

# 2024-2025 STUDENT HANDBOOK

## Eastern Florida State College's Online Student Handbook

The online Student Handbook provides all enrolled EFSC students with information regarding students' rights and responsibilities and the student code of conduct. The Handbook is your guide to the policies and procedures that impact you as a student at Eastern Florida State College. The online Student Handbook supersedes any printed handbook or PDF version as the official current student handbook of Eastern Florida State College.

It is the student's responsibility to become familiar with and to adhere to all academic and College policies, procedures, and deadlines that are included in the Student Handbook and other sources including, but not limited to, the College catalog.

Eastern Florida State College is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award baccalaureate and associate degrees. Eastern Florida State College also may offer credentials such as certificates and diplomas at approved degree levels. Questions about the accreditation of Eastern Florida State College may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling 404-679-4500, or by using information available on the SACSCOC's website ([www.sacscoc.org](http://www.sacscoc.org)).

### Academic Calendar and Important Term Dates

Eastern Florida State College students should be aware of important dates for each term, such as fee due dates, class start and end dates and final exam dates which can all be found on web pages in this section. In addition to the main calendar, [check the Important Term Dates for each term](#) to view priority application deadlines, course registration dates, fee due date notices and the late registration policy plus more. EFSC offers courses in three different terms: Spring, Summer and Fall. Within each term are several different "parts of term," such as minimester A and B, which give students flexibility when building a class schedule. The shorter terms require the same amount of class time and work but are taught on a more accelerated schedule.

[View the complete 2024-25 Academic Year calendar.](#)

### Academic Policies

Any form of academic dishonesty is subject to the disciplinary actions set forth in the Student Code of Conduct. Cheating, plagiarism or any other misrepresentation of work is prohibited. Students who are found to be in violation of this standard may receive severe sanctions, including a failing grade in their respective course and depending on the circumstances, possible expulsion from Eastern Florida State College. For more information visit the [Academic Policies](#) page.

### Class Attendance and Participation

Regular class participation is required at Eastern Florida State College. Students are expected to attend all classes and actively participate and complete all assigned course work for all courses for which they are registered. In order to obtain credit for a course, a student must

demonstrate continued classroom participation as identified by the faculty to meet the competencies of the course. For more information visit the [Class Participation Guidelines](#) page.

### Student Health, Safety and Security

Eastern Florida State College is dedicated to protecting the safety and well-being of our students. For more information, visit the [Health, Safety and Security](#) pages.

### Student Services Contact Information

All Campus Student Services offices are open for walk-in services, plus we offer on-campus appointments in most cases to minimize waiting in our student services areas. Many questions can be answered by a quick phone call and appointment options often include virtual meetings via MS Teams. For more contact information, please visit the [Student Services Guide](#) page.

## Student Bill of Rights and Responsibilities

Eastern Florida State College students are both citizens and members of the academic community. As citizens, students enjoy freedom of speech, peaceful assembly, and the right to petition. As a member of the academic community, they are subject to the obligations which are theirs by virtue of this membership. When students attend the college, they become subject to its jurisdiction. Students are expected to conduct themselves in a responsible manner in all areas of campus life. By enrolling, they pledge to obey the rules and regulations of the College and are responsible for observing all Board of Trustees' Policies and Procedures.

## Student Code of Conduct

Any student who accepts the privilege extended by the laws of Florida of attending Eastern Florida State College gives his or her consent to the policies of the College, the State Board of Education, and the laws of Florida.

This Code of Conduct broadly applies to conduct occurring either on or off campus that substantially disrupts or interferes with the College's programs or mission, a civil and safe environment conducive to learning and inquiry, or the rights of other students and College employees to be secure and to be let alone. It applies to conduct that actually causes such disruption or interference, or that is reasonably forecasted to do so.

Student Code of Conduct proceedings are intended to be prompt, fair and impartial. The formal rules governing criminal or civil courts, including the rules of evidence, are not applicable to these proceedings. However, except for interim action (see 201.5.2 below), no disciplinary sanction may be imposed on a student unless and until the student has been notified in writing of the alleged violation(s) and afforded a meaningful opportunity to be heard. While students shall be afforded the opportunity to be heard, proper decorum is expected and required at all times. Abuses may result in the immediate termination of any proceeding and additional charges under the Code of Conduct.

The College may impose discipline for violation of, or an attempt to violate, any of the standards of conduct set forth in **Appendix A**, except for allegations of Sexual Misconduct, which shall be processed in accordance with College Procedure 800.10.

Students have the right to a presumption that no violation occurred. The College has the burden to prove, by a preponderance-of-the-evidence, that a violation occurred. Preponderance-of-the-evidence means that the

information presented supports the finding that it is more likely than not that the violation was committed by the student.

In addition, students charged with violating the Student Code of Conduct are entitled to the following:

- The right to an impartial hearing officer;
- The right against self-incrimination and the right to remain silent. Such silence may not be used against the student;
- The right to present relevant information and question witnesses;
- The right to an advisor or advocate who may not serve in any other role, including as an investigator, decider of fact, hearing officer, member of a committee or panel convened to hear or decide the charge, or any appeal;
- The right to have an advisor, advocate, or legal representative, at the student's own expense, present at any proceeding, whether formal or informal. Such person may directly participate in all aspects of the proceeding, including the presentation of relevant information and questioning of witnesses;
- The right to appeal the final decision of a hearing officer as provided herein. Appeals may not be heard by College officials who directly participated in any other proceeding related to the charged violation;
- The right to an accurate and complete record of every disciplinary proceeding on or after July 1, 2022, relating to the charged violation of the code, including record of any appeal, to be made, preserved, and available for copying upon request by the charged student; and
- The right to dismissal of any charge brought more than 1 year from the date of the alleged conduct. Such limitations period may be extended or waived for good cause, such as when the College was not made aware of the alleged conduct until after such limitations period had expired. Good cause determinations shall be made by the Dean of Students in consultation with appropriate College officials.

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### For purposes of this procedure, the term "student" shall mean:

- All persons enrolled in one or more EFSC courses, including on-campus courses, virtual (eLearning, online, hybrid) courses, and continuing education courses, even if they are also enrolled as students in another educational institution;
- All persons who are not officially enrolled at EFSC for a particular term, but have a continuing relationship with EFSC or intend to enroll in a future term, including without limitation persons enrolled in the spring and fall semesters who engage in misconduct during the summer, and students who are first time enrollees, or applicants, who engage in misconduct prior to the time of enrollment; and
- Student groups and organizations may be held collectively responsible when violations of the code by those associated with the group or organization have received approval, express or implied consent, or encouragement of the group or organization or of the group's or organization's leaders or officers.

This definition also includes persons who may have committed violations of the Code of Conduct while a student, but may no longer be actively enrolled at EFSC.

For purposes of this procedure, references to "day(s)" shall mean calendar day(s), while references to "business day(s)" shall mean Monday

through Thursday. Relevant timeframes are held in abeyance during any official breaks, closures, or holiday observances.

Level of disciplinary sanctions related to violations of the Code of Conduct include, but are not limited to: verbal/written warning, disciplinary censure, disciplinary probation, final disciplinary probation, suspension, and/or expulsion. A complete list of disciplinary sanctions is set forth in **Appendix B**.

Students with a good faith scheduling conflict may request a continuation of any noticed proceeding if such request is submitted in writing to the presiding College official not less than 24 hours prior to the scheduled proceeding. If a student fails or refuses to attend any scheduled proceeding, the student consents to the presiding College official conducting the proceeding in the student's absence. Students are responsible to arrange for the presentation of any relevant information and witnesses on their behalf. The College cannot compel any person to attend any proceeding on behalf of a student. The presiding College official shall have the authority to exclude irrelevant or cumulative information, and to limit the number of live witnesses in order to avoid unreasonable delays where the testimony is irrelevant or cumulative.

