Discrimination

- Anyone on the Florida Southern College campus who observes an act of sexual misconduct or violence toward another person- student, employee, or third party (including a child/Minor which, in the State of Florida, is anyone under the age of 18) and anyone in the Florida Southern community who experiences or observes a sexually discriminatory act or learns of a sexual discrimination situation that involves a College community member should provide verbal notification of receiving this knowledge within twenty-four hours to the Officer of Title IX Compliance Katherine Pawlak (863-680-3964) or, if the incident involves a student, Student Support Title IX Officer, Dr. Marcie Pospichal (863-680-4197).
- If the situation comes to someone’s attention after business hours or during holidays and does not involve eminent physical or emotional peril to the employee or student, the notification should be made to the Title IX Officer within four (4) hours of regular business hours resuming. Title IX notifications that could reasonably involve eminent physical or emotional peril to the employee or student need to be submitted immediately. If they occur after business hours or during holidays, reports should be directed to Florida Southern’s Campus

Safety Office, (863) 688-0103. The Campus Safety Office will notify the necessary College officers.

- Within 24 hours of receiving a complaint, or during the next business day, either the Officer of Title IX Compliance Katherine Pawlak or Student Support Title IX Officer Dr. Marcie Pospichal will notify the Office of Human Resources that a Title IX/Campus SaVE Act investigation has been initiated. The Officer of Title IX Compliance or Student Support Title IX Officer will investigate the incident and notify the complainant as soon as practicable regarding the status of the investigation.
- The investigation will look at the totality of the circumstances, including the nature of the conduct and the context in which it occurred. While strictly observing or tightly maintaining privacy (please see previous section on “Privacy” in this document), the Officer of Title IX Compliance Katherine Pawlak or Student Support Title IX Officer Dr. Marcie Pospichal will communicate with others as necessary to conduct a prompt, equitable, and reliable investigation and will attempt to resolve the administrative complaint within fourteen (14) business days of the initial filing of the complaint.
- In some circumstances, investigations involving students may require additional research and resources. In order to ensure a sensitive and thorough investigation, the Student Support Title IX Officer Dr. Marcie Pospichal may require up to (30) business days of a student filing the complaint to complete the Administrative investigation process. Upon conclusion of the investigation into the complaint, and if a written record is warranted, the Officer of Title IX Compliance Katherine Pawlak or Student Support Title IX Officer Dr. Marcie Pospichal then provides the written record to that effect, and the principal parties – complainant, respondent, and Officer of Title IX Compliance or Student Support Title IX Officer – sign their agreement in rapid succession of one another (i.e., as close to simultaneously as is reasonable). If a signed written record is not needed, the Officer of Title IX Compliance or Student Support Title IX Officer will complete a description of the resolution and how the complainant and respondent were informed, privately but otherwise simultaneously to both the complainant and the respondent.
- Mediation on a voluntary basis can be used to resolve some forms of sexual discrimination at the conclusion of an internal investigation but will not be used to resolve cases of reported sexual violence. This does not preclude the use of other informal approaches to resolving such complaints

Hearing Process Complaints: Employee-to-Employee, Employee-Third Party, Student-to-Student, Student-Employee, or Student-Third Party Discrimination

- When a complaint is filed with the intent to utilize the Hearing process the complaint process will begin through a written notification from the complainant to the Officer of Title IX Compliance Katherine Pawlak or Student Support Title IX Officer Dr. Marcie Pospichal.
- When the complainant, in an initial notice to the Officer of Title IX Compliance Katherine Pawlak or Student Support Title IX Officer Dr. Marcie Pospichal, wishes to move immediately to a Hearing process without exploring the complaint through the Administrative process, the Officer of Title IX Compliance or Student Support Title IX Officer shall gather the materials needed for an investigation by the Response Team (see below).
- Depending on the facts and circumstances known to it, the College, in its discretion and judgment, may determine that the allegations of sexual discrimination or retaliation will be investigated by outside law enforcement officials, and the College may take interim action as it deems appropriate to address the safety and protection of the College. Additionally, the complainant or the respondent may decide to file civil or criminal charges. In such cases, the

College may have to suspend its own investigation but will resume it once law enforcement officials have finished collecting their evidence.

- A Hearing process complaint must
 - Be made in writing
 - Name the respondent(s) (who is being accused of committing sexual discrimination)
 - Describe the facts and circumstances upon which the complaint is based (what is the nature of the discriminatory behavior- what happened) and
 - State the nature of the resolution being sought (what could bring an end to the violation, reasonably prevent a similar recurrence, and/or remedy the effect of the violation).
- Within 3 business days of receiving the written request for the Hearing process, the Officer of Title IX Compliance Katherine Pawlak will select a three-member Response Team, drawn from the Anti-Discrimination/Anti-Harassment Policy Facilitator Committee (APFC), will be chosen as indicated in Section III (above) under the definition of “Response Team”.
- Within this same time period, the respondent will be notified of the allegations brought against her/him. Within 3 business days of the appointment of the Response Team, a hearing date will be set based on an estimation of the time that will be required to conduct the Investigation. Both the complainant and respondent will be notified.

The Investigation: During this phase the Response Team will review materials and hear testimony. At this stage, the investigation process may include any or all of the following, or such other elements as the Response Team deems appropriate:

- Confirm name and position of the complainant.
- Identify the respondent.
- Assure both the complainant and the respondent that equal opportunities for presenting evidence, receiving notification of the outcome, and exercising rights to appeal are available to both.
- Thoroughly ascertain all facts in connection with the alleged incident, beginning by interviewing the complainant and the respondent. Questions of all parties should be asked in a nonjudgmental manner.
- Upon first interviewing the parties, remind the complainant and the respondent of the College’s policy against retaliation.
- Determine frequency/type of objectionable conduct and, if possible, the dates and locations where the behavior purportedly occurred.
- Find out if any witnesses observed the alleged objectionable conduct. If the complainant and the respondent present conflicting versions of the facts, interview any witnesses.
- Ask both parties how each responded to the alleged objectionable conduct.
- Determine what efforts, if any, at informal resolution of the matter were made, the result, and any witnesses.
- Determine whether the complainant or respondent consulted anyone else about the reported objectionable conduct, and ascertain those witnesses and their response to the disclosure.
- Develop a thorough understanding of the professional, academic, or personal relationship between the complainant and respondent.
- Determine whether either the complainant or the respondent has made and carried out any threats or promises directed toward the other.

- Determine whether the complainant knows of or suspects that there are other individuals who have been subjected to similar conduct by the respondent. Receipt of any complaint shall be cause for a file review to determine if a prior complaint against the same person is on record.
- Assure both the complainant and the respondent that the past sexual history of either will only be considered if it relates to the complaint.

Any hearing before the Response Team is held in private. Because such hearings are internal, attorneys have no role in the process.

Within 5 days after the hearing, the Response Team will submit a written report of the hearing, including actions taken and recommendations, to the Officer of Title IX Compliance Katherine Pawlak or Student Support Title IX Officer Dr. Marcie Pospichal.

Resolving the Complaint/Grievance

Upon completing the investigation of a complaint, the Administrative investigator(s) or Response Team will summarize findings and decide upon appropriate action to be recommended. The Administrative investigator or the Response Team will report to the Officer of Title IX Compliance Katherine Pawlak, if an employee is involved in the complaint, and to the Student Support Title IX Officer Dr. Marcie Pospichal, if a student is involved in the complaint. After the decision is reviewed by the appropriate Title IX Officer(s), she or a designated representative will communicate the College's findings and intended actions to both the complainant and respondent.

If the College's Administrative investigator(s) or appointed Response Team finds that there is a preponderance of the evidence (i.e., it is more likely than not) that discrimination, including sexual harassment, sexual misconduct, sexual violence, retaliation, dating violence, domestic violence, or stalking occurred, the respondent will be subject to appropriate disciplinary procedures ("Sanctions") as listed below. The complainant will be informed of the outcome of the investigation but, unless the respondent waives rights to privacy, may only learn of those remedies or disciplinary actions that the complainant "needs to know" to be safe and remedied. If the College's Administrative investigator or appointed Response Team does not find a preponderance of the evidence that sexual discrimination, including sexual harassment/misconduct/violence, retaliation or other illegal sexual conduct has occurred, this finding will be communicated to the complainant in an appropriately sensitive manner. Just because the information the College was able to obtain does not meet a "preponderance of the evidence" standard and so it cannot find that sexual discrimination took place does not affirm or prove that such discrimination did not, in fact, take place.

Any report of false accusations will be evaluated as well and the complainant and respondent duly notified of the findings and any associated disciplinary actions (see item "I" below).

