A. Introduction

A central mission of Florida Coastal School of Law is to develop and maintain a challenging yet supportive academic environment guided by core values of professionalism, integrity, trust, civility, mutual respect, and accountability. This Student Code of Conduct is intended to ensure students, as members of our school community, conduct themselves in accordance with these values. The purpose of the Student Code of Conduct is to create a set of expectations of student conduct, to ensure a fair process for determining responsibility, and to assign corrective measures when student behavior deviates from expectations. Students become part of the school community upon admission, and by doing so; they share in the school’s mission and associated responsibilities.

B. Definitions

1. The terms “school” or “Coastal Law” mean Florida Coastal School of Law.
2. The term “student” means an individual:
   (a) Who has received an offer of admission to Coastal Law, or who has been accepted for enrollment in one or more classes offered by this school, and
   (b) Who has either:
      i. Registered for one or more classes of academic instruction to be given at the school, or
      ii. Expressed intent to register, either in writing or through one or more overt acts (such as attending orientation, or paying part or all of the relevant fees, tuition or other expenses).
3. Student status continues until it is terminated upon the occurrence of one or more of the following events:
   (a) Graduation.
   (b) Voluntary withdrawal of the student from all courses of academic instruction.
   (c) Involuntary dismissal (or other withdrawal of the student initiated by the school) from all programs and activities of the school, and the exhaustion of all internal procedures to redress the dismissal or withdrawal (if applicable).
   (d) Unauthorized absence from the school for one or more semesters.

5. The term “school official” includes any person employed by Coastal Law and serving the school in an official capacity.
6. The term “school community” includes any person who is a student, school employee, school official, trustee, or any other person serving the school in an official capacity.
7. The term “school premises” includes all land, building, facilities, and other property in the possession of, used, or controlled by Coastal Law.
8. The term “organization” means any Coastal Law student organization.
9. The term “day” means a day when the school is open for normal business, regardless of whether classes are in session. In determining any deadlines as set forth in the Conduct Code, references to a number of “days” prior to or after occurrence of an event shall not include the day of the event.
10. The term “complainant” means any person filing a complaint of suspected misconduct under this Code.
11. The term “respondent” means a student or organization against whom a complaint has been filed under this Code.

C. Discipline Authority and Delegation

Ultimate authority for student discipline is vested in the Dean of the Florida Coastal School of Law through the Board of Trustees. The Dean may assign any action or sanction that he believes is appropriate for a given incident, notwithstanding anything contrary in the Conduct Code. The Associate Dean of Student Affairs is the person designated by the Dean to be responsible for the administration of the Conduct Code. Discipline authority may be delegated to specific school officials and committees as set forth in this code, in accordance with other school policies, rules, or regulations, or as deemed appropriate by the Dean or Vice Dean.

D. Conduct Code Jurisdiction and Student Responsibility

Generally, school jurisdiction shall be limited to conduct which occurs on school premises or which occurs off school premises and adversely affects the school, the school community, and/or the pursuit of its mission and objectives. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though that conduct may occur before classes begin, after classes end, during the academic year, and during periods between terms of actual enrollment. Students are responsible for knowing the contents of the Conduct Code. Ignorance of the Conduct Code and its provisions will not constitute an acceptable defense in any disciplinary meeting or hearing. The Conduct Code shall apply to a student’s conduct even if the student withdraws or is dismissed from the school while a disciplinary matter is pending, as long as the conduct occurred prior to the student’s withdrawal or dismissal. If a Conduct Code investigation or hearing is pending when a student is scheduled to graduate, the student’s degree may be withheld until the charges are resolved and the student may be denied the privilege of participating in graduation programs, receptions, elections, or honors banquets at the discretion of the Dean or Vice Dean. Students and student organizations are subject to the Conduct Code. The Conduct Code and its processes shall only be applicable with respect to alleged violations of the Code committed by students and shall not, under any circumstances, be applicable with respect to alleged violations committed by faculty, staff, or law school administration. The Conduct Code is intended to govern all non-academic conduct issues, while the Honor Code governs all academic dishonesty and related issues. In the event of a jurisdictional conflict between the provisions of the Conduct Code and the Honor Code, the Vice Dean will determine the appropriate course of action. The Conduct Code cannot be applied retroactively to events that predated the school’s acceptance and implementation of
the Code. The Conduct Code is not a contract, and it is not to be construed as a contract between students or student organizations and Florida Coastal School of Law.