Students may have an advisor, advocate, or legal representative (one person) in attendance for any proceeding. Any such person serves at the student's own expense and initiative (the College is not responsible for recommending or providing for any student). A person may not serve in such role if their service would unreasonably conflict with or disrupt the fair administration of the matter under consideration, as determined by the presiding College official. This person's main role is to advise the student. A student may consult with this person at any time, provided such consultation does not disrupt or unreasonably delay the proceeding. If the person does not adhere to their defined role, they may be removed from the proceeding in the presiding College official's sole discretion. Students must provide the identity of such person, as well as a signed FERPA waiver, to the presiding College official at least 2 business days prior to the proceeding, which will not be adjourned or continued due to a claimed scheduling conflict of the student's chosen person.

Any action taken against a student pursuant to College Procedure 201.7 ([Trespass on College Property](#)) does not prohibit any proceeding under the Student Code of Conduct based on the same or other alleged misconduct by the student. Trespassed students may not appear in person at any proceeding under the Student Code of Conduct but will be afforded the opportunity via teleconference to be heard and present relevant information, witness testimony (including written witness statements), and any other documentary evidence supporting the student's position.

Except as provided herein, proceedings under the Student Code of Conduct may not be recorded (audio or video), televised, live-streamed, or otherwise electronically or telephonically disseminated or captured without the express written consent of the presiding College official.

Deviations from this procedure shall not invalidate a proceeding or resulting decision, except where such deviation has clearly resulted in significant prejudice to an accused student or to the College.

The College President has designated the Vice President for Academic and Student Affairs/CLO to authorize a student's suspension or expulsion in accordance with this procedure.

## Conduct Process

Alleged violations of the Student Code of Conduct will be generally processed as follows:

1. **Preliminary Review.** Upon receipt of information alleging conduct by a student that may violate any provision of the Student Code of Conduct, the matter shall be referred to the Dean of Students (or designee) who will conduct a preliminary review to determine an appropriate course of action.
2. **No Action.** If the Dean of Students (or designee) determines that the alleged conduct does not require disciplinary action under the Student Code of Conduct, the matter may be closed, subject to the right of the College to reopen for good cause.
3. **Notice of Charges.** If alleged conduct warrants disciplinary action under the Student Code of Conduct, the student must be provided with a written Notice of Charges, which must include at a minimum the following:
  - a. Description of the allegations to be investigated;
  - b. Citation to the specific section(s) of the Student Code of Conduct alleged to have been violated;
  - c. Description of the process to be used in determining whether a violation has occurred and associated rights;
  - d. Date, time, and location of the applicable disciplinary proceeding, which may not be held until at least 7 business days after the delivery date of the Notice of Charges; and
  - e. Notice that the student must be provided with a list of all known witnesses that have provided or will provide information against the student and all known information relating to the alleged conduct (including inculpatory and exculpatory information) at least 5 business days prior to the applicable disciplinary proceeding.

The Notice of Charges may be provided by delivery to the student's College email account.
4. **Conduct Hearing and Appeal.** The College official designated to preside over the Conduct Hearing ("Hearing Officer") will generally begin by asking whether the student admits or denies responsibility for the charged violation(s).
  - a. If the student admits responsibility for the charged violation(s), the Hearing Officer will afford the student an opportunity to be heard on the issue of sanctions before determining any sanctions.
  - b. If the student denies responsibility as to any charge(s), the Hearing Officer will afford the student an opportunity to be heard on the charged violation(s) and present any relevant information, witness testimony (including written witness statements), and any other documentary evidence supporting the student's position. The student will also be afforded an opportunity to be heard on the issue of sanctions. This may occur during the same meeting or at subsequent meetings at the sole discretion of the Hearing Officer. Upon conclusion of the Conduct Hearing, the Hearing Officer will consider all available and relevant information and decide whether the student is responsible for the charged violation(s) based upon a preponderance-of-the-evidence standard of review. If the Hearing Officer finds the student responsible on one or more charges, he or she will also determine the appropriate sanctions. The decision of the Hearing Officer shall be communicated in writing to the student via the student's College email address within 7 days of the conclusion of the Conduct Hearing, unless extenuating circumstances that resulted in a delay are communicated in writing to the student. The decision of the Hearing Officer shall constitute the College's final agency action, unless the student timely appeals the decision in accordance with the following section.
- c. If a student admits responsibility or is found responsible on one or more charges, no later than 7 days after service of the decision, the student may submit a written appeal of the decision and/or imposed sanctions to the Dean of Students. A student's appeal may only be based upon one or more of the following: (1) improper procedures that materially affected the result; (2) newly discovered information or evidence that was not reasonably available at the time of the Conduct Hearing through the exercise of diligence by the student, and that would have a materially altered the result; or (3) the sanction imposed was inappropriate for the violation(s). The Dean of Students (or designee) shall consider the merits of an appeal only on the basis of the above listed grounds for appeal. A student's dissatisfaction with the result is not a valid ground for appeal. Any sanctions imposed will not be stayed during the appellate process, as the original result and sanction are presumed correct. Students may not present any oral argument on appeal unless specifically requested by the Dean of Students (or designee), who may affirm the original result, alter the finding(s) of responsibility, alter the sanctions, or remand the matter for further Conduct Hearing proceedings. Within 14 days of the student's submission of the written appeal, the Dean of Students (or designee) shall inform the student in writing of the outcome of the appeal via the student's College email address, unless extenuating circumstances that resulted in a delay are communicated in writing to the student. The appeal decision of the Dean of Students (or designee) shall constitute the College's final agency action, unless the matter is remanded for further Conduct Hearing proceedings.
5. **Suspension/Expulsion Hearing and Appeal.** If the alleged conduct could reasonably be expected to result in a suspension or expulsion from the College, the Dean of Students (or designee) will serve as the Hearing Officer and conduct a Suspension/Expulsion Hearing, which may be recorded (audio or video) or transcribed at the sole discretion of the College. The College President waives the 14 day notice of hearing requirement for any Suspension/Expulsion Hearing for purposes of Section 120.81(1)(h), Florida Statutes. Any recordings or transcripts will be the property of the College. The Dean of Students (or designee) will generally begin a Suspension/Expulsion Hearing by asking whether the student admits or denies responsibility for the charged violation(s).
  - a. If the student admits responsibility for the charged violation(s), the Dean of Students (or designee) shall afford the student an opportunity to be heard on the issue of sanctions before determining any sanctions. If the Dean of Students (or designee) determines that a suspension or expulsion is warranted, they will make such recommendation to the Vice President for Academic and Student Affairs/CLO. Otherwise, the Dean of Students (or designee) shall determine the appropriate sanction(s).
  - b. If the student denies responsibility as to any charged violation(s), the Dean of Students (or designee) shall afford the student an opportunity to be heard on the charged violation(s) and present any relevant information, witness testimony (including written witness statements), and any other documentary evidence supporting the student's position. The student will also be

afforded an opportunity to be heard on the issue of sanctions. This may occur during the same hearing or at subsequent hearings at the sole discretion of the Dean of Students (or designee). Upon conclusion of the hearing, the Dean of Students (or designee) shall consider all available and relevant information and decide whether the student is responsible for the charged violation(s) based upon a preponderance-of-the-evidence standard of review. If the Dean of Students (or designee) finds the student responsible, he or she will then determine whether a suspension or expulsion is warranted, and if so, the Dean of Students (or designee) will make such a recommendation to the Vice President for Academic and Student Affairs/CLO. Otherwise, the Dean of Students (or designee) shall determine the sanction(s). The decision of the Dean of Students (or designee) shall be communicated to the student via the student's College email address within 7 days of the conclusion of the Suspension/Expulsion Hearing, unless extenuating circumstances that resulted in a delay are communicated in writing. The decision of the Dean of Students (or designee) shall constitute the College's final agency action, unless a suspension or expulsion is recommended, or the student timely appeals the decision in accordance with the following section.