T. Sanctions

Individuals found to have engaged in illegal sexual activity or behavior constituting sexual discrimination (including sexual harassment, sexual misconduct, and sexual violence, retaliation, dating violence, domestic violence, or stalking), based on a "preponderance of the evidence" standard (i.e., it is more likely than not that sexual discrimination occurred) as defined in this policy, will be disciplined, up to and including discharge, removal, suspension, or expulsion from the College. Appropriate student sanctions will be determined by the Title IX Officer(s) who served as the Administrative investigator(s) or Response Team in conjunction with the Dean of Student Development Bill Langston while employee sanctions will be determined by the Title IX Officer(s) or

Response Team in conjunction with the Vice President for Finance and Administration Terry Dennis. In addressing incidents of sexual discrimination, the College's response at a minimum will include reprimanding the offender and preparing a written record. Additional action may include: referral to sensitive or other relevant training, reassignment, temporary suspension (if an employee, without pay), reduction in duties, discharge, or removal or expulsion from the College.

U. Right to Appeal

Both the complainant and the respondent have the right to appeal the decision of the Title IX Officer or Response Team within five (5) business days, in writing, to the appropriate College administrator. Student appeals should be addressed to the Dean of Student Development Bill Langston (Student Life House, 111 Lake Hollingsworth Drive, Lakeland, FL 33801; telephone 863-680-4206; fax 863-680-4195; email blangston@flsouthern.edu). Employee appeals should be addressed to the Vice President for Finance and Administration Terry Dennis (Raulerson Building, 111 Lake Hollingsworth Drive, Lakeland, FL 33801; telephone 863-680-4148; fax 863-680-4207; e-mail vdennis@flsouthern.edu). There are two grounds upon which to base an appeal:

- There is significant, new information that was not available at the time of the initial investigation which could reasonably alter the facts and outcome of the investigation. A written appeal must delineate these new facts and explain how they could impact the outcome.
- There was a procedural error that significantly affected the outcome. A written appeal must describe the procedural error and support how that error affected the outcome.

In the event that the Dean of Student Development Bill Langston or the Vice President for Finance and Administration Terry Dennis determines that there is merit in the appeal, he may promptly remand the matter to the Title IX Officer or Response Team for reconsideration. In the event that the Dean of Student Development or Vice President for Finance and Administration determines that there was sufficient evidence and no defect in the proceedings, then he shall implement the recommendation of the Title IX Officer or the Response Team.

Both the complainant and the respondent will be notified of any changes to the final outcomes of the Title IX/Campus SaVE Act investigation.

V. False Accusations

If an investigation results in a finding that the complainant intentionally falsely and maliciously accused another of discrimination (including sexual harassment, sexual misconduct, or any form of sexual violence or retaliation), the complainant will be subject to appropriate sanctions, as described above, including the possibility of expulsion, suspension and/or termination (if an employee). The fact that no action is taken as a result of the complaint against the respondent does not mean that the complaint was not false or malicious.

W. Possible Illegal Activities/Behavior

Any actions reported to a Title IX Officer, member of the faculty or administration, or other employee which may be interpreted to be a violation of Florida law, will be reported to the appropriate law enforcement agency for investigation and further action. Any doubt as to whether the conduct does or does not violate Florida law may be resolved in favor of the party reporting the matter.

X. Maintaining a Written Record of the Complaint

The College shall maintain a complete written record of each complaint and how it was investigated and resolved. Written records shall be maintained in a confidential manner to the extent practical and appropriate in the Office of Human Resources for Administrative or Hearing process investigations and incident reports involving an employee, and in the office of the Student Support Title IX Officer for all investigations involving a student.

Written records will be maintained for ten (10) years from the date of the resolution, unless new circumstances dictate that the file should be kept for a longer period of time. These records shall document that a complaint was filed and the resolution of the complaint.

Y. Reporting Sexual Discrimination with Violence of Physical Contact, Including Sexual Assault:

Should sexual violence or sexual assault occur that involves a College student or employee, either on campus or at an off-campus College function, the victim is encouraged to notify local law enforcement by dialing “911” (9-911 if calling from a campus phone) and FSC’s Campus Safety Office (863) 688-0103. Such reporting can provide the victim with access to needed medical care and personal safety as well as protect the campus community from further crime. Victims of sexual violence or assault are also encouraged to seek counseling and mental health services through the Counseling Center (863-680-6236) or its crisis line (863) 688-0103. The Lakeland Police Department offers a Victim’s Assistance program to guide a victim through the reporting process (863-499-6900). Please see the list at the end of this document for resource contacts.

All Florida Southern College employees, including students employed by the College and FSC faculty, have a duty to report observations or knowledge of sexual violence, sexual assault, or other criminal acts such as child abuse (when a crime has been committed against a Minor which, in Florida, is anyone under the age of 18). Employees should report their knowledge to their immediate supervisors and to a designated Title IX Officer (Officer for Title IX Compliance Katherine Pawlak, 863-680-3964, if the incident involves an employee and Student Support Title IX Officer Dr. Marcie Pospichal, 863-680-4197, if the incident involves a student).

Assistance in changing employment, academic, or on-campus living situations after an alleged sexual assault has occurred is available through the Office of Human Resources (Director Katherine Pawlak) for an employee (863-680-3964) or the Office of Student Development (Dean Bill Langston, 863-680-4209) for a student.

Victims may also elect to report an assault anonymously. Anonymous reporting alerts the campus community to potential danger and helps in compiling accurate crime statistics.

What to Do if You Learn of a Sexual Violence/Assault Incident:

The following information outlines the College’s Sexual Violence/Assault Reporting Procedure, a guide on how to respond to a student’s or employee’s report of sexual violence or assault (from here on referred to as “sexual assault”).

Following a sexual assault or incident of dating violence, domestic violence or the experience of being stalked, it often happens that the first person the student or employee confides in is not a nurse, counselor, Campus Safety officer, or other official person, but someone else the student or employee already knows and trusts. The student or employee may choose to talk to a trusted friend or advisor

before speaking to anyone else. The most crucial guideline in taking any of the following steps is to allow the student or employee to choose how the situation will be handled. A victim of sexual assault has been through an experience over which she or he had little or no control. Therefore, it is extremely important that the victim be allowed to regain a sense of control by making her or his own decisions.

- Whenever a student or employee reports a sexual assault, the first task is to ask the individual if there is a need for immediate emergency assistance, as in cases, for example, in which the assault has just occurred or is still going on. If emergency services are required, call “**911**” (**9-911 from a campus phone**) immediately and then notify FSC’s Campus Safety Office at (863) 688-0103. Take every step to ensure that the student or employee is not alone until help arrives. The reporting party’s official duties end at this point, but the student or employee may need continued support and assistance over the next hours, days, and weeks (please be ready to refer the individual to the resources at the end of this document).
- If the student or employee does not require emergency assistance and the sexual assault occurred within the past 72 hours, ask the individual if she or he wants to report the assault. If so, call FSC’s Campus Safety Office at (863) 688-0103. At this point, physical evidence can still be collected and if the student or employee chooses later to press charges, this physical evidence may be extremely important. Remain with the student or employee and continue to offer support until she or he is in the care of the police, Campus Safety, or other appropriate official.
- If the sexual assault occurred more than 72 hours ago, ask the student or employee whether she or he feels safe and if she or he wants to notify FSC’s Campus Safety Office and call **863- 688-0103**. Please contact the Officer for Title IX Compliance Katherine Pawlak (**863-680-3964**; kpawlak@flsouthern.edu) if the incident involves an employee or Student Support Title IX Officer Dr. Marcie Pospichal (**863-680-4197**; fscjustask@flsouthern.edu) if the incident involves a student.

Once a sexual assault is reported, every effort will be made to maintain privacy and anonymity. However, it is important that anyone reporting a sexual assault be aware that FSC’s Campus Safety Office will notify the Dean of Student Development Bill Langston and the Student Support Title IX Officer Dr. Marcie Pospichal if the incident involves a student, or the Officer for Title IX Compliance Katherine Pawlak if the incident involves an employee, and that the sexual assault report and investigation procedures described in this document will be instituted. However, reports to the Counseling Center or Chaplain may be able to remain “confidential”. Please see the previous sections on “Privacy” and “Confidentiality”.

No plan can cover all eventualities, so circumstances may arise that are not spelled out in the Sexual Violence/Assault Report Procedure. Use the procedure’s four basic goals as a guide at such times.

- Act first to ensure the student’s or employee’s immediate physical safety. This is done by calling “**911**” (**9-911 from a campus phone**) if needed, and by informing FSC’s Campus Safety Office at (863) 688-0103.
- Act to protect the student’s or employee’s rights and emotional well-being. This is done by respecting the individual’s choices regarding whether to report the assault, by staying calm, being nonjudgmental, and either remaining with the student or employee or making certain that this person is not left alone.