E. Violation of Law and Conduct Code

A complaint may be filed against a student or organization charged with violation of a law that is also a violation of this Conduct Code if both violations result from the same factual situation, without regard to any pending civil litigation or criminal arrest and prosecution. Proceedings under the Conduct Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings. Students who are arrested or otherwise charged with a violation of law or ordinance outside of law school have an on-going obligation to disclose this information to the school in a timely fashion. Disclosure should be made in writing or in person to the Associate Dean of Student Affairs within seven (7) days of arrest or receipt of said charges. Failure to comply with this reporting provision constitutes misconduct under the Conduct Code.

F. Prohibited Conduct

The Conduct Code and the assignment of sanctions are not limited to the acts of prohibited conduct specifically outlined here, as this Code is not meant to be an exhaustive summary of all conduct prohibited by the school. However, any student found to have committed one or more of the following acts of prohibited conduct will be subject to sanctions, up to and including expulsion.

1. Prohibited Conduct Affecting the School Community

(a) Engaging or having engaged in any conduct that, under the laws of the United States or the state where such conduct occurred, constitutes a crime punishable by incarceration, whether or not the student is charged in a criminal court and whether or not the punishment of incarceration is actually imposed, but only so long as such conduct raises a substantial question regarding the student’s honesty, trustworthiness, or fitness as a lawyer in other respects. If such conduct occurs in a foreign nation, it is misconduct under this code if it constitutes a crime punishable by incarceration both (1) in that foreign nation and (2) under the laws of the United States or any state.

(b) Disruption of teaching, clinics, meetings, conferences, library activities, research, administration, disciplinary or other proceedings, or other school-sponsored or school-related activities, whether on or off-campus.

(c) Failure to comply with directions of school officials, including, but not limited to, faculty, staff, administration, school security or law enforcement officers acting in performance of their duties, and/or failure to identify oneself to these persons when requested to do so.

(d) Failure to recognize and preserve student anonymity with respect to confidential or controlled information including, but not limited to, student grading numbers (SGN) and special accommodations provided to students under the Americans with Disabilities Act (ADA).
(e) Improper use of a computer in a classroom or in any school-sponsored presentation, on or off-campus.
(f) Recording a lecture or other classroom interaction without permission of the professor.
(g) Videotaping, audio taping, or photographing members of the school community without permission, and the distribution or public display of the same.
(h) Sharing authorized or unauthorized recordings from class with other students or people outside the school.
(i) Signing-in another student to class or the solicitation of the same act by another student.
(j) Selling class notes or being paid for taking class notes except when authorized by the Student Affairs Department.
(k) Failure to report any arrest or legal/disciplinary charges to the Associate Dean of Student Affairs within seven (7) days of the said incident.
(l) Acts of dishonesty not covered by the Honor Code, including but not limited to the following:
   i. Furnishing false information to the school or any school official including, but not limited to, information provided in the law school application, employment hours certification, class attendance verification processes, or any internal application.
   ii. Furnishing false information to a prospective employer, in a resume, or in a bar application.
   iii. Omission of vital information requested by the school or any school official including, but not limited to, information requested in the law school admissions application.
   iv. Forgery, alteration, or misuse of any school, government, or Law School Admissions Council (LSAC) document, record, or means of identification.
   v. Tampering with the election of any person, organization, or award.
(m) Violations of other published school policies, rules or regulations including, but not limited to, Student Handbook policies, all Coastal Law Library policies, Information Technology network and computer policies, Alcohol Policies, Tobacco Policy, Non-Discrimination Policy, Sexual Harassment Policy, Security Policy, parking and traffic regulations, policies governing student organizations, and other published policies.
(n) Unauthorized use of the school’s name, logo, or symbols.
(o) Unauthorized soliciting or canvassing by an individual group, or organization.
(p) Violating the terms of any disciplinary sanction imposed in accordance with the Conduct Code.
(q) Tampering with the normal activity of service animals.

2. Prohibited Conduct Affecting People

(a) Physical or verbal abuse, harassment, sexual harassment, threats, stalking, intimidation, bullying, coercion and other conduct, through any means of communication, which threatens or endangers the health or safety of any person.
(b) Discriminatory harassment, including harassment based on one of the protected classes in the school’s non-discrimination policy. Any discriminatory act including, but not limited to, hate speech/symbols/gestures or any violation of the school’s non-discrimination policy.

(c) Any participation or role in activities involving hazing. Hazing includes, but is not limited to, any mental or physical requirement, request, or obligation placed upon a person that could cause injury, pain, fright, disgrace, or which is personally degrading. A person’s consent to hazing is not an excuse.