- c. If a student admits responsibility or is found responsible on one or more charges, no later than 7 days after service of the decision, the student may submit a written appeal of the decision and/or imposed sanctions to the Associate Vice President for Student Affairs. A student's appeal may only be based upon one or more of the following: (1) improper procedures that materially affected the result; (2) newly discovered information or evidence that was not reasonably available at the time of the Conduct Hearing through the exercise of diligence by the student, and that would have a materially altered the result; or (3) the sanction imposed was inappropriate for the violation(s). The Associate Vice President for Student Affairs (or designee) shall consider the merits of an appeal only on the basis of the above listed grounds for appeal. A student's dissatisfaction with the result is not a valid ground for appeal. Any sanctions imposed will not be stayed during the appellate process, as the original result and sanction are presumed correct. Students may not present any oral argument on appeal unless specifically requested by the Associate Vice President for Student Affairs (or designee), who may affirm the original result, alter the finding(s) of responsibility, alter the sanctions, or remand the matter for further Suspension/Expulsion Hearing proceedings. Within 14 days of the student's submission of the written appeal, the Associate Vice President for Student Affairs (or designee) shall inform the student in writing of the outcome of the appeal via the student's College email address, unless extenuating circumstances that resulted in a delay are communicated in writing to the student. The appeal decision of Associate Vice President for Student Affairs (or designee) shall constitute the College's final agency action (if the student is not recommended for suspension or expulsion), unless the matter is remanded for further Suspension/Expulsion Hearing proceedings.
- d. If a recommendation for suspension or expulsion is not appealed, or is affirmed on appeal, the Vice President for Academic and Student Affairs/CLO, as the designee of the College President, may authorize the student's suspension or expulsion. The decision will be communicated to the student within 7 days via the student's College email address, unless extenuating circumstances that resulted in a delay are communicated in

writing to the student. The decision of the Vice President for Academic and Student Affairs/CLO, as the designee of the College President, shall constitute the College's final agency action.

## Interim Action

1. **Interim Action.** The Dean of Students (or designee), in consultation with other appropriate College officials, may at any time determine that immediate interim action is necessary to protect the health, safety, or general welfare of the College community. If the Dean of Students (or designee) reasonably forecasts that a student poses an imminent threat of harm to themselves or others in the College community, or to College property, the Dean of Students (or designee), in consultation with appropriate College officials, may impose immediate interim action(s) on the student, including without limitation:
  - a. Restrictions on contact with certain individuals via any mode of in person, verbal, written, electronic or social media communications;
  - b. Restrictions on entry and/or access to College property, places, facilities, or equipment;
  - c. Restrictions on class attendance;
  - d. Restrictions on, or suspension from, participation in any College-sponsored program, activity, event, organization, club, athletic team (varsity or club), or competition;
  - e. Temporary suspension; and/or
  - f. Placement of a hold on future registration.
2. **Implementation of Interim Action and Appeal.** Implementation of interim action requires the student be notified as soon as reasonably practical upon the imposition of any interim action. The notice shall state the basis for the interim action and that the student will have the opportunity to inspect all information which provided the basis for the interim action. A written notice may be sent to the student's College email account. The College may also communicate the determination verbally to the student and concurrently deliver the written notice as described above. The student shall have 2 business days from the date of notification to appeal the interim action (not including the date of issuance). The student's appeal of the interim action must be made in writing to the Vice President of Academic and Student Affairs/CLO and must be based upon one of the following grounds:
  - a. An egregious error pertaining to the student's involvement; or
  - b. A contention that the student does not pose an imminent threat of harm to themselves or others in the College community, or to College property, and thus does not warrant interim action(s).

Any appeal of the interim action will be heard within 10 business days of receipt of the appeal, which may be delayed due to a semester break, closing of the College, or other extenuating circumstances. The outcome shall be communicated to the student via the student's College email address within 3 business days of hearing the appeal.

If it is determined by that the interim action was not warranted, the student's status will be reinstated, and the conduct process will continue in accordance with the Student Code of Conduct. If the student does not appeal the interim action, or if the interim action is affirmed on appeal, the interim action will remain in effect until conclusion of the conduct process.



### 201.5.3 Appeal of Final Agency Action

A student may seek judicial review of the College's final agency action pursuant to Florida Rule of Appellate Procedure 9.190(b)(3), by filing a petition for certiorari review with the appropriate circuit court within 30 days of the College's final agency action. Students who seek review with the court must provide a copy of the petition to the Office of the College President within 1 business day of filing.

## Appendix A: Student Code of Conduct

This code of conduct relates to all actions disruptive or otherwise harmful to the educational process and includes both physical and virtual (online) educational communities and communications. Violation of the standard of conduct herein will be considered a disciplinary matter and treated in accordance with procedures of due process and with respect of the right and welfare of all members of the College community. Standards of conduct for which students are subject to disciplinary action, such as suspension or expulsion from EFSC, include, but are not limited to, those described below:

1. **Academic Dishonesty** - Cheating, plagiarism and any other misrepresentation of work are prohibited. Students who are found to be in violation of this standard may receive severe sanctions including a failing grade in their respective course and, depending on the circumstances, possible expulsion from Eastern Florida State College.
2. **Aiding or Facilitating** - No student may aid, facilitate, assist, support, promote, or otherwise encourage the commission of any conduct or behavior prohibited by this Student Code of Conduct. In addition, students witnessing any prohibited conduct or behavior must report same to appropriate College officials in a timely manner.
3. **Alcoholic Beverages** - Alcoholic beverages are prohibited on the campuses of Eastern Florida State College and at any College-sponsored activity or event unless approved in advance by the President. Students found to be in possession without prior approval, or unlawfully in possession or under the influence of alcoholic beverages while on campus or at a College-sponsored activity or event is subject to discipline including suspension or expulsion. Sanctioning a student for conduct prohibited by this section is not conditioned upon the student being cited or convicted in a court of law.
4. **Animals** - Animals are not permitted on any property owned or controlled by the College unless they meet the definition of "service animal" under federal and state law, are an approved accommodation by the Office of Student Access for Improved Learning (SAIL), or are part of an approved course or presentation. See also Sections 203.5 and 203.6 of the College Procedures Manual.
5. **Arson** - No student shall commit or aid in the intentional commission of an act which results in fire being ignited that causes damage or is intended to cause damage, to the property of the College or to the property of any other person.
6. **Assault and/or Battery** - An "assault" is an intentional threat by word or act to do bodily harm to another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such bodily harm is imminent. A "battery" occurs when a person actually and intentionally touches another person against the will of the other or intentionally causes bodily harm to another person.
7. **Breach of Peace** - Conduct or expression on College owned or controlled property which disrupts the orderly functioning of the College or is lewd, indecent or obscene is prohibited. Cellular telephones and audible pagers should only be used outside of classrooms.
8. **Bullying** - Behavior of any sort (including communicative behavior) directed at another, that is severe, pervasive, or persistent, and is of a nature that would cause a reasonable person or group in the target's position substantial emotional distress and undermine his or her ability to work, study, or participate in College programs or activities, or which would place a reasonable person in fear of injury or death.
9. **Children on Campus** - Because of potential disruptiveness to the learning environment, non-enrolled children are not permitted to visit a class in session or a lab. Non-enrolled children will not be permitted to remain in the common areas of College buildings without adult supervision. Only registered students are allowed to sit in class.
10. **College-sponsored Activities and Events** - Use of College facilities must be approved by the proper College authority. All College-sponsored activities and events, e.g., outdoor concerts, student rallies, outside speakers, etc. are subject to any limitations and provisions established by the appropriate College official.
11. **Contracting or Representation in the Name of the College** - Students, including those acting as officers within any of the Student Government Association or clubs, are prohibited from contracting in the name of Eastern Florida State College and may not claim to be official representatives of the College. Students will not endorse a product in a manner which implies an official endorsement by the College.
12. **Cosmetology Prohibited Act** - Student cosmetology services shall be performed only in the lab under the supervision of an instructor. All services must be approved in advance by the instructor. Services shall not be performed in restrooms, hallways, or other areas. Students are expected to adhere to the professional standards associated with licensure expectations. **Florida Statute 477.0263** - Cosmetology services shall be performed only by licensed cosmetologists in licensed salons. **Florida Statute 477.0265. Prohibited acts.** It is unlawful for any person to engage in the practice of cosmetology or a specialty without an active license as a cosmetologist or registration as a specialist issued by the department pursuant to the provisions of this chapter. Any person who violates any provision of this section commits a misdemeanor of the second degree, punishable as provided in §.775.082 or §.775.083.
13. **Damage or Destruction of Property** - Accidental damage, vandalism or malicious damage to property belonging to Eastern Florida State College or others may require restitution from the person(s) responsible for such damage and/ or may result in disciplinary action.
14. **Defamation, Threats and Extortion** - Verbal or written communication which unlawfully exposes any individual or group to hatred, contempt, or ridicule and thereby injures the person, property, or reputation of another is prohibited. Verbal or written communication which threatens another with a crime or offense, threatens injury to the person, property, or reputation of another, or maliciously threatens to expose another to disgrace, with the intent to extort money or other advantage is prohibited.
15. **Disruption** - In accordance with F.S. 1006.61 (1): "Any person who accepts the privilege extended by the laws of this state of attendance at any public postsecondary educational institution shall, by attending such institution, be deemed to have given his or her consent to the policies of that institution, the State Board of Education, and the laws of this state. Such policies shall include

prohibition against disruptive activities at public postsecondary educational institutions.”