- Act to preserve physical evidence in cases where this is possible. This is done by retaining clothing or other items and by encouraging the student not to bathe, douche, change or launder clothing, eat, drink, brush teeth, or smoke or “tidy up” the scene of the incident.
- Continue to be a resource for the student or employee to the degree that seems comfortable to both you and the person reporting sexual assault. This may be done by helping connect the student or employee with other sources of assistance as needed, by staying in touch with the individual, or by offering continued emotional support. Consult with Human Resources for employee support, and to Student Development staff in the Counseling Center, Health Center, and Community Living on ways to support a student.

Z. Conclusion

The College has developed these Anti-Discrimination/Anti-Harassment, Title IX, and Campus SaVE Act policies and procedures so that all members of its community can work and study in an environment free from harassment (including sexual harassment). The College will have as one of its duties the immediate dissemination of this policy to all members of this community and will provide this policy to all new members upon their arrival. The College will conduct information sessions and training concerning the policies and procedures to ensure that all members understand the College’s commitment, are familiar with the policies and procedures, and know that any complaint received will be investigated and appropriately resolved.

The Title IX Officers, Anti-Discrimination/Anti-Harassment Policy Facilitator Committee (APFC), and all college employees and officials Committee have the responsibility to follow this policy and to accord dignity to all the parties involved. Each fall, upon completion of all pending cases, newly appointed and returning committee members will be trained, provided a copy of the policy, and a list of facilitators appointed with them.



Student Resources for Reports of Sexual Discrimination, Harassment, or Retaliation

Domestic Violence, Dating Violence, and Stalking

Spring, 2014

On-Campus Resources

Safety: Emergency/Sexual or Violent Crime Report (863) 688-0103

Safety: Assistance, non-emergency reports (863) 680-4305

(4305 if dialing from campus phone)

Corner of Lake Hollingsworth Drive and Ingram Ave. across from College swimming pool

Counseling Center *Thrift Building* (863) 680-6236
(confidential)

Chaplain Tim Wright *Fannin Campus Ministries Bldg.* (863) 680-4297
(confidential)

Student Health Center *Corner Duke & Ingram* (863) 680-4292 (required
to report incidents to the Title IX Officer)

Sexual Discrimination/"Just Ask"/Title IX Assistance

Title IX Compliance Officer, Katherine Pawlak

(863) 680-3964 (3964 if dialing from a campus phone); kpawlak@flsouthern.edu

Raulerson Bldg, near Water Dome

Student Support Title IX Officer, Dr. Marcie Pospichal

(863) 680-4197 (4197 if dialing from campus phone); fscjustask@flsouthern.edu

Main floor of Thrift Bldg., back wing

Dean of Student Development, Bill Langston

(863) 680-4206 (4206 if dialing from campus phone); blangston@flsouthern.edu

Student Development House, Callahan Ct.

Vice President of Finance & Administration, Mr. Terry Dennis

(863) 680-4148 (4148 if dialing from campus phone); vdennis@flsouthern.edu

Raulerson Bldg., next to Water Dome



Student Resources for Reports of Sexual Discrimination, Harassment, or

Retaliation

Domestic Violence, Dating Violence, and Stalking

Spring, 2014

Off-Campus Resources

Emergency

911 (9-911 from campus phone)

Will help you obtain medical attention for injuries and forensic examinations, in response to reported acts of violence. Hospital Emergency Rooms in the State of Florida are required to report sexual assault and other criminal acts of violence, and to provide forensic evidence to local law enforcement agencies.

Peace River Rape Crisis Service (confidential)

(863) 413-2707

1806 S. Crystal Lake Dr., Lakeland FL
day/week confidential counseling and forensic examinations.

Provides 24-hour, 7

Your personal physician (Florida)

(confidential in the State of

Follow-Up Assistance

Lakeland Police Dept. Victim Assistance (confidential)

(863) 499-6900

219 N. Massachusetts Ave., Lakeland FL
Can provide “next steps” if you wish to file civil or criminal charges in response to a reported act of violence.

Polk County Clerk of the Court, Domestic Violence Department, to file civil Domestic Violence reports and obtain “Injunctions for Protection Against Domestic Violence” (no fee).

Lakeland Branch: 930 E. Parker St., Lakeland FL, tel: (863) 603-6412

Bartow Branch (Polk Co. Courthouse): 255 N. Broadway St., Bartow FL, tel: (863) 534-4184

Clerk of the 10th Judicial Circuit Court of Polk Co. FL, to file injunctions (“Orders of Protection” or “Restraining Orders”) in response to reported Domestic Violence, Dating Violence, Stalking, or Sexual Violence (no fee).

Polk Co. Courthouse: 255 N. Broadway St., Bartow FL, tel: (863) 534-4000

Getting to a Safer Place

Safe Ride Home (Checker Cab)

(863) 665-8151 (if you are using this service to get to a safer place or to get someplace more safely, you need your FSC student ID so the cab company can bill the College).

X. Definitions

The following definitions apply to all provisions of this Student Code of Conduct:

A. *College* shall mean Florida Southern College.

B. *College Administration* shall mean any and all persons employed by the College who hold the title of “President,” “Provost,” “Vice President,” “Dean,” “Associate Dean,” “Assistant Dean,” or “Director.”

E. *College Official* shall mean any person employed or retained by the College to perform assigned administrative or professional responsibilities. The term “College Official” shall also include, but not be limited to, Office of Safety and Security, Directors, attorneys for the College, faculty, staff, Guest Services staff, and student residence hall staff.

F. *College Policy or Policies* shall mean all rules or regulations of the College, including but not limited to this College Student Handbook, the Academic Catalog, and other College Publications.

G. *College Premises* shall include all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College, including adjacent streets and sidewalks.

H. *College Publication* shall mean any written or electronic document containing any statement or directive promulgated by the College regarding prohibited, permitted, or required actions. College Publications include, but are not limited to, this Student Handbook, the College website, and the Academic Catalog.

I. *Day* shall mean any regular business day of the College and does not include weekends, College holidays, or any day on which the College is not open to conduct regular business.

J. *Deliver*, when referring to written notice, shall be by one or more of the following methods:

1. Personal delivery to the addressee,
2. Placement in the addressee’s official campus mailbox,
3. Transmission by e-mail to the addressee’s official College e-mail address,
4. Deposit by certified mail, return receipt requested, with postage prepaid in the United States mail.

K. *Faculty Member* shall mean any person hired by the College to conduct classroom activities as defined by the chief academic officer.

L. *Greek Student Accountability Process* shall mean any meeting, conference, or hearing conducted by the GCSB to determine whether a Greek Student Organization is responsible for a violation of College Policy and whether to impose sanctions against a Greek Student Organization for violation of College Policy.

M. *Greek Student Organization* shall mean a Student Organization officially recognized by the College and by either the Interfraternity Council or the Panhellenic Council. “Greek Student Organizations” shall include, but shall not be limited to, Alpha Delta Pi, Alpha Chi Omega, Alpha Omicron Pi, Alpha Gamma Rho, Gamma Phi Beta, Kappa Delta, Lambda Chi Alpha, Pi Kappa Alpha, Pi Kappa Phi, Sigma Alpha Epsilon, Sigma Chi, Theta Chi, and Zeta Tau Alpha.

N. *Identification Card* shall mean the official identification card issued to each student by the College.

O. *May* is used in the permissive sense.

P. *Member of the College Community* shall include any person who is a student, Faculty Member, College Official, or any other person employed by the College. A person’s status in a particular situation shall be determined by the appropriate College Administration.

Q. *Notice* shall mean written notice and shall include e-mail transmissions.

R. *Office of the Dean of Student Development* shall mean the Dean of Student Development or the administrative staff of the Dean of Student Development.

S. *Publish* shall mean the posting of information on the College website or the delivery of written information to all College students.

T. *Resident* shall mean any person living in a facility operated by the Office of Community Living.

U. *Shall* is used in the imperative sense.

V. *Student* shall include all persons who are enrolled in programs or courses at the College, sponsored by the College, or co-sponsored by the College on either a full-time or a part-time basis.

W. *Student Accountability Body* shall mean any person or group of persons authorized by the Dean of Student Development to determine whether a student has violated College Policies and to impose or recommend the imposition of sanctions. “College Accountability Bodies” shall include, but shall not be limited to Hall Directors, Community Living Coordinators, Assistant Director of Community Living, the Director of Community Living, the Director of the Center for Student Involvement, the GCSB, the Honor Code Infraction Review Board, the Student Accountability Committee, the Assistant Dean of Student Development, the Dean of Student Development, and the President of the College.

X. *Student Accountability Body Chair* shall mean the person appointed or elected Chair of the applicable College Accountability Committee.

Y. *Student Accountability Proceeding* shall mean any meeting, conference, or hearing conducted by the College to determine whether a student or Student Organization is responsible for a violation of College Policy and whether to impose sanctions against a student or Student Organization for violation of College Policy.