(d) The use or display of profane, indecent, threatening, or otherwise inappropriate images, gestures, or written/verbal communications on school premises or off-campus at school-sponsored activities. This section includes, but is not limited to, clothing that may contain profane messages or which is otherwise indecent or exceedingly unprofessional.

3. Prohibited Conduct Affecting Property

(a) Attempted or actual theft of and/or damage to property of the school or property of a member of the school community. Unauthorized possession of school property or property of a member of the school community.

(b) Improper or unauthorized use, duplication, or distribution of any school property, including, but not limited to, Coastal Law CDs, tapes, books/library materials, podcasts, website, Facebook, Twitter, or photographs of any member of the school community. Violation of existing copyright policies.

(c) Unauthorized possession, duplication, or use of keys to any school premises or unauthorized entry into or use of school premises.

(d) Theft or other abuse of computer facilities and resources, including, but not limited to, the following actions:

   i. Use of computing facilities and resources to disrupt the normal operation of the Coastal Law computing system or to interfere with the work of others.
   ii. Use of computing facilities and resources to send threatening, abusive, or indecent messages or images.
   iii. Use of another individual’s identification and/or password.
   iv. Unauthorized entry into a file to use, read, or change the contents, or for any other purposes.
   v. Use of computing facilities or resources in violation of copyright laws.
   vi. Any violation of the school’s network and computer policies.

4. Prohibited Conduct Affecting Health, Safety, and Order

(a) Possession of firearms, explosives, incendiary devices, weapons, or dangerous chemicals on school premises or at school-sponsored activities occurring off campus.

(b) Use, possession, distribution, sale, or manufacture of illegal drugs, including the use of drug-related paraphernalia, on school premises or at school-sponsored or school-related activities occurring off campus.
(c) Use, possession, sale, or distribution of alcoholic beverages on school premises or at school-sponsored/school-funded activities off campus, except as expressly permitted by the law and school officials.

(d) Appearance in class, on campus, or at school-sponsored or school-related functions, on or off campus, under the influence of alcohol or drugs.

(e) Any violation or deviation from the school’s Alcohol Policy for Student Sponsored Events and Activities.

(f) Engaging in violent, abusive, indecent, profane, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance or disrupts the normal operation of the school, school-sponsored function, or functions associated with the school.

(g) Any activity which disrupts the normal operations of the school or infringes on the rights of other members of the school community.

(h) Leading or inciting others to disrupt scheduled or normal activities on campus.

(i) Intentional obstruction of the free flow of pedestrian or vehicular traffic on school premises or at school-sponsored or school-supervised functions.

(j) Initiating false fire alarms or bomb threats or tampering with fire extinguishers, alarms, smoke detectors, defibrillators, or any other safety equipment.

(k) Failure to immediately vacate a school building when a fire alarm has sounded.

(l) Smoking in unauthorized locations on school premises.

(m) Violations of federal, state or local law on school premises or at school-sponsored or school-supervised activities.

(n) Violations of federal, state or local law off school premises and not related to school-sponsored or school-related activities when the violations adversely affect the school and/or the pursuit of its objectives.

5. Prohibited Conduct Affecting the Discipline Process

(a) Failure to appear at a disciplinary meeting or hearing when directed to do so.

(b) Falsifying, distorting, misrepresenting, or failing to disclose material facts in a disciplinary investigation, meeting, or hearing, or knowingly initiating a false or frivolous complaint.

(c) Attempting to discourage a person’s proper participation in, or use of, the discipline process. Harassment or intimidation of a complainant, witness, respondent, or other participant in a disciplinary meeting or hearing.

(d) Harassment or intimidation of a school official or member of a disciplinary committee, including the School Discipline Committee (SDC), Honor Court, or Honor Court Review Committee.

(e) Refusing reasonable cooperation in an investigation of an alleged violation of the Conduct Code.

(f) Tampering with evidence relevant to a Conduct Code charge.

(g) Failure to comply with any sanction(s) imposed under the Conduct Code.

6. Prohibited Conduct Involving Groups
(a) Students who act together to violate the Conduct Code may be assigned joint responsibility for such violation(s).

(b) Students and organizations may be held responsible for the conduct of their guests while on school premises, at school-sponsored activities, and at functions sponsored by any registered student organization.

7. Other Conduct
(a) Engaging in conduct not otherwise covered by any other provision of this Code which reflects negatively on a student’s character and fitness in law school. These conduct issues may occur on campus or outside of the law school while adversely affecting the school community and/or the school and the pursuit of its objectives.

(b) Engaging in any other conduct that would render a student unfit to practice law, including violations of any state’s rules of professional responsibility while acting under student practice rules in that state.