Students who intentionally act to impair, interfere with or obstruct the orderly conduct, process and functions of the College, either on or off campus, shall be subject to appropriate disciplinary action by College authorities.

Disruptive conduct shall include, but not be limited to, the following:

- a. Violence against or endangerment of any member or guest of the College community.
  - b. Deliberate interference with academic freedom and freedom of speech (including not only disruption of a class but also interference with the freedom of any speaker invited by any section of the College community to express his/her views).
  - c. Theft or willful destruction of College property.
  - d. Forcible interference with the freedom of movement of any member or guest of the College.
  - e. Participation in a disturbance of the peace or unlawful assembly.
  - f. Public intoxication.
  - g. Exposing sexual organs or engaging in sexual acts, or similar lewd, obscene, or indecent conduct in a public place or while in public view.
  - h. Sleeping in class, repeated tardiness, interfering with the learning process of others, outbursts, verbal abuse, and/or profanity.
  - i. Obstruction of the normal process and activities essential to the College community.
16. **Distribution or Sale of Literature or Goods** - Distribution or sale of literature or goods on the campuses must be conducted in accordance with all applicable College policies and procedures.
17. **Dress and Appearance** - Students are expected to maintain standards of personal appearance and dress which are conducive and appropriate to the maintenance of health, welfare and safety for themselves and for their associates in the community. Dress worn by students must be of sufficient quality and quantity to properly cover and protect the body, including shirt and shoes.
18. **Duplication of Keys** - Duplication of College keys is prohibited.
19. **Endangerment** - Any action that endangers the health, safety, or welfare of one's own self or others, including but not limited to:
- Physical violence towards another person or group.
  - The threat of physical violence towards another person or group.
  - Interference with the freedom of another person or group to move about in a lawful manner.
  - Intentional or reckless transmission of illness or disease (including but not limited to COVID-19) to another person or group.
20. **Failure to Pay Financial Obligations** - The College may initiate disciplinary proceedings against a student who has allegedly refused to pay or failed to pay a debt he/she owes to the College. If a student fails to pay the College an amount due, disciplinary action may be initiated. College transcripts will not be issued to any student who has not satisfied all financial obligations to the College. Students will not be allowed to register for classes until account is cleared.
21. **Falsification of Records** - Falsification of College records, including, but not limited to, admission, registration, disciplinary and health records, by forgery or other means of deception, is prohibited
22. **Firearms, Weapons, Fireworks, Explosives** -
- a. **Introduction**  
EASTERN FLORIDA STATE COLLEGE is committed to maintaining an educational and workplace environment that is free of violence. The College further recognizes the existence of extensive legislative acts and constitutional provisions pertaining to the rights and obligations of those who own or possess firearms, specifically those addressing the right to carry, store, and transport firearms on one's person and within motor vehicles.
  - b. **Authority**
    - i. While on College grounds or facilities or at College-sponsored activities and events, students, staff, faculty, administration, employees, and invitees, hereinafter referred to as “person”, are prohibited from introducing, exhibiting, possessing, using, storing, buying or selling weapons, firearms, destructive devices, or explosives. [§790.001; §790.115, F.S. (2017)]
    - ii. **Exceptions:** The following circumstances shall not be a violation of this policy/procedure:
      1. It is lawful and is not a violation of Florida Statute or EASTERN FLORIDA STATE COLLEGE policy/procedure 803 for a person 18 years of age or older to possess a concealed firearm or other weapon for self-defense or other lawful purpose within the interior of a private vehicle (conveyance), without a carry license, if the firearm or other weapon is securely encased or is otherwise not readily accessible for immediate use. Nothing in this policy prohibits the carrying of a legal firearm other than a handgun anywhere in a private conveyance when such firearm is being carried for a lawful use. [§790.115; §790.25; §790.251, F. S. (2017)]
      2. A firearm in the possession of a law enforcement officer who is authorized to possess the firearm whether on or off duty, by the employing law enforcement agency.
      3. A firearm in the possession of an Armed Security Officer, as defined by College policy and procedure.
      4. Any other possession of a firearm specifically authorized pursuant to the provisions of F.S. §790.115, (2017).
23. **Gambling** - Gambling is prohibited on the campuses of Eastern Florida State College.
24. **Guest Responsibility** - Students may be held responsible for the actions of their guests.
25. **Hazing** - Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of another for purposes including, but not limited to:
- Initiation into any organization operating under the sanction of a postsecondary institution;
  - Admission into any organization operating under the sanction of a postsecondary institution;
  - Affiliation with any organization operating under the sanction of a postsecondary institution; or
  - The perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a postsecondary institution.

The term includes, but is not limited to, pressuring or coercing another 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 another; or any

activity that would subject another 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 another. The term does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