Z. Student Organization shall mean a Student Organization officially recognized by the College for social, academic, or service functions. This term includes, but is not limited to, Greek Student Organizations. Groups of students, bound by a common purpose unrecognized by the College are not considered Student Organizations, but are bound to College Policies.

XI. Appendix A

A. Health Risks Associated with Alcohol and Drugs

- Alcohol consumption causes a number of marked changes in behavior.
- Even low amounts significantly impair the judgment and coordination required to drive a car safely. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts. Moderate to high levels of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information.
- Very high levels cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower levels of alcohol use can lead to dependence on alcohol. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the brain and the liver. Prolonged alcohol abuse causes bleeding from the intestinal tract, damage to nerves and the brain, psychotic behavior, loss of memory and coordination, damage to the liver often resulting in cirrhosis, impotence, severe inflammation of the pancreas, and damage to the bone marrow, heart, testes, ovaries, and muscles. Damage to the nerves and organs is usually irreversible. Cancer is the second leading cause of death in alcoholics and is 10 times more frequent than in non-alcoholics. Females who drink during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at a greater risk than other children of becoming alcoholics.

Designer Drugs

Illegal drugs are defined in terms of their chemical formulas. To circumvent these legal restrictions, underground chemists modify the molecular structure of certain illegal drugs to produce analogs known as designer drugs. These drugs can be several hundred times stronger than the drugs they are designed to imitate. Many of the so-called designer drugs are related to amphetamines (MDMA, X, speed). Bootleg manufacture creates overdose and contamination risks. These substances can produce severe neuron chemical damage to the brain. The narcotic analogs (fentanyl, china white) can cause symptoms such as those seen in Parkinson's disease: uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analogs of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating, and faintness. Psychological effects include anxiety, depression and paranoia. As little as one dose can cause brain damage. The analogs of phencyclidine cause illusions, hallucinations, and impaired perception.

Cocaine

Cocaine stimulates the central nervous system. The use of cocaine can cause death by cardiac arrest or respiratory failure. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose. Injecting cocaine with contaminated equipment can increase the risk of AIDS, hepatitis, and other diseases. Cocaine can produce psychological and physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly. Crack or freebase rock is extremely addictive, and its effects are felt within ten seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures.

Other Stimulants

Stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. In addition, users may experience sweating, headaches, blurred vision, dizziness, sleeplessness, and anxiety. Extremely high doses can cause a rapid or irregular heartbeat, tremors, loss of coordination, and even physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure. In addition to the physical effects, users report feeling restless, anxious, and moody. Higher doses intensify the effects. Persons who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions and paranoia.

Anabolic Steroids

Anabolic steroids are a group of powerful compounds closely related to the male sex hormone testosterone. Steroid users subject themselves to more than 70 side effects ranging in severity from liver cancer to acne, as well as psychological and physical reactions. The liver and cardiovascular and reproductive systems are most seriously affected by steroid use. In males, use can cause withered testicles, sterility, and impotence. In females, irreversible masculine traits can develop along with breast reduction and sterility. Psychological effects include very aggressive behavior known as “roid rage” and depression. While some side effects appear quickly, others, such as heart attacks and strokes, may not show up for years.

Hallucinogens or Psychedelics

Lysergic Acid (LSD), mescaline, peyote, and phencyclidine (PCP or “angel dust”) cause illusions and hallucinations, and their use impairs and distorts one’s perception of surroundings, causes bizarre mood changes and results in visual hallucinations that involve geometric forms, colors, and persons or objects. The physical effects may include dilated pupils, elevated body temperatures, increased heart rate and blood pressure, loss of appetite, sleeplessness, and tremors. It is common to have bad psychological reactions to LSD, mescaline, and psilocybin. The user may experience panic, persistent memory problems, and speech difficulties. Users who discontinue use experience “flashback” consisting of distortions of virtually any sensation for long periods after discontinued use. Mood disorders, such as depression, anxiety and violent behavior, also occur. In later stages of chronic use, users often exhibit paranoid and violent behavior. Large doses may produce convulsions and coma, as well as heart and lung failure.

Withdrawal may require psychiatric treatment for the accompanying persistent psychotic states.

Suicide is not uncommon.

Marijuana (Cannabis)

All forms of cannabis have negative physical and mental effects. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Research also shows that students do not retain knowledge when they are “high.” Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana can also produce paranoia and psychosis. Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and pulmonary system. Marijuana smoke contains more cancer causing agents than tobacco smoke. Long term users of cannabis may develop psychological dependence and require more of the drug to get the same effect. The drug can become the center of their lives.

Narcotics

Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea, and vomiting. Users may experience constricted pupils, watery eyes, and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Tolerance to narcotics develops rapidly and dependence is likely. The use of contaminated syringes may increase the risk of such diseases as AIDS, endocarditis, and hepatitis. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms.

- **Cannabis (Marijuana, Hashish)** The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.
- **Hallucinogens** Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.
- **Cocaine or Crack** Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.
- **Amphetamines** Amphetamines can cause a rapid or irregular heartbeat, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

- **Heroin** Heroin is an opiate drug that causes the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.

Some Physical and Psychological Dependence and Effects of Specific Drugs

Drug	Dependence	Possible Effects
Narcotics		
○ Opium	High	Euphoria, drowsiness depression, constricted pupils, nasuea
○ Morphine	High	
○ Codeine	Moderate	
○ Heroin	High	
○ Hydro morphine	High	
○ Meperdine or Pethidine	High	
○ Methadone	High	
○ Other Narcotics	High-Low	
Depressants		
○ Chloral Hydrate	Moderate	Slurred speech, disorientation, drunken behavior without odor of alcohol
○ Barbituates	High-Moderate	
○ Benzodiazepines	Low	
○ Methaqualone	High	
○ Other Depressants	Moderate	
Stimulants		
○ Cocaine or Crack	Possible	Increased alertness, excitation, increased pulse rate & blood pressure, insomnia, loss of appetite
○ Amphetamines	Possible	
○ Phenmetrazine	Possible	

o Methylphenidate Possible

o Other Stimulants Possible

Hallucinogens

o LSD None Illusions and hallucinations, poor perception of time and distance

o Mescaline or Peyote None

o Phencyclidine Unknown

o Phencyclidine Analogues Unknown

Cannabis

o Marijuana Unknown Euphoria, relaxed inhibitions, increased appetite, disoriented behaviors

o Tetrahydrocannabis Unknown

o Hashish Unknown

o Hashish Oil Unknown

o Anabolic Steroids Unknown Liver and kidney dysfunction, testicular atrophy, premature closure of bone growth plates, hair loss, acne, heart failure

o Inhalants (at high doses); Unknown Nausea, nosebleeds, loss of consciousness (at damage to organs and nervous system (long-term use))

o Caffeine Unknown Nausea, diarrhea, sleeplessness, headache, trembling

o Nicotine High Cancer of lungs, larynx, mouth

XII. Appendix B

Legal Consequences Associated with Alcohol and Drugs

FLORIDA STATUTES RELATING TO ALCOHOLIC BEVERAGES & DRUGS

562.111 Possession of alcoholic beverages by persons under 21

In Florida, it is illegal for someone under 21 to have in his or her possession alcoholic beverages. Punishment can include 60 days in jail and a \$500 fine. Additionally, the court can suspend or revoke your driver's license or driving privileges if you are under 21 and convicted of possession of alcoholic beverages.

316.193 Driving under the influence

In Florida, it is illegal to drive under the influence of alcoholic beverages or drugs. Depending on the circumstances, you could face up to a year imprisonment and a fine in excess of \$4,000. You could also lose your driving privileges for a long period of time and the impoundment of the vehicle you were driving. Regardless of the ultimate outcome of your case, if you are arrested for DUI, you will spend time locked up in jail and will not be released until at least 8 hours from the time you were arrested. DUI is a very serious offence in Florida and there are numerous other consequences, under this statute, if you are arrested and convicted for DUI, many of which could adversely affect you for a long period of time or for the rest of your life.

If you are involved in an accident while driving under the influence and someone sustains serious bodily injury, you could spend up to 5 years in prison.

If you are involved in an accident while driving under the influence and someone is killed, you could spend up to life in prison.

316.1936 Possession of open containers of alcoholic beverages in vehicles

It is also unlawful in Florida to possess an open container of an alcoholic beverage or drink an alcoholic beverage while operating a vehicle or while a passenger of a vehicle. In other words, whether you are under the influence while driving a vehicle or are just a passenger in a vehicle, you must not have an open container in your possession or drink any alcoholic beverage in that vehicle, even if that vehicle is parked or stopped. If you violate this statute, you may be required to pay a significant monetary fine.

856.011 Disorderly Intoxication

In Florida, it is illegal to drink any alcoholic beverage in a public place or in a public conveyance and cause a public disturbance. If you are convicted of even a first offence of disorderly intoxication, you could face up to 60 days in jail and a \$500 fine.