G. Organizational Responsibility

A complaint may be filed against an organization under the Conduct Code. An organization and its members may be held collectively and individually responsible for violations of the Conduct Code by those associated with the organization, including guests and alumni of the organization. When a complaint is filed naming an organization as respondent, the presiding officer and/or students affiliated with the group shall be required to participate in meetings and hearings as representatives of the group.

H. Conscientious Admissions/Other Admissions

A student, who voluntarily admits misconduct before gaining any knowledge that someone else may suspect that student of a Conduct Code violation, shall be entitled to have this admission considered as a mitigating factor relevant to the determination of appropriate sanctions. A student who has the courage and integrity to come forth with a good-faith admission has reaffirmed a personal commitment to honor. A student interested in making a conscientious admission should contact the Associate Dean of Student Affairs immediately. After discussing the matter with the Associate Dean of Student Affairs, the student should prepare a written statement fully acknowledging any and all misconduct. The statement should contain a clause attesting to the fact that the student admitted the acts before being approached by anyone concerning the matter. The student making a conscientious admission will be given the opportunity to make a proposal regarding the sanctions to be imposed by the Associate Dean of Student Affairs or designee.

Even an admission of wrongdoing made after a student has been accused of misconduct may have some mitigating value. The post-accusation admission shows an acceptance of the wrongful nature of the student’s conduct. However, a post-accusation admission is not as strong a mitigating factor as a conscientious admission of wrongdoing because it is not clear that the student would have ever admitted the wrongdoing were it not for the accusation that has been made.
I. Discipline Procedures

1. Filing a complaint

(a) Any person may file a complaint against a student or organization suspected of violating this Conduct Code. A complaint must be in writing and signed by the complainant and directed to the Associate Dean of Student Affairs or designee. An anonymous report will not be sufficient to initiate an investigation or disciplinary meeting under this Code.

(b) A complainant is expected to meet with the Associate Dean of Student Affairs to discuss the complaint and to present relevant evidence. A complainant may be required to participate in any subsequent hearing, especially when a formal hearing is dictated by the Conduct Code. Complainants may request the assistance of an adviser. In some situations, the original complainant may be excused from the hearing to protect his or her identity. Based on the nature of the allegations, a representative of the school may act as the prosecutor for the complaint for any subsequent hearing. The Associate Dean of Student Affairs or designee may serve in this capacity.

(c) Complaints should be submitted as soon as possible after the event takes place, preferably during the semester in which the event took place.

(d) The Associate Dean of Student Affairs or designee may conduct an investigation to determine if the complaint has merit and/or if it can be disposed of by mutual consent of the persons involved on a basis acceptable to the Associate Dean of Student Affairs or designee. Such disposition shall be final and there shall be no subsequent proceedings or appeals. If the complaint has merit and cannot be disposed of by mutual consent, the Associate Dean of Student Affairs or designee may participate in any subsequent disciplinary meeting to resolve the complaint.

(e) The Associate Dean of Student Affairs or designee has the right to reject a complaint where the Associate Dean of Student Affairs or designee finds the complaint has no basis or merit or where it is not feasible for the school to pursue it. Based on the facts and circumstances associated with the complaint, the Associate Dean of Student Affairs has the right to dismiss the complaint and handle the matter administratively and outside of the Conduct Code.

(f) The Associate Dean of Student Affairs or designee will conduct a preliminary review of the complaint to determine whether the alleged misconduct may be subject to suspension or expulsion from the school; the Vice Dean may be consulted for input regarding the infraction and the severity of the potential sanctions if responsibility is found. The Associate Dean of Student Affairs or designee will also determine whether the respondent disputes the facts that form the basis of the complaint. Respondents not subject to suspension or expulsion and those who do not dispute the facts of the complaint are required to participate in an informal disciplinary meeting with the Associate Dean of Student Affairs or designee. Respondents subject to suspension or expulsion and those disputing the facts of the complaint are required to participate in a hearing before the School Discipline Committee.