26. **Harassment** – Threats, intimidation, coercion, or any other conduct that places a reasonable person in fear of physical harm, through words or actions, or objectively disrupts a person’s daily activities, including education and employment. Harassment does not include conduct protected by the First Amendment.
27. **Housing Conduct** – Students residing in the College’s on-campus student housing facility must adhere to any rules, regulations, and standards of conduct that are specific to that facility, including but not limited to, the Housing Code of Conduct.
28. **Identification of Students** - Students are required to present proper identification when requested by authorized College officials. Any misrepresentation, alteration or misuse of identification is prohibited. In addition, students are required to obtain a College-issued identification card as soon as practicable upon enrollment.
29. **Illegal Drugs and Controlled Substances** - The College cannot protect students from state and federal drug abuse laws and will cooperate fully with law enforcement agencies. All applicants for admission to Eastern Florida State College shall certify in writing that they will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during enrollment at EFSC according to the College’s Drug-Free Policy. This means that students:
- Will not use, possess, purchase, solicit, sell, manufacture, distribute, or deliver (or possess with intent to unlawfully use, purchase, solicit, sell, manufacture, distribute, or deliver) narcotics, controlled substances, prescription medication without a personal prescription, or other illegal drugs.
  - Will notify the College within five (5) business days of any conviction for any offense occurring on or away from campus relating to the possession, sale, purchase, delivery, use, manufacture or distribution of illegal drugs or controlled substances.
  - Has read, understood and will obey the College’s Drug-Free Policy. Applicants who refuse to sign the drug-free certification may be refused admission to the College. If an applicant cannot agree to accept the above conditions for admission to the College, he or she may be offered counseling which may include information as to where to obtain rehabilitative services. The statement of certification will be considered a legal contract between the student and the College and such contract will be considered broken upon commission of an offense relating to the use, possession, purchase, solicitation, sale, manufacture, distribution, or delivery (or possession with intent to unlawfully use, purchase, solicit, sell, manufacture, distribute, or deliver) narcotics, controlled substances, prescription medication without a personal prescription, or other illegal drugs. A student who commits a drug-related offense on campus or while in attendance at a College event will be sanctioned up to and including suspension or expulsion. A student who is tested positive for an illegal drug or controlled substance during screening for College-related programs or for program-related clinical experiences will also be sanctioned up to and including suspension or expulsion.
- Medical Marijuana in Florida. Despite the provisions of Article X, Section 29 of the Florida Constitution, as well as applicable Florida Statutes and implementing F.A.C. Rules, marijuana remains a controlled substance under federal law, and continues to be prohibited by the College. Thus, any member of the College community who meets the definition of “qualified patient” under §381.986(1), Florida Statutes, shall continue to abide by federal law as it relates to marijuana, as well as any and all applicable College policies and procedures.
- Sanctioning a student for conduct prohibited by this section is not conditioned upon the student being cited or convicted in a court of law.
30. **Intellectual Property Rights** - The College promotes an academic environment that encourages and rewards the creative efforts and innovative spirit of its students. The College, therefore, does not claim ownership rights to the intellectual property created by students in the scope of their attendance except where the student has utilized substantial resources of the College in the development of the work that goes beyond resources commonly provided to students for production of publications or class projects. Intellectual property is meant to include both traditional forms of intellectual property such as student publications, class projects and student papers, as well as non-traditional intellectual property such as CD-ROMS, computer programs, TV courseware or other electronically recorded materials. All such intellectual property remains the property of the authoring student. However, the College retains an interest in said property by virtue of the College’s assistance and support for its development, production and dissemination and, therefore, shall have reasonable access to and use of the intellectual property for such purposes as student evaluation and reproduction in exercising their administrative duties.
31. **Interference with College Guests** - The College may initiate disciplinary actions for any interference with the freedom of movement of any member or guest of the College community.
32. **Invasion of Privacy** - Making, using, disclosing, or distributing a recording or other image of another person in a location or situation in which that person has a reasonable expectation of privacy and is unaware or does not consent to it; and any other conduct that constitutes an invasion of the privacy of another person under applicable laws and regulations. Such conduct includes, without limitation, taking unauthorized photographs, recording personal conversations or sexual encounters, acts of voyeurism, peeping, spying, or similar conduct that otherwise invades the privacy of another where a reasonable expectation of privacy exists. See also #49 (Unauthorized Recordings).
33. **Misuse of Emergency Equipment** - Fire escapes, designated ground-level doors, fire hoses, extinguishers and alarm equipment are to be used only in emergencies. Tampering with or misuse of these emergency devices, as well as blocking fire exits or impeding traffic in any way, is prohibited.
34. **Obeying Reasonable Orders of College Officials** - Students are required to comply with reasonable requests or orders by authorized College officials or representatives acting on the part of the College. This requirement includes reasonable requests for students to comply with health and safety directives (including those related to COVID-19), to meet appointments in administrative offices and at disciplinary investigations and hearings, and to abide by “no contact orders” and similar restrictions regarding access to, use of, or physical presence on College property, including trespass notices.

35. **Obstruction of Process** - Interference with or obstruction of the Student Code of Conduct, Housing Code of Conduct, Sexual Misconduct, or other similar process, by any means and through any medium, including but not limited to the following:
- Knowingly filing a false report.
  - Falsification, distortion, or misrepresentation of information.
  - Disruption or interference with the orderly conduct of a proceeding.
  - Harassment or intimidation of a College official or participant.
  - Attempting to influence the impartiality of a College official.
  - Influencing or attempting to influence another person to commit an obstruction of process.
36. **Outside Speakers** - Speakers may be invited to address a campus audience by a recognized student organization and the Student Government Association. These invitations must be approved by the Campus Administrator.
37. **Public Laws** - Any act by a student which constitutes a charge of a violation of public law, occurring either on or off campus, may establish cause of legal and/or disciplinary action by the College. However, if a student is later found to be not guilty of all related charges in a court of law, the College may reconsider any disciplinary sanctions imposed at the request of the student.
38. **Providing False Information** - Furnishing false or misleading information to the College or to any College official. This includes but is not limited to forging documents or other data, or omitting facts that are material to the purpose for which the information is submitted.
39. **Recognition of Student Groups** - In order to be classified as a student organization, established, recognized procedures must be met and approved by the Dean of Students.
40. **Retaliation** – No student may retaliate against a person or group who makes a report or complaint, cooperates with an investigation, or otherwise assists College officials in the enforcement of this Student Code of Conduct or any other College policy or procedure. Retaliation includes intimidation, threats, harassment, and other adverse actions.
41. **Search and Seizure** – With reasonable suspicion, College officials may conduct a search of a student's person or property for the purpose of obtaining information or evidence incident to a violation or suspected violation of the law or this Student Code of Conduct. If necessary, local law enforcement may be contacted for follow up. Students who fail or refuse to cooperate may be subject to discipline.
42. **Sexual Exploitation** – Sexual Exploitation occurs when a person takes advantage of the sexuality of another person without consent or in a manner that goes beyond the boundaries of consensual sexual activity without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, personal benefit, or any other non-legitimate purpose. Examples of behavior that could rise to the level of Sexual Exploitation include:
- Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without the consent of all parties involved.
  - Recording, distributing, publishing, or streaming images (e.g. video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent.
  - Prostituting another person.
  - Exposing one's intimate body parts in unwelcome or non-consensual circumstances or inducing another person to so expose.
- Knowingly exposing another individual to a sexually transmitted infection or disease.
  - Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.
- Please note that Sexual Exploitation may also constitute Sexual Misconduct (Sexual Harassment) depending on the circumstances.
43. **Sexual Misconduct** – Conduct that constitutes, or allegations that if proven would constitute, Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking, as those terms are defined in Section 800.10 of the College Procedures Manual. Any allegations of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking, as those terms are defined in Section 800.10 of the College Procedures Manual, shall be processed in accordance with that section. Similar conduct not specifically addressed in Section 800.10 of the College Procedures Manual may be subject to discipline under this code of conduct, including but not limited to, #6-Assault/Battery, #15-Disruption, #19-Endangerment, #25-Hazing, #31-Interference with College Guests, #32-Invasion of Privacy, #42-Sexual Exploitation, and #47-Threats/Threatening Behavior.
44. **Smoking** - Consumption of any tobacco products and electronic cigarettes is strictly prohibited within all College work areas, including conference rooms, classrooms, restrooms, stairwells, and hallways. Smoking is also prohibited in any vehicle (to include golf carts) the College owns, hires, or leases. Smoking on College property will only be allowed at designated smoking areas. Employees, students, and visitors may use designated smoking areas only. Proper disposal of smoking material in the ash urns provided is required.
45. **Theft or Other Abuse of Computer Time, including but not limited to:**
- a. Unauthorized entry into a file to use, read, change contents or for any other use.
  - b. Unauthorized transfer of a file or unauthorized copying of licensed products.
  - c. Use of another individual's identification and password.
  - d. Use of computer facilities including laptop and wireless access to interfere with the work of another student, faculty member or College official.
  - e. Use of computing facilities including laptop and wireless access to send obscene or abusive messages.
  - f. Use of computer facilities including laptop and wireless access to interfere with the normal operations of the College computing system.
  - g. Use of computing facilities including laptop and wireless access to download obscene materials.
  - h. Violation of other established computer lab policies or laptop computer loan agreements.
46. **Theft, Unauthorized Possession and/or Sale of Property** Students involved in theft, unauthorized possession and/or sale of property not belonging to them are subject to College disciplinary action as well as to arrest and prosecution by legal authorities. Students are required to make full restitution. Students in possession of property owned or controlled by the College (i.e., the bookstore, library, audio-visual department, athletic department) or by another person, without authorization or payment for such property, will be subject to College disciplinary action.
47. **Threats/Threatening Behavior** - Any statement, communication, conduct, or gesture, including those in written form, directed toward another that causes a reasonable apprehension of physical harm to



a person or property. A student can be responsible even if the person who is the object of the threat does not observe or receive it, so long as a reasonable person would interpret the maker's statement, communication, conduct, or gesture as a serious expression of intent to physically harm.

48. **Unauthorized Use of College Facilities** - The unauthorized use of, or entry into, any College facilities (i.e., classrooms, labs, athletic fields), whether by force or not, is prohibited.
49. **Unauthorized Recordings** – Any unauthorized video or audio recording, including but not limited to, the recording of personal conversations, meetings, or activities; use of a camera, video, phone, or other device to record another person or group without express permission or prior authorization. EXCEPTION: Academic accommodation per approval and permission through the Student Access for Improved Learning (SAIL).