856.015 Open House Parties

If you allow a party to take place in your residence and if alcoholic beverages or drugs are possessed or used by a minor at that party, you could face up to 60 days in jail and a \$500 fine.

893.12 Sale of Drugs

The buying, selling, or manufacturer of drugs in Florida is a very serious offense. Depending upon the circumstance and quantity of drugs bought, sold or manufactured, you could be

sentenced to spend many years in prison. In Florida, conviction of many drug offenses carry mandatory minimum sentences and if you are convicted, the court will have no discretion and you **must be sentenced to serve time in prison**. Depending on the quantity of drugs bought, sold or manufactured, these minimum mandatory sentences can range from a low of 3 years in prison to life imprisonment.

893.147 Use, possession, manufacture, delivery, transportation or advertisement of drug paraphernalia

In Florida, under certain circumstances, you can be convicted if you use or possess drug paraphernalia. The definition of drug paraphernalia is very broad and if the item is being used in relation to the use, possession, manufacture or sale of drugs, you could face an additional penalty or prison sentence just for possession of items which, if not connected to drugs, would be legal to use or possess. For example, if you possess a hypodermic syringe, with intent to use it in connection with drugs, you could face up to a year in jail for such possession, even if you were not convicted of using drugs. In some circumstances, violations of this statute could require you to serve up to 15 years in prison.

The above is not a complete listing of all laws in Florida relating to the use of alcoholic beverages and to the possession, sale or manufacture of drugs. The main point to understand is that the use or abuse of alcoholic beverages and the possession, use or manufacture of illegal drugs can have serious and far reaching legal consequences, as well as health risks associated with alcohol and drugs.

FEDERAL STATUTES RELATING TO DRUGS

In addition to the State of Florida laws which you risk violating by the use, possession or sale of drugs, there are numerous federal laws, which in some cases, are even more stringent than those in Florida and which could require you to serve many years in a federal prison facility. For example, depending on the type of drug, even conviction of a first offense could result in a sentence to a federal prison for up to 20 years. Depending on the quantity of the drugs, even the sale of marijuana could carry a minimum mandatory sentence of up to 10 years in federal prison. Many federal statutes related to drugs could result in a sentence of life imprisonment in a federal prison.

XIII. Appendix C: Sexual Assault Prevention and Reporting

A. “Just Ask”

“Just Ask” is FSC’s Title IX compliance program. This campus-wide initiative, developed in alignment with FSC’s Cornerstone Values, is designed to measurably educate and train employees and students how to identify, respond to, and reduce the likelihood of sexual discrimination (including sexual harassment, sexual misconduct, and sexual violence).

In response to reports of sexual discrimination, the “Just Ask” initiative will provide prompt, effective, and equitable steps to stop discriminatory behaviors or situations, address their effects, and prevent their recurrence; to protect all parties involved; to provide a clear and compassionate grievance process; and much more.

To report an incident of suspected sexual discrimination or learn more about “Just Ask”, please contact Student Support Title IX Officer Dr. Marcie Pospichal, 8:00 a.m. – 5:00 p.m., Charles T. Thrift Building (main floor, Counseling Center wing), 111 Lake Hollingsworth Drive, Lakeland, FL 33801-5698; telephone (863) 680-4197; email fscjustask@flsouthern.edu,

Other members of FSC’s “Just Ask” Core Team include (in alphabetical order):

- Amanda Blount, Director, Center for Student Involvement, Bandshell, telephone (863) 680-4967, email ablount@flsouthern.edu
- Marc Tuschen, Interim Director of Community Living, Student Life House, telephone (863) 680-3908, email matuschen@flsouthern.edu
- Mike Crawford, Assistant Dean of Student Development, Fannin Campus Ministries Building, telephone (863) 680- 6211, email mcrawford@flsouthern.edu
- Dr. Drew Dalton, Assistant Professor of Philosophy, Edge Hall, telephone (863) 680-4180, email ddalton@flsouthern.edu
- Bill Langston, Dean of Student Development, Student Life House, telephone (863) 680-4206, email blangston@flsouthern.edu
- Katherine Pawlak, Title IX Compliance Officer and Director of Human Resources, Raulerson Building (next to water dome), telephone (863) 680-3964, email kpawlak@flsouthern.edu
- Dr. Deah Quinlivan, Assistant Professor of Psychology, Ordway Building, telephone (863) 680-4303, email dquinlivan@flsouthern.edu

B. “No” Means *Know*: Steps Men and Women Can Take to Prevent Sexual Violence

- *Know* and avoid exceeding your limits in alcohol and drug use. Intoxication can make you vulnerable to profoundly regrettable decisions and put you in dangerous situations, including those related to non-consensual sex.
- *Know* where your drink is at all times. Whether you are drinking alcoholic or non-alcoholic beverages, if your drink is out of your sight for even a few moments, get a new drink. Also, don’t accept a drink from anyone unless you have watched the server pour it.
- *Know* your own sexual limits and keep well within them.
- *Know when* to say “no”. *Know* your own mind and listen to your “inner voice”. The moment you are uncomfortable, speak up and stop the action.
- *Know how* to say “no”. Say it firmly and loudly. Avoid unnecessary politeness.
- *Know* your partner and, when that person has said “no” in words or actions- or when they cannot speak for themselves- stop physical interactions immediately.
- *Know* how to ask for help, whether it is to be “buddies” and watch out for a friend while your friend watches out for you, grab a passerby and ask for assistance, or dial “911” (9-911 from a campus phone) if there is peril and you can call. There is no such thing as over-reacting when the option is to experience sexual violence- or to be accused of committing sexual violence.

C. Reporting Sexual Assault in an Emergency

Should a sexual assault occur, either on or off campus, to an FSC student, the victim or anyone having knowledge of the assault is encouraged to notify local law enforcement. The student should **get safe first** and, if there is an emergency, safety, or medical health situation, should call **911** (9-911 from a campus phone). The Office of Safety and Security (863-688-0103) can be called after the 911 call is made.

D. Helping a Student through a Sexual Assault Report

Following a sexual assault, it often happens that the first person the student confides in is not a nurse, counselor, Office of Safety and Security, or other “official” person, but someone the student already knows and trusts. The student may choose to talk to a trusted friend or advisor before speaking to anyone else. The most crucial guideline in taking any of the following steps is to allow the student to choose how the situation will be handled. A victim of sexual assault has been through an experience over which she or he has had little or no control. Therefore, it is extremely important that the victim be allowed to regain a sense of control by making her or his own decisions.

- Whenever a student reports a sexual assault, the first step is to ask the student if there is a need for immediate emergency assistance, as in cases (for example) in which the assault has just occurred or is still going on. If emergency services are required, call 911 (9-911 from a campus phone) immediately and then notify the Office of Safety and Security at 863-688-0103. Take every step to ensure that the student is not alone until help arrives. The reporting party’s official duties end at this point, but the student needs continued support and assistance over the next hours, days, and weeks (see below).
- If the student does not require emergency assistance and the sexual assault occurred within the past 72 hours, ask the student if she or he wants to notify the Office of Safety and Security. If the student wants to report the assault, call the Office of Safety and Security at 863-688-0103. At this point, physical evidence can still be collected and if the student chooses later to press charges, this physical evidence may be extremely important. Remain with the student and continue to offer support as needed.
- If the sexual assault occurred more than 72 hours ago, ask the student whether she or he wants to notify the Office of Safety and Security. If the student wants to notify the Office of Safety and Security, call the Office of Safety and Security at 863-688-0103.
- If the student does not wish to report the sexual assault to local or campus law enforcement, please direct the student to the on-campus and off-campus support resources in item E., below.
- If you, the person who is helping a student report an assault, are an employee (including student employee such as a Residential Advisor), you have a Duty to Report any crime, including a sexual assault. Please “report up” to the appropriate supervisor.
- EVERY person at FSC- student or employee- has a Duty to Report any possible act of sexual discrimination that occurs to a child or minor (in Florida, that is anyone under the age of 18).

This includes concerns about sexual harassment, sexual misconduct, and sexual violence (including sexual assault). These forms of discrimination are defined in sections VIII. and IX. of the Student Handbook. Report suspected sexual harm to a child or minor to Campus Safety or any trusted FSC employee immediately.

Once a sexual assault is reported, every effort will be made to maintain confidentiality and anonymity. However, it is important that anyone reporting a sexual assault be aware that the Office of Safety and Security will notify the Dean of Student Development and that the Sexual Assault Report Procedure outlined in section IX of the Student Handbook will be instituted.

No plan can cover all eventualities, so circumstances may arise that are not spelled out in the Sexual Assault Report Procedure outlined in Section IX of the Student Handbook. Use the procedure's fundamental goals as a guide at such times.

