2.013 Due Process, Other Rights and Responsibilities.

(1) The due process requirements contained below shall be applicable in all cases involving academic dishonesty and matters involving alleged violations of the Student Code of Conduct. Due process as applied by the University and its schools and colleges shall include, as a minimum, the following:

(a) The student shall be provided with written notice of the charges against him/her in sufficient detail and in sufficient time to prepare for a hearing before an appropriate committee or hearing body, as established by the University or its colleges, schools, or institutes, or before the appropriate University official;

(b) The University or its colleges and schools shall establish a minimum number of days in advance of the hearing to present the written notice of charges, but in no case will this notice be less than three days, except in cases of emergency as specified below;

(c) The Student shall be entitled to a prompt hearing before an appropriate committee or hearing body, as established by the University or its colleges, schools or institutes; or the student shall have the option to request adjudication of the matter by an appropriate official designated by the University or its colleges, schools or institutes;

(d) The student and his/her advisor may inspect all of the evidence that will be presented against the student at least three (3) workdays before the student disciplinary hearing. The University shall also have the right to inspect any information the student intends to use at least three (3) workdays before the student disciplinary hearing;

(e) The student may present evidence on his/her own behalf;

(f) The student may hear and question adverse witnesses;

(g) The student shall not be forced to present testimony which would be self-incriminating; however, the university and/or its colleges and schools is not required to postpone the proceedings pending the outcome of any outside prosecution and a disciplinary penalty or
sanction imposed under the university’s code of conduct is in addition to any penalty imposed by the courts for the criminal system;

(h) The student may have an advisor of the student’s choice present at the hearing;

(i) The decision of responsible or not responsible on the charges shall be based solely on the evidence presented at the hearing;

(j) The decisions of any committee or hearing body, or of any university official, shall be presented to the student in writing and within fourteen business days following the hearing;

(k) The student may appeal the decision of any committee or hearing body or of any university official, within a period specified by the university or its colleges, schools or institutes in the written procedures, to the president or the president’s designee; and

(l) The student’s status will remain unchanged pending the university’s final decision in the matter, except where the president or president’s designee determines that the safety, health or general welfare of the student or the university is involved. A student’s enrollment status may be changed only in cases where the president or president’s designee determines that an emergency exists, which affects the safety, health or general welfare of the student or other students or the university and/or its employees.

(m) At the conclusion of the appeals process, the decision of the president or the president’s designee shall be final.

(2) Additional due process protections as may be provided by regulation or policy of the Board of Governors shall also be applicable to cases involving academic dishonesty or violations of the Student Code of Conduct as indicated by said regulation. Refer to Board of Governors Regulation 6C-6.0105(5).

(3) All students enrolled at the university shall be accorded the basic rights as set forth below.

(a) The right of respect for personal thoughts; the right of freedom from indignity of any type; the right to expect an education of the highest quality; and the right to make the best of one’s talents and time toward the objectives which brought him/her to the University.

(b) The right to inquire about and to recommend improvements in University policies, regulations and procedures through established protocol.

(c) The right to participate in the self-governing process of student organizations pursuant to the procedures of the University and affected organizations.
(d) The right to be represented on University-wide committees in accordance with University procedures.

(e) The right of freedom of expression and peaceful assembly as defined and governed by the constitutions of the United States and the State of Florida and the regulations of the University.

(f) The right to participate in dialogue during public discussions that provide a diversity of opinions.

(g) The right to join University clubs and organizations for educational, political, social, religious and cultural purposes in accordance with the guidelines, procedures and regulations of the University and the respective clubs and organizations.

(h) The right of due process.

(i) The right of freedom of press and media to publish and distribute materials in accordance with the constitutions of the United States and the State of Florida and the regulations of the University.

(4) Florida A&M University encourages its students to help maintain a healthy academic climate where students can intellectually grow and develop as mature and responsible individuals. Concomitant with student rights are student responsibilities. These responsibilities include but are not limited to the following:

(a) The responsibility of making the most of their educational opportunities by attending classes and laboratory periods on regular basis and by completing all academic requirements, in a satisfactory manner, as stated in each course syllabus while taking advantage of the many opportunities provided in a University environment for all around personal growth, development, and maturation.

(b) The responsibility of knowing and observing all published university policies, procedures and regulations (e.g. the General Catalog of the University and Student Handbook, etc.) as well as state and federal laws and requirements.

(c) The responsibility of taking the initiative in exercising the democratic processes to include, but not be limited to, voting and performing community or volunteer services.

(d) The responsibility of ensuring the orderly operation of the university through appropriate conduct in and out of the classroom.

(e) The responsibility of assuming the consequences of one’s own actions, and to avoid conduct detrimental in its effect upon fellow students and members of the university community.
Specific Authority 1001.74(4) FS. Law Implemented- 1001.74(4) 1006.60, 1006.61, 1006.62 FS. History–New 10-1-75, Formerly 6C3-2.13, Amended 9-14-87, Amended June 29, 2006.