Pursuant to Florida Statute 1004.097(3)(g), a student may record video or audio of class lectures for one or more of the following purposes: (1) for their own personal educational use; (2) in connection with a complaint to the College; or (3) as evidence in or in preparation for a criminal or civil proceeding. A recorded lecture may not be published without the consent of the faculty member. For this purpose, the term "publish" means to share, transmit, circulate, distribute or otherwise provide access to the recording, regardless of format or medium, to another person, or persons, including but not limited to another student in the class. Additionally, a recording, or transcript of the recording, is "published" if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, picket signs, or any mode of print. The term "class lecture" is defined as a formal or methodical oral presentation as part of a college course intended to present information or teach enrolled students about a particular subject. The term "class lecture" does not include lab sessions, student presentations (whether individually or as part of a group), class discussion (except when incidental to and incorporated within a class lecture), clinical presentations such as patient history, academic exercises involving student participation, test or examination administrations, field trips, private conversations between students in the class or between a student and the faculty member, and invited guest speakers during a class session. A recording that personally identifies a student who has not consented to being recorded will not be recognized as a "class lecture" for these purposes. The College shall not be responsible for any damages, court costs, or attorney fees resulting from a student's violation of the statute; any recovery shall be the sole responsibility of the offending student.

50. **Use of College Mail Services** - Use of College mail services is limited to official business of the College or College-sponsored or approved College-related organizations. Students must receive approval from the campus Associate Provost Office in order to use College mail services.
51. **Use of Vehicles** - Riding bicycles in hallways, in buildings, or on walkways is prohibited. Motorized vehicles, roller skating and skateboarding are prohibited in areas other than designated roadways on the campuses of Eastern Florida State College. EXCEPTION: Motorized vehicles for handicapped persons may be used on walkways and in buildings.
52. **Violation of Probationary Status** - A student, who is alleged to have violated the Code of Conduct, while being subject to disciplinary or

final disciplinary probation, may be charged with the separate offense of violating disciplinary probation.

53. **Violations of Law** - Federal and state law, respective county and city ordinances, and all College and Board of Trustees rules, regulations, policies, and procedures will be strictly enforced.
54. **Violation of Florida Statute 553.865 ("Safety in Private Spaces Act")**. Willfully entering a restroom or changing facility designated for the opposite sex (based on biological sex at birth) on the premises of the College and refusing to depart when asked to do so by any administrative personnel, faculty member, security personnel, or law enforcement personnel, except when entering for these purposes:
- To accompany a person of the opposite sex for the purpose of assisting or chaperoning a child under the age of 12, an elderly person as defined in s. 825.101, F.S., or a person with a disability as defined in s. 760.22, F.S., or a developmental disability as defined in s. 393.063, F.S.;
  - For law enforcement or governmental regulatory purposes;
  - For the purpose of rendering emergency medical assistance or to intervene in any other emergency situation where the health or safety of another person is at risk;
  - For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use; or
  - If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex.

See also Fla. Admin. Code R. 6A-14.00612.

The requirements of s. 553.865, F.S., and Fla. Admin. Code R. 6A-14.00612, do not apply to an individual who is or has been under treatment by a physician who, in his or her good faith clinical judgment, performs procedures upon or provides therapies to a minor born with either of the following medically verifiable genetic disorders of sexual development: (1) external biological sex characteristics that are unresolvably ambiguous; or (2) a disorder of sexual development in which the physician has determined through genetic or biochemical testing that the patient does not have a normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a male or female, as applicable.

Any student who violates Florida Statute 553.865 is subject to disciplinary sanctions up to and including expulsion from the College.

Students, administrative personnel, faculty members, security personnel, and law enforcement personnel have the right to file a complaint with the Attorney General alleging the College failed to meet the minimum requirements for restrooms and changing facilities under s. 553.865(4) and (5), F.S.

## Appendix B: Disciplinary Sanctions Student Disciplinary Procedure

A list of disciplinary sanctions (F.S. 1006.62) that may be imposed in cases of violation of the Student Code of Conduct follows.

1. **Expulsion.** Mandatory separation from the College with no promise of future re-admission. A student who has been expelled is barred from enrolling at or visiting any of the campuses or centers of Eastern Florida State College. The Dean of Students will present recommendations for expulsion to the President, or his designee. Only the President, or his designee, may authorize an expulsion.

2. **Suspension.** Mandatory separation from the College for a period of time as specified in the order of suspension. A student who has been suspended is barred from enrolling at or visiting any of the campuses or centers of Eastern Florida State College during the suspension. The student may re-enroll at the College when the suspension order has elapsed. The Dean of Students will present recommendations for suspension to the President. Only the President or his designee may authorize a suspension.
3. **Temporary Suspension.** The Associate Dean of Student Life or Dean of Students may temporarily suspend any student when:
  - (1) the student is ordered by an administrator, officer or faculty member to cease or desist any activity which disrupts the orderly operation of the College and
  - (2) the student persists in activity which is disruptive after receiving the warning and order. The Associate Dean of Student Life or Dean of Students shall determine whether or not the suspension shall continue until a hearing is held on the merits of the respective case. A student on temporary suspension is barred from visiting privileges and class attendance at any of the campuses or centers of Eastern Florida State College.
4. **Final Disciplinary Probation.** A disciplinary sanction serving notice to a student that the behavior is in flagrant violation of College standards and that the following conditions exist: a. The sanction is for the remainder of the student's attendance at the College. b. Another conviction of a violation of the Student Code of Conduct will result in the imposition of the minimum sanction of suspension.
5. **Disciplinary Probation.** A disciplinary sanction serving notice to a student that the student's behavior is in serious violation of College standards and that continued enrollment depends upon the maintenance of satisfactory citizenship during the period of probation.
6. **Disciplinary Censure.** A disciplinary sanction serving notice to a student that the student's behavior has not met College standards. This sanction remains in effect for the duration of one complete semester. Future violations of the Student Code of Conduct, if occurring while disciplinary censure is in effect, could result in more serious disciplinary sanctions.
7. **Restitution.** Reimbursement for damage to, or misappropriate use of, property of the College or other persons. Reimbursement may take the form of rendering repair or compensating for damages.
8. **Restriction or Revocation of Privileges.** Temporary or permanent restrictions and/or loss of privileges, including but not limited to:
  - (1) contact or interaction with other members of the College community;
  - (2) access to, use of, or physical presence in specified areas of a campus or other property owned or controlled by the College;
  - (3) participation in any College sponsored program, activity, event, organization, club, athletic team, or competition; or
  - (4) College-related employment, service, or assignments.
9. **Community Service.** A student may be required to complete work assignments or other service to the College community.
10. **Educational or Counseling Assignment.** A student may be assigned sanctions, educational or supportive in nature, to aid in his/her development and better understanding of his/her choices. The student will be given a definite time frame for each assignment and is expected to complete assignments within that time frame in order to avoid further conduct action.
11. **Withholding of diplomas, transcripts, or other records.**
12. **Transcript notations.**

13. **Verbal or written warning or reprimand.**
14. **Other action as deemed appropriate.**

## Overview of Complaint and Grievance Procedure

The College has procedures for addressing written student complaints and follows those procedures when resolving student complaints. Student complaints need to be addressed in a fair and professional manner, and the policies and procedures governing student complaints need to be well publicized and provide clear and consistent guidelines for their resolution. These procedures are publicized in the Student Handbook and on the College website. The College maintains a record of complaints received by the institution. (SACSCOC 4.5)

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### Complaint/Grievance Procedure

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Eastern Florida State College in compliance with the Southern Association of Colleges and Schools, Commission on Colleges (SACSCOC) recognizes the value of information provided by students, employees and others in determining whether the College's performance is consistent with accreditation standards. The College ensures that the grievance procedures and standards are appropriate and fair and are applied appropriately and consistently. They are also well published. The Eastern Florida State College Board Policy Governance Manual section 400.3 addresses student rights and responsibilities. The process is outlined in EFSC Procedure 419 (Student Comportment).