- Act first to ensure the student's immediate physical safety. This is done by calling 911, (9-911 if using a College phone) if needed, and by informing the Office of Safety and Security 863-688-0103.
- Act to protect the student's rights and emotional well-being. This is done by respecting the student's choices regarding whether to report the assault, by staying calm, being nonjudgmental, and either remaining with the student or making certain that the student is not left alone.
- Act to preserve physical evidence in cases where this is possible. This is done by retaining clothing or other items and by encouraging the student not to bathe, douche, change or launder clothing, or smoke.
- Provide resources for the student. This is done by staying in touch with the student providing continued emotional support (if this is received well by the student), and helping to connect the student with other sources of assistance as needed (see item E., below).
- Once an emergency has passed, in order to report or initiate an investigation of any form of sexual discrimination involving a student, contact the Student Support Title IX Officer Dr. Marcie Pospichal, Associate Vice President for Student Support, 111 Lake Hollingsworth Drive, Charles T. Thrift Bldg (main floor, Counseling Center wing), Lakeland, FL 33801-5698; telephone (863) 680-4197; email fscjustask@flsouthern.edu.

E. On-Campus and Off-Campus Support Resources Following a Sexual Assault

On-Campus Sexual Assault Support Resources

Safety and Security Office ("Campus Safety Office", Officer Julie Hart)

Emergency/Sexual Crime Report (863) 688-0103

Assistance, non-emergency reports (863) 680-4305 (4305 if dialing from a campus phone)

Corner of Lake Hollingsworth Drive and Ingram Ave. across from College swimming pool

FSC Counseling Center (863) 680-6236 (6236 if dialing from campus phone)

Main floor of Charles T. Thrift Bldg., back wing

Ms. McCormick, Office Manager vmccormick@flsouthern.edu

FSC Student Health Center (863) 680-4292 (4292 if dialing from campus phone)

Corner of Duke Place and Ingram Ave.

Nurse Betty Calhoun, Director bcalhoun@flsouthern.edu

FSC Chaplain, Rev. Tim Wright (863) 680-4297 (4297 if dialing from campus phone)

The Fannin Campus Ministries Bldg., between Ordway Bldg./Jenkins Field House

twright@flsouthern.edu

Off-Campus Sexual Assault Support Resources

Lakeland Police Dept. Victim Assistance Program (863) 499-6900

219 N. Massachusetts Ave., Lakeland FL

Peace River Rape Crisis Service (863) 413-2707

1806 S. Crystal lake Dr., Lakeland FL

Lakeland FL Rape Crisis Line (863) 682-7270

Reminder: If the person who has experienced any form of sexual discrimination is safe and that person, or another person who is aware of the discrimination, does not know where to begin with reporting process, please “Just Ask”!

Student Support Title IX Officer Dr. Dr. Marcie Pospichal, Associate Vice President for Student Support, 111 Lake Hollingsworth Drive, Charles T. Thrift Bldg (main floor, Counseling Center wing), Lakeland, FL 33801-5698; telephone (863) 680-4197; email fscjustask@flsouthern.edu.

Or “Just Ask” anyone on the “Just Ask” Title IX Core team (see section A).

Or “Just Ask” an on-campus or off-campus resources (see section E).

Or “Just Ask” a trusted faculty or staff member, including your RA.

Please, Just Ask!

XIV. Appendix D: Involuntary Withdrawal from the College

Florida Southern College expects and encourages students to behave in ways that promote their own well-being and the welfare of others. In rare cases, a student's behavior becomes a "direct threat" to others or is otherwise inconsistent with the student being "qualified" to remain successfully enrolled at FSC for classroom, residential, or other College experiences. Under these circumstances, on an individualized and case-by-case basis that takes into account mitigating and aggravating circumstances, Florida Southern College reserves the right to require at any time the withdrawal of a student whose conduct, academic standing, or general influence Florida Southern College considers incompatible with the well-being of the individual student or the greater College community. This includes behaviors that disrupt the College or interfere with FSC's educational mission, for which disciplinary action up to and including suspension or expulsion may occur. Such action will take place only after the College's careful consideration of information pertinent to the matter at hand, and will be in accordance with the College's policies and procedures.

Interim, Voluntary, and Involuntary Withdrawals

Introduction

Florida Southern College cares deeply about the health and safety of its students. Therefore, Health Center, Counseling Center, and Safety and Security Office services are available on campus. At times, students may exhibit such extreme behavioral conduct, medical conditions, or psychological situations that they pose a direct threat to members of the College community, or that their ability to function successfully and safely in the role of a student is significantly hindered. In such extreme cases, for an unknown period of time, a student might not be qualified to carry out the essential requirements and activities of college coursework or residency. Students are encouraged to prioritize their health and safety and take steps toward wellness, even if academic progress must be delayed. The College will support student-initiated self-care plans and/or initiate action that considers the welfare of the individual student and the College community. In order to address these issues, the College has in place a Student Health Committee (SHC). The SHC may include the Associate Vice President for Student Support (convener), the Assistant Dean of Student Development, the Dean of Student Success/Director of the Student Solutions Center, the Director of the Health Center, and/or the Director of the Counseling Center. The SHC may also request participation of other faculty or staff members who possess specific knowledge or expertise related to a student's circumstances.

Timing of the decision to withdraw, either by the student or by the College, may impact Federal Student Loan debt and reimbursement. Medical withdrawal documentation must be received by the Office of Student Development (Telephone: 863-680-4206) within five business days of the initial request, or it will be classified as a non-medical withdrawal. All withdrawals follow the tuition and fee reimbursement policy as outlined in the Catalog.

Emergency Interim Suspension

The Dean of Student Development may invoke an Emergency Interim Suspension for up to one week upon a student's behavior rising to the level of significant community disruption, hospitalization, emergency, if a Mandatory Assessment is pending (see below), or if the student has failed to comply with other Clearance Procedures (see below) within the allotted period. The College may extend the Emergency Interim Suspension to allow a student to complete Clearance Procedures. Students under Emergency Interim Suspension for any reason are temporarily not allowed to participate in any College activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to his/her case. This interim period allows time for a student to receive the needed behavioral, medical, and/or psychological care, and for all parties to consider an evaluation of readiness to return to the College. The student must follow the Clearance Procedures listed below before returning. Failure to do so may result in the Dean exercising his right to impose an Involuntary Withdrawal.

Students who are under Emergency Interim Suspension will be notified verbally or in writing and will have the opportunity to address the basis for the decision by contacting the Office of Student Development (Telephone: 863-680-4206). Faculty will be notified of student absence from class (but not the cause of absence) by the Student Solutions Center with the intention that the student will be able to continue to make appropriate and adequate academic progress.

Voluntary Withdrawal

Students may seek a voluntary withdrawal when their behavioral, physical, or mental health situations are interfering with optimal college performance including successful engagement in, or completion of, academic course work; when individual safety or the safety of the community is in question; or when the demands of college life are interfering with the ability to recover from or adjust to a significant behavioral, physical, or mental health challenge. Students interested in pursuing a voluntary withdrawal may wish to discuss this option with providers at the Health Center (Telephone: 863-690-4292), the Counseling Center (Telephone: 863-680-6236), or they may independently initiate the process through the Office of Student Development (Telephone: 863-680-4206) or the Student Solutions Center (Telephone: 863-680-4900). Residential students will be required to move out of their room within 24 hours of withdrawing.

Those who voluntarily withdraw for any reason are not allowed to participate in any College activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to his/her case. Students who opt for a Voluntary Withdrawal will undergo the appropriate Clearance Procedures (see below) in order to be reinstated as a student of the College. Students may be requested to provide, with the student's written permission, current documentation from an appropriate outside consultant. Examples of such "consultants" include physicians, mental health providers, and non-relatives who, because of their professional credentials and knowledge of the student, can provide recommendations about student readiness to return to college. This will provide the assurance the student is fully prepared to successfully resume all college activities and for the College to provide reasonable accommodations to foster student return. There is a form the College may require to be completed by the student's consulting information provider. An outside evaluator's recommendation is not a binding one for the College.

Involuntary Withdrawal

In rare circumstances, the SHC may recommend to Florida Southern College's Behavioral Assessment Team (BAT) that a student be involuntarily withdrawn. The BAT includes all members of the SHC as well as the Director of Campus Safety and representatives from the faculty and other College offices. Although the Dean of Student Development is also a member of the BAT, he does not meet with students during initial stages determining Involuntary Withdrawal so he can be an impartial resource for student appeals. Students who are involuntarily withdrawn for any reason are not allowed to participate in any College activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to his/her case. Examples of situations that might result in an Involuntary Withdrawal include, but are not limited to:

A student poses a "direct threat" risk to the health or safety of others (see below)

A student has an uncontrolled contagious disease or infection

A student fails to complete the required steps during an Emergency Interim Suspension (see above) or associated Clearance Procedures (see below)

A known condition has deteriorated (e.g., a student fails to take medication necessary for self-care and serious health concerns develop), rendering the student to be in possible imminent danger and/or incapable of functioning as a student

A student engages in behaviors that disrupt the College or interfere with FSC's educational mission

A student is not "otherwise qualified" to continue as a student at FSC (see below).

In most cases, these situations can be handled through voluntary withdrawals; however, if the student is unwilling to pursue a voluntary withdrawal, the SHC and/or the BAT may recommend that the Dean of Student Development invoke his right to involuntarily withdraw a student. The SHC and/or BAT will recommend behavioral, assessment, documentation, and/or treatment conditions needed to return to Florida Southern College. Like students who voluntarily withdraw from FSC, Involuntary Withdrawal students will undergo the appropriate Clearance Procedures in order to be reinstated (see below).

Clearance Procedures:

Preliminary Review

Except for cases of a Public Health Emergency, a member of the SHC, BAT, or other College official may conduct a **Preliminary Review**, learning about the student's situation and concerns, informing the student of College concerns, and making an initial determination about the student's readiness to resume college activities and the conditions under which this may occur. As part of the Preliminary

Review, or if concerns about a student's readiness to resume college life persists after the Preliminary Review, the additional Clearance Procedures in this section may be implemented.

Determining if there is a "Direct Threat"

A "direct threat" exists when a student's conduct "poses a significant risk to the health or safety of others (with a) high probability of substantial harm, and not just a slightly increased, speculative, or remote risk". Students who are determined to be a direct threat may undergo Involuntary Withdrawal, disciplinary suspension, or expulsion. To determine if a student poses a direct threat to others, the following criteria established by the Office of Civil Rights are used:

- Using individualized and objective assessment based on reasonable medical judgment and relying on the most current information
- Evaluating the nature, duration, and severity of the risk
- Evaluating the probability that a potentially threatening injury will occur
- Determining whether reasonable accommodations will sufficiently reduce the risk

At Florida Southern College, these criteria are applied on a case-by-case basis and evaluated within the context of an individual student's circumstances, considering both mitigating and aggravating circumstances. Separation of the relationship between the student and the College will only be recommended in the absence of other opportunities to accommodate or resolve the situation. If the College remains concerned, a **Mandatory Assessment** (see below) may be required to further determine whether or not the student poses a direct threat or is "otherwise qualified" to continue (see below). Thus, if the student is not already hospitalized, the student may be required to go to the hospital or other professional for evaluation. A student may decline to undertake a Mandatory Assessment but doing so may result in the College imposing an Involuntary Medical Withdrawal, disciplinary suspension, or expulsion.

Pending Clearance, a student may not be allowed to participate in any College activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to his/her case.

Determining if a Student is Currently "Otherwise Qualified" to Continue

The inability to meet essential requirements of a student in good academic, residential, or social standing can render a student, for an unforeseen period of time, as not currently qualified to remain a student at FSC. Such essential requirements include the ability to participate in Engaged Learning in and outside the classroom, maintaining adequate academic grades and progress, a disruptive failure to abide by the College's Cornerstone Values or code of conduct, or behaviors that interfere with individual or community safety. Based on any of these conditions, a member or members of the SHC or BAT may conduct a Preliminary Review with the student and appropriate members of the College community to determine a student's qualifications to continue as an active student. The consequence

of this determination may result in any or all of the following: directing students to appropriate behavioral, academic, health, or social support resources; Mandatory Assessment; Emergency Interim Suspension; helping the student move forward on an Voluntarily Withdraw; or Involuntary Withdrawal.

Mandatory Assessment

A student may need to complete a Mandatory Assessment if the student has been placed on Emergency Interim Suspension; the student has voluntarily withdrawn from the College and wishes to be reinstated; the student has undergone an Involuntary Withdrawal and wishes to be reinstated; if after a Preliminary Review the College remains concerned the student may pose a direct threat to him/herself; if after a Preliminary Review the College deems the student not “otherwise qualified” to continue as a student; under other conditions as determined by the College. These Mandatory Assessment steps are designed to ensure the student’s optimal performance in the College community, including that the student is not a direct threat to others, that a health or safety emergency no longer exists, that a plan for sustained and appropriate behavior, good health, and safety is in place, and/or that the student is otherwise qualified to resume studies and community living. Note: Depending on the situation, students may complete these procedures on different timelines. Some students may complete these steps within days of the Preliminary Review, Emergency Interim Suspension, or Withdrawal while others may wait several months before pursuing a return to the College.

The student must be assessed by an appropriate outside individual, whose opinions will be advisory to the College. The professional consultant, who is selected by the student, must be a licensed psychologist or psychiatrist if evaluating mental health concerns, a licensed physician if the evaluation is regarding other medical concerns, or must be a person that could reasonably be seen as having adequate knowledge, authority, and training to make such an evaluation under other conditions. The College reserves the right to evaluate the appropriateness of the consultant. Further, all providers must be unrelated to the student and must have specialty/credentials appropriate for the condition of concern (*e.g.*, an eating disorder or substance abuse specialist).

To make an accurate evaluation, the outside consultant may require access to information held by the College related to the precipitating events that led to the leave. This typically would involve the student signing a release allowing the College (*e.g.*, the Health Center, Counseling Center, or Office of Student Development) to share information regarding relevant incidents or concerns and, if applicable, recent hospital records. The student will be responsible for any cost incurred by the evaluation. The outside mental health/medical professional (or consultant, for non-mental health/medical situations), with the student’s written permission, must provide directly to the College an assessment of current functioning of the student and provide written recommendations regarding:

- a) Given the precipitating events, the student’s readiness to return to the academic and co-curricular demands of college life;
- b) The student’s readiness to live in the on-campus residential community;
- c) Ongoing resource, testing, or treatment needs;
- d) Any conditions or restrictions that the College should impose; and

e) The student's readiness to return to competitive sports, if the student is a collegiate athlete. *There is a form the College may require to be completed by the student's health care provider or consultant. An outside evaluator's recommendation is not a binding one for the College.*

• *NOTE: The College athletic team physician, in consultation with the Florida Southern College Director of the Health Center and/or Counseling Center, may ultimately make the decision regarding athletic involvement and may consider associated outside evaluations in making such a determination.*

• *NOTE: Documentation of the Mandatory Assessment (conducted within 30 days of application for re-entry) and documentation of required intervention completion must be provided to the Office of Student Development no later than December 1 for the spring semester and July 1 for the fall semester. Those planning to return to a summer session must provide documentation no later than 30 days before the summer session begins.*

After the Mandatory Assessment results and resource/treatment documentation have been provided to the College, the student must meet with a BAT representative (typically the director or designee of the Counseling Center or Health Center). The Assessment results, associated documentation, and the student's own perception regarding readiness to return, needs, and plans for support or treatment will be discussed. Additionally, the College representative will consider how the outside evaluator's recommendations fit with the realities of student life at Florida Southern College and services that are available on campus or in the community.

The SHC or BAT will meet and consider a number of factors about the student's ability to return to FSC, including the outside evaluator's recommendation and the results of the student's meeting with the BAT representative. Students will receive verbal or written notification of the final decision about clearance to return to the College.

Note: Neither a Voluntary nor an Involuntary withdrawal is considered to be a punitive action; however, any withdrawal becomes a part of a student's institutional record.

Interim Student Housing

Students who are suspended in an interim capacity or withdrawal voluntarily or involuntarily from the College are temporarily not allowed to participate in any College activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to his/her case and undergo the appropriate Clearance Procedures (see above) in order to be reinstated as a student of the College.

During this time, it is the responsibility of the student, or the student's legal guardian if she/he is a minor, to arrange for temporary housing. Ideally, the student will be able to reside with family members or trusted, off-campus friends.

Additionally, the student may arrange to stay in a hotel during this period. The student bears all financial responsibility for costs associated with interim housing.

Finally, students may utilize one of two, nearby residential shelters:

Talbot House Ministries, 814 N. Kentucky Ave., Lakeland, FL 33801, (863) 687-8475. The student must have photo identification, know her/his social security number, and line-up for housing between 3:00 – 5:00 p.m. It is located 2.6 miles northeast of campus.

Lighthouse Ministries, 215 E. Magnolia St., Lakeland, FL 33801, (863) 687-4076. Both men and women can receive a free meal and shower, and men only can stay the night in the emergency overnight program. Please have a photo ID. Lighthouse Ministries is located 2.3 miles northeast of campus.

If the student lacks transportation or financial resources to get to local, interim housing within 5 miles or less of the campus or Lakeland Regional Medical Center, the student may take advantage of Florida Southern College's "Safe Ride Home" program by calling the Checker Cab Company (863) 665-8151 and providing her/his FSC student identification card. The cost of the transportation will be added to the student's College bill.