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### Informal Process

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The College encourages individuals to discuss issues and attempt to work out differences in a non-confrontational manner. This informal process is defined as the verbal discussion between the student and the staff or faculty member most closely associated with the concern. The informal process is intended to encourage a satisfactory resolution to a complaint at the earliest possible time; however, the informal process is not a mandatory step in order to access the formal process.

### Student Ombudsman

The Associate Dean of Student Success and Support is the designated student ombudsman collegewide for Eastern Florida State College, per EFSC Procedure 201.2.1. The student ombudsman acts as a neutral third party who helps students address problems or concerns and explore solutions in an informal manner, including problems or concerns related to access to courses and credit granted toward a degree.

The student ombudsman does not have any authority to make decisions or take official action on behalf of the College and is not a substitute for following proper channels. Communications with the student ombudsman are "off the record" and do not put the College on official notice of a problem. If a student wishes to place the College on official notice of a problem, the student ombudsman can provide information about how to do so.

Disclosures to the student ombudsman are private except where sexual misconduct, certain crimes, imminent threats, or other extenuating circumstances are involved. The student ombudsman follows no prescribed sequences of steps, and does not participate in any formal processes. The student ombudsman does not advocate for or against any particular party and cannot give legal advice nor assist a student represented by legal counsel.

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### The Student Ombudsman will:

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- Notify students about opportunities for assistance or appeal.
- Listen and discuss questions, issues, and concerns.
- Help develop and evaluate various options to address concerns.
- Answer questions or help find others who can develop and evaluate options to address concerns.
- Explain College policies and procedures.
- Facilitate communication between and among individuals.
- Advise individuals about steps to resolve problems informally.
- Advise individuals about formal administrative options.
- Mediate disputes to seek "win-win" resolution of problems.
- Make appropriate referrals when informal options do not work.
- Point out patterns of problems/complaints to administrators.

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### The Student Ombudsman will not:

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- Replace or circumvent existing channels.
- Direct any College office to change a decision.
- Make decisions for the student.
- Set aside rules, regulations, policies, or procedures.
- Participate in formal grievance, complaint, or conduct processes.
- Make decisions for College faculty or administration.
- Determine "guilt" or "innocence" of those accused of wrongdoing.
- Impose sanctions on students.
- Receive official notice for the College about issues or problems.
- Give legal advice or assist students represented by legal counsel.

Students may request assistance from the student ombudsman by contacting Emily Tonn, Associate Dean of Student Success and Support at 321-433-7715. Alternatively, students may request assistance from the student ombudsman by [e-mail](#).

The student ombudsman is accountable to the Vice President of Academic and Student Affairs/CLO as the designee of the President. The [Equity Officer](#) is the designated ombudsman for staff, faculty and adjuncts.

## Written Student Complaints

Eastern Florida State College provides a process whereby a student can submit a complaint or a concern, in writing, to be addressed by the appropriate college official. The procedure broadly defines the kinds of issues that can be addressed using the process and details the steps leading to a resolution. Students have the right to seek resolution on

academic, administrative or student services related concerns through formal and informal processes. To file a written complaint, students must complete the [EFSC Student Complaint form](#). The form can be submitted through the [Student Document Dropbox](#) found inside the myEFSC Portal to the appropriate Collegewide Chair or Dean. (See form for additional directions).

1. The informal process for written student complaint is a direct review and resolution by the College representative with the best knowledge of the situation. Students are encouraged to resolve their academic concerns directly with their faculty member, their administrative concerns with the appropriate [Collegewide Chair](#) or Dean; student services related concerns with the Dean of Students; Campus Admissions and Records concerns with the Dean of Enrollment Management; and financial aid concerns with the Financial Aid Office.
2. Concerns related to potential discrimination or equity are first addressed by the equity officer. Procedure 200 addresses equity and discrimination concerns.
3. A log of written student concerns is filed electronically with the specifics of the concern and the resolution. This log is used for periodic assessment of processes and measures of institutional effectiveness. Examples of potential student concerns include but are not limited to: academic issues, financial issues, administrative issues, and discipline related to the student code of conduct.
4. Students are encouraged to consult with the Associate Dean of Student Success and Support (who is the also [the ombudsman](#)) to determine student rights and College processes that may assist the students in the resolution of their concerns.

## Student Appeal Procedures

There are several types of student appeals at Eastern Florida State College. Check below for information and procedures for each type. In any appeal, the burden of persuasion lies with the student, as the original result(s) shall be presumptively reasonable and appropriate.

In the event a student has been trespassed from college property, any appeals will be handled in accordance with the process defined by [college procedures related to trespass](#) in Section 201.7.

### Code of Conduct Appeals

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The process for Student Code of Conduct appeals is set forth throughout Section 201.5 in the College Procedures. Any disciplinary sanctions will not be held in abeyance during the appellate process.

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### Academic, Administrative and Financial Appeals

Definitions as outlined in Section 201.6 in the College Procedures:

- **Academic Appeals:** Academic appeals are any appeals concerning final grade or final activity within the classroom.
- **Administrative Appeals:** Administrative appeals include issues with administration, registration, and late withdrawals or drops due to medical problems or other extenuating circumstances.
- **Financial Appeals:** There are two kinds of Financial Appeals:
  - **Tuition Refund or Credit** - Students may appeal through the Collegewide Chair for a tuition credit or exemption to full cost tuition.

- **Hardship Appeals for Financial Assistance** - Related to awarding of Federal, state, institutional or private financial assistance. Students are required to have completed a FAFSA for the term being appealed with the Financial Aid Office.

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## Procedure for Submitting an Appeal

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1. Prior to submitting the formal appeal form, students must address the concern as soon as possible in a non-confrontational manner with the appropriate faculty or staff member.
2. Academic: Discuss with instructor. If not resolved, discuss with Collegewide Chair.
3. Administrative/Tuition Refund or Credit: Discuss with the Collegewide Chair.
4. Tuition Refund Credit: Apply for the tuition refund/credit with the Collegewide Chair. The student must fill out the "[College-wide Tuition Refund/Credit Request Form](#)." Documentation must be provided with the form in order for it to be processed.
5. Hardship appeals for financial assistance: Students are required to have completed a FAFSA for the term being appealed. Discuss specific hardship concerns with [Office of Financial Aid staff member](#).
6. If not resolved through step 1, the student may submit a formal appeal form with attached documentation to the appropriate office. (See more about extenuating circumstances below). The student should use the appropriate form based on the type of appeal, with forms available through the college website or from the Collegewide Chairs.
7. [Student Appeal Form](#) for academic or administrative issue (Form SCA-074A)
8. [Appeal for Late Course Registration through Add/Drop by Exception](#) (Form SCA-074B)
9. [Appeal for Exception to Maximum Attempts per Course](#) (4th attempt by exception: Form SC-111)
10. [Appeal for Exemption to Full Cost Requirement for 3rd/4th Course Attempt](#) (Form SCA-080)

### Academic Appeals: Submit through Collegewide Chair

For details and form links related to academic or administrative appeals coordinated through the academic chair offices, view the [student appeals process](#) web page. Formal appeals are coordinated by the Collegewide Chair for the academic discipline that the course or program falls under. Documents can be submitted to the appropriate collegewide chair through the secure, electronic Student Document Dropbox available after logging in to the [myEFSC Portal](#). Each academic discipline is listed in the "Select Office" dropdown section of the dropdown. [View details on using the dropdown](#).

**Hardship appeals for financial assistance:** Submit Financial Hardship Appeal form through the Office of Financial Aid.

**What are extenuating circumstances?** Examples of extenuating circumstances include, but are not limited to: Student suffered serious illness, injury, or disability; loss due to natural disaster; involuntary call to active military duty; victim of crime or abuse; significant breakdown of family relationship or serious illness, injury or death of immediate family

member; administrative error made by an EFSC employee or, in the case of a dual enrolled student, the high school administrator.

Extenuating circumstances do not include issues such as transportation, roommate problems, incompatibility with faculty, difficult course load, dislike of a course, short term problem such as a cold that occurred during the course, technical problems such as a corrupted disk or lack of printer, personal disruptions or events which could have been anticipated, pressures of study workload, etc.