Appeal

A student may appeal the outcomes of any of the above processes by contacting, in writing, the Dean of Student Development, Student Life House, 960 Callahan Ct., Florida Southern College, Lakeland, FL 33801, Telephone: (863) 680-4206. The student has five (5) business days to file an appeal.

XV. MRSA Policy

Methicillin Resistant Staphylococcus Aureus (MRSA) infection is caused by a strain of staph bacteria that has become resistant to the antibiotics commonly used to treat staph infections.

To prevent the spread of MRSA in the campus community, any student who has a documented MRSA infection is required to report that documentation to the FSC Student Health Center (SHC) immediately to ensure that necessary steps and precautions are enacted to protect both the infected student and the College community. Students who have contracted MRSA, as diagnosed by a physician based on a positive culture, will be required to take the following precautions in order remain active in the campus community:

- ❖ *Residential students with MRSA will be relocated to a new residential space (if available), as a temporary measure, with private bathroom facilities. Students will remain in this location until the wound is healed and a negative culture is produced. Additionally, the roommate(s) of a student diagnosed with MRSA will also be relocated for a period of 24 to 48 hours while the room, and any shared bathroom spaces, are disinfected. Both the room and the bathroom will be inaccessible during this period of time.*
- ❖ *Students with MRSA will be required to visit the SHC daily for assistance with dressing changes and a re-examination by the SHC nurse or nurse practitioner. If the infection is worsening or spreading, or if any difficulty is encountered with containing wound drainage, students should contact the SHC immediately.*
- ❖ *Students with MRSA may attend class and participate in the life of the College; however, the*

wound(s) must be covered at all times with the dressing provided at the SHC. Additionally, the wound(s) should be covered by clothing, where applicable, if it may contact surfaces to which other members of the College community may be exposed. For example, if the infection is located on the back of the leg, make sure that clothing does not allow the bandage to make contact with a chair that other people will use. There is no reason not to attend class and participate in group meals and activities as long as the wound is covered, fluids are contained, and good hygiene practices are observed.

- ❖ *Students with MRSA will not be allowed to participate in athletic activities, including intramural sports, which may result in physical contact. Additionally, a student with an active infection is not allowed to utilize the training room facilities or the Nina B. Hollis Wellness Center, including weight-lifting equipment, exercise equipment, the locker room, pool, or shower facilities, until he/she has been released by a physician to do so.*

If the case poses a threat to the FSC community or if, after initial treatment, a student's condition worsens, the College, at its discretion or upon recommendation of a physician designated by the College, may choose to send a student home to recuperate until a negative culture can be produced.

If a MRSA infection is suspected by FSC staff or faculty, students are required to have the wound tested at a facility designated by the College. An appointment will be made by the SHC staff.

BEST PRACTICE (based on CDC guidelines)

Students diagnosed with MRSA, as well as roommates/suitemates should wash their hands frequently with soap and water. Students with MRSA should pay particular care to do this if other parts of the skin have come into contact with wound drainage. An alcohol-based sanitizer will suffice when soap and water are not available; however, if a student's hands have been contaminated with wound drainage, he/she should make sure that they are cleansed with soap and water. Additionally, all items that come in contact with a wound, wound dressing or drainage must be disinfected. Call the SHC to notify the staff if the wound drainage has come in contact with campus furnishings or equipment.

To alleviate the potential for the spread of the MRSA bacteria, students should avoid sharing personal items (e.g., towels, washcloths, bar soaps, razors, ointments). Wash soiled linens and clothing in hot water and regular laundry detergent and dry on the hot cycle until fully dry. If clothing and linen have been grossly contaminated with wound drainage or body fluids, laundry should be transported in a sealed plastic bag.

XVI. Social Media Policy

Florida Southern College (the "College") takes no position on student decisions to start or maintain a blog or participate in other social networking activities. However, it is the right and duty of the College to protect itself from unauthorized disclosure of information. The College's

social networking policy for students includes rules and guidelines for College-authorized social networking and personal social networking and applies to all students.

Definitions

Social Networking: Includes all types of posting on the Internet including, but not limited to social networking sites (such as Facebook© and LinkedIn©); blogs, and other on-line journals and diaries; bulletin boards and chat rooms; micro-blogging, such as Twitter©; and the posting of video on YouTube©, and similar media sites.

Social Media: Includes user-generated Web/online content created using scalable publishing technologies including, but not limited to blogs, wikis, tweets, podcasts, photo sharing networks, online virtual communities, user-generated videos, message boards, cloud computing, and other emerging technologies.

Sponsored Social Media: An external social media site owned, operated, or controlled by the College, including content that is housed on an outside-party social media site at the College's direction.

Policy

The College's students are required to comply with the guidelines and requirements in this policy when conducting social networking activities. Failure to do so may result in disciplinary action up to and including expulsion. Even if social networking or social media activities take place off campus, what is said can have an adverse affect on the College's legitimate business interests and its students' ability to live and learn in an academic environment free from hostility, harassment, discrimination and defamation. Additionally, some readers may view postings by a College student as being those of the College:

- Unless specifically instructed by an Officer of the College, students are not authorized and therefore restricted to speak on behalf of the College.
- The creation of any external Internet Web or social media sites that represent the College shall be subject to advance review by the offices of Human Resources, External Relations and Advancement. All access information such as user ID and passwords must be approved and maintained by the Information Services (IS) department and only the IS department has the authority to change user ID and passwords. The maintenance and operation of any such sites must be performed pursuant to all conditions specified in this policy. In addition, the College shall have the right to continually monitor such external sources that represent the College.
- Sites sponsored by recognized student organizations in connection with specific activities must be authorized by the Dean of Students for the relevant location.
- Representation of student personal opinions as being endorsed by the College or any of its organizations is strictly prohibited. Students may not use the Florida Southern College name or

logo to promote any opinion, product, cause, or political candidate. Students may not impersonate another student or College employee.

- While we encourage online collaboration, below is a set of guidelines for appropriate online conduct to avoid the misuse of this communication medium whether on or off campus:
 - o **Student Handbook:** All students are expected to adhere to the College's Student Handbook and related policies.
 - o **Friending:** Any student may reject a friend request from any other student or College employee without fear of repercussion.
 - o **Harassment:** No student may use the Internet or social networking or social media to harass another student, to discriminate against another student, or otherwise engage in activities that would be a violation of the College's policies regarding harassment and discrimination, including but not limited to sexual harassment.
 - o **Privacy:** Students should never disclose confidential College information, student records, or personal or contact information concerning past or present members of the College community without proper authorization.
 - o **Defamation:** Students should not defame or otherwise discredit or disparage the College, its services, its vendors, or its competitors, its students or employees. Students may not make false claims or representations of the College's program or services.
Before posting anything on the Internet or engaging in social networking that refers to the College, students should consider whether their posts are damaging to the College's reputation or the reputation of its students and employees. If a student has a College related dispute or complaint, the student should refrain from sharing this via social media outlets and should address the complaint with the Office of Student Affairs.
 - o **Logos and Trademarks:** Social media communications may not include the use of any College logos, trademarks, or proprietary graphics without the prior written consent of the College's Marketing and Communications department.
 - o **Respect for Copyrights:** Students must recognize and respect others' intellectual property rights, including copyrights and trademarks.

Students are cautioned that they should have no expectation of privacy while using the Internet.

All students should be aware that the College monitors social media sites.

Students should be aware they are responsible for the content they post and once items are posted or published on the Internet, including words, photographs, and videos, they are not easily erased or removed, and there is no foolproof method to limit access to those items. For this reason, even if a posting is not a specific violation of this policy, students are encouraged to

use common sense and good judgment in the things placed or published on the Internet or through social networking.

Reporting Violations

The College requests and strongly urges students to report any violations or possible or perceived violations to the office of Student Affairs. Violations include any discussion of proprietary information and any unlawful activity related to blogging or social networking. If a student sees unfavorable

opinions, negative comments or criticism about themselves or the College, do not try to have the post removed or send a written reply that will escalate the situation. Forward this information to the College's office of Student Affairs and Marketing & Communications Departments.

Discipline for Violations

The College investigates and responds to *all* reports of violations of the social networking policy and other related policies. Violation of the College's social networking policy may result in disciplinary action up to and including expulsion. Discipline or expulsion will be determined based on the nature and factors of any blog or social networking post. The College reserves the right to take legal action where necessary against anyone who engages in prohibited or unlawful conduct. Additionally, the College may report any violations of any state or federal law to the appropriate regulatory or law enforcement officials. Any retaliation against a person for reporting a violation of this Policy will itself be considered a violation of this Policy that may result in disciplinary action up to and including expulsion.

Additional Resources

The following Policies contain information relative to the Social Media Policy:

- The Cornerstone
- Student Grievance Procedures
- Student Handbook
- Anti-Discrimination/Anti-Harassment Policy Including Sexual Discrimination, Harassment, Misconduct and Violence