Documentation to confirm any extenuating circumstances is required and must include specific dates and time periods. It may include, but is not limited to: Statement from medical or mental health provider, on letterhead and signed, that confirms student's medical condition and that student is able to return to school without restrictions.; Death certificate or obituary.; Court documents, police reports, insurance damage reports.; Letters from clergy or lawyer on letterhead and signed.; Letters from faculty, advisor, or others who are aware of the situation; must be signed and include name, title, address and telephone number.

### 3. If the concern is not resolved at step 2,

1. For academic or administrative concerns, the student may request in writing, through the Collegewide Chair's office, a review by the Dean of Arts and Social Sciences/Eastern Florida Online, the Dean of Career and Technical Education and Applied Technology, the Dean of Nursing and Applied Health Sciences, or the Dean of STEM and Business. The request must be received within ten days of student notification of the resolution and must contain additional documentation that is pertinent to the appeal. The decision of the Dean is final.
2. For Financial concerns, the student may request an appeal to the Student Financial Appeals Committee (SFAC). The SFAC is comprised of the EFSC Controller, Director of Financial Aid, Registrar, and Advising Coordinator. The SFAC will evaluate the student's need, academic and financial history with EFSC, as well as the student's compliance and responsiveness to college financial aid policies and procedures. The SFAC will make recommendations to the Chief Financial Officer. The decision of the Chief Financial Officer is final.
4. If the student feels that the established procedures were violated, the student may request an administrative review by the Associate Vice President of Academic Affairs. This is NOT a re-trial of the incident, but a procedural review. The request for administrative review must be made in writing through the Dean's office within five days of receiving notification of the resolution. The decision of the Associate Vice President is final, except as to matters involving suspension or expulsion.

If the student feels that the complaint has not been resolved then the student may contact the [Florida College System Complaint Procedure Information webpage](#) for information on how to file a complaint if it is believed that the complaint warrants additional investigation.

Distance Education students who have completed the internal institutional grievance process and the applicable state grievance process may appeal non-instructional complaints to the Florida State Authorization Reciprocity Agreement (FL-SARA) Postsecondary Reciprocal Distance Education Coordinating (PRDEC) Council. For additional information on the appeal process, please [visit the FL-SARA Student Concerns Page](#).

Inquiries regarding the College's Equal Opportunity Policies, including Title IX (sex discrimination) and Section 504 of the Americans with



Disabilities Act (disability discrimination) and equity issues in general may be directed to:

Ms. Darla Ferguson, Chief Equity Officer  
Cocoa, George Washington Carver Administration Building 2  
1519 Clearlake Road  
Cocoa, FL 32922  
telephone 321-433-7080 or [email](#)

## Trespass on College Property

1. For good cause and in accordance with applicable law, the College may prohibit any person from entering or remaining on College property by the issuance of a trespass notice pursuant to Chapter 810, Florida Statutes.
2. The decision to issue a trespass notice will generally be made by Chief of Security or designee, and will be in effect for all campuses and properties belonging to Eastern Florida State College after consideration of the following:
  - a. Whether the person poses an ongoing threat of harm, or causes substantial disruption of or interference with the normal operations of the College; and
  - b. Whether the issuance of a trespass notice is necessary to protect the health, safety, or general welfare of the College community, or to preserve or protect College property.

The Chief of Security or designee will notify the Campus Dean (for matters involving students) or the AVP of Human Resources (for matters involving employees) as soon as possible after trespassing an individual.

3. In matters involving students with disabilities or perceived disabilities, the Chief of Security or designee, when assessing whether a student poses a significant risk to the health or safety of themselves or others, shall conduct an individualized and objective assessment using his or her reasonable judgment based upon on current medical information or the best available objective evidence to ascertain the following:
  - a. The nature, duration, and severity of the risk; and
  - b. The probability that the potential harm will actually occur; and
  - c. Whether reasonable modifications of policies, practices, or procedures will significantly mitigate the risk.

If a student is registered with SAIL, the Chief of Security or designee, when determining whether to issue the student a trespass notice, may consult with SAIL representatives and shall be deemed to have a legitimate educational interest in all of the student's education records (including medical records) maintained by SAIL.

4. Immediate Appeal – Students. Trespassed students may request an immediate review of the College's decision to issue a trespass notice, subject to the following:
  - a. The appeal shall be made in writing (using the [Trespass Appeal Form](#)) to the Vice President of Academic and Student Affairs/CLO (e-mail is sufficient) within two (2) business days of the date of issuance of the trespass notice (not including the date of issuance), and shall be based upon at least one of the following:
    - i. An egregious error pertaining to the student's involvement; or
    - ii. The student does not pose an ongoing threat of harm to the health, safety or general welfare of the College community, or to College property.

- b. The student shall have the burden of proof by clear and convincing evidence.
- c. The Vice President of Academic and Student Affairs/CLO will determine the College official(s) who will hear the appeal, who may be or include the Vice President of Academic and Student Affairs/CLO.
- d. The student may be required to be evaluated by a mental health provider selected by the College before hearing or considering any request. The individual may be required to sign a release of information allowing the College's selected mental health provider to provide a summary of findings and recommendation to the presiding College official(s).
- e. The student will be afforded a reasonable opportunity to be heard and present evidence to the extent possible and practicable under the circumstances (the student will not be allowed to appear in person as a result of being trespassed from College property).
- f. Prior to rescinding any trespass, the presiding College official(s) shall consult with the Vice President overseeing the Security Department to ensure awareness of all updated safety and security concerns involving the individual in question.
- g. The appeal will be completed within ten (10) business days of receipt of the request, which may be delayed due to a semester break, closing of the College, or other extenuating circumstances.
- h. The student shall be notified of the outcome within three (3) business days of decision.
  - i. If the student does not request an immediate appeal, or if the trespass notice is affirmed after immediate appeal, the trespass will remain in effect indefinitely until further notice.
5. Requests for Reconsideration. Trespassed persons may request reconsideration of a trespass notice within one (1) year of the date of issuance, subject to the following:
  - a. The request shall be made in writing (using the [Trespass Appeal Form](#)) to the Vice President of Academic and Student Affairs/CLO (e-mail is sufficient), and shall be based upon at least one of the following:
    - i. The person does not pose a threat of harm to himself or herself or the College community or to College property;
    - ii. The person is unlikely to cause future disruption or interference with normal College operations; or
    - iii. Other good cause exists to reconsider the trespass notice.
  - b. The trespassed person shall have the burden of proof by clear and convincing evidence.
  - c. The Vice President of Academic and Student Affairs/CLO will determine the College official(s) who will hear the request, who may be or include the Vice President of Academic and Student Affairs/CLO.
  - d. The trespassed person may be afforded a reasonable opportunity to be heard and present evidence to the extent possible and practicable under the circumstances (the person will not be allowed to appear as a result of being trespassed from College property). However, the presiding College official(s) may demand the trespassed person provide additional information and/or submit to medical and/or mental health evaluation(s) at the trespassed person's own expense by a mental health provider selected by the College before hearing or considering any request. The individual may be required to sign a release of information allowing the College's selected mental health provider to provide a summary of findings and recommendation to the presiding College official(s).

- e. If the trespassed person desires to attend classes in an upcoming term, requests must be made at least thirty (30) days prior to the start of such term.
  - f. Prior to rescinding any trespass, the presiding College official(s) shall consult with the Vice President overseeing the Security Department to ensure awareness of all updated safety and security concerns involving the individual in question.
  - g. If a trespassed person does not request reconsideration within one (1) year of the date of issuance, or if the trespass notice is affirmed after hearing a request for reconsideration, the trespass will remain in effect indefinitely until further notice. Timely made requests for reconsideration (i.e. made within 1 year of the date of issuance) which are denied will not be considered again until the expiration of one (1) year from the date of denial (and only if a new request is made).
6. Trespassed students may be administratively withdrawn from any currently enrolled courses at the discretion of the administration and/or may have an administrative hold placed on their accounts.
  7. The issuance of a trespass notice to any student does not prohibit the commencement of, or hold in abeyance, any disciplinary proceedings under the Student Code of Conduct.