2. Informal Process – Disciplinary Meeting
Respondents not subject to suspension or expulsion and those not disputing the complaint are required to participate in a disciplinary meeting with the Associate Dean of Student Affairs or designee. However, if a respondent was previously found to have violated one or more acts of prohibited conduct under the Conduct Code, the student will be subject to a formal hearing with the School Discipline Committee (SDC) regardless of the severity of the infraction. Respondents meeting with the Associate Dean of Student Affairs or designee will receive:

(a) Written notice of the complaint at least three (3) days prior to the disciplinary meeting.
(b) Reasonable access to the complaint file prior to and during the disciplinary meeting.
(c) An opportunity to respond to the evidence.
(d) An opportunity to be assisted by an adviser. Advisers are not allowed to speak or participate as legal counsel in the meeting but may provide guidance to the respondent or complainant outside of the meeting. Advisers may not appear in lieu of the respondent. Because the purpose of this disciplinary process is to provide a fair review of alleged violations of the Conduct Code rather than a formal legal proceeding, participation of persons acting as legal counsel is not permitted.
(e) An opportunity to respond to the complaint and to present relevant and necessary witnesses.
(f) Written notice of the determination, including any sanction(s).
(g) Written notice of the determination will be placed in the student’s disciplinary file at the school. The disciplinary file will be maintained for future reference by the Associate Dean of Student Affairs. If it is determined that the student violated the Conduct Code, a written notice of the determination will be placed in the student’s permanent file.

3. Formal Process – Hearing with the School Discipline Committee (SDC) Respondents subject to suspension or expulsion are required to participate in a hearing before the SDC. Respondents who dispute the facts of the complaint are also required to participate in a hearing before the SDC. If a respondent was previously found to have violated one or more acts of prohibited conduct under the Conduct Code, the student will be required to participate in a formal hearing with the SDC regardless of the severity of the infraction. The SDC is an administrative, fact-finding panel, not a court of law.

(a) Composition of the SDC

i. The SDC shall be comprised of the five (5) people associated with the Honor Court; this involves three (3) full-time faculty, and two (2) full time students. A total of four (4) faculty members are appointed by the Dean of the law school on an annual basis to serve on both the Honor Court (as Faculty Advisors and Justices) and the School Discipline Committee (SDC) for a one (1) year term and may be reappointed. Three of the four appointed faculty members will serve on the SDC for a given hearing. The two student members of the SDC are members of the Honor Court appointed annually by the President of the SBA from among the seven elected Honor Court Justices.
ii. One of the faculty members of the SDC will be identified by the Dean to serve as chair of all SDC hearings. All five (5) members are necessary to hear a complaint. The Dean and SBA President will replace faculty and student members of the SDC, respectively, when a vacancy or absence prevents a hearing from moving forward.

iii. The Associate Dean of Student Affairs or designee is responsible for coordinating hearings and assigning complaints.

iv. The Dean may remove a member from the SDC when the member has failed or refused to perform his or her duties or responsibilities. Student members found in violation of this Conduct Code may be removed from the SDC by the Associate Dean of Student Affairs. Likewise, the Associate Dean of Student Affairs may remove a student member of the SDC if the member incurs a legal or other disciplinary infraction, or Conduct or Honor Code complaint after being appointed to the SDC.

v. A complainant or respondent may challenge an SDC member on the grounds of a conflict of interest that might affect impartial consideration of the complaint. SDC members may be disqualified upon a majority vote of the remaining members of the SDC conducted by secret ballot.

(b) SDC Hearing Procedures

i. The respondent will receive written notice of the complaint at least seven (7) days prior to the hearing. The hearing date will be specified and communicated by the Associate Dean of Student Affairs or designee.

ii. On a date specified by the Associate Dean of Student Affairs or designee, the complainant and respondent will submit to the Associate Dean of Student Affairs or designee a list of witnesses for the hearing, a summary of the information each witness is expected to provide, and any document(s) the complainant and respondent are expected to present at the hearing. The Associate Dean of Student Affairs or designee will make copies of this information available to the complainant, respondent, and the SDC prior to the hearing.

iii. The respondent and complainant may be assisted by an adviser of their own choice and at their own expense. The role of advisers is limited to consultation. Advisers may not address hearing bodies, speak in disciplinary meetings or hearings, or question witnesses. Because the purpose of this disciplinary process is to provide a fair review of alleged violations of the Conduct Code rather than a formal legal proceeding, participation of persons acting as legal counsel is not permitted. Advisers may not appear in lieu of the complainant or respondent; however, an adviser may consult with the complainant or respondent during a hearing and may assist with the preparation for the hearing. Respondents and complainants who choose an attorney as their adviser shall notify the Associate Dean of Student Affairs or designee of the attorney’s name and contact information at least three (3) days prior to the hearing.

iv. In the event that the school chooses to proceed through legal counsel, the respondent will be notified three (3) days prior to the hearing and also shall have the right to proceed through counsel. Counsel may not appear in lieu of the complainant or respondent.
v. If a respondent fails to appear for a hearing, the hearing may proceed without the respondent’s presence.

vi. Witnesses, other than the complainant and respondent, may be excluded from the hearing during the testimony of other witnesses.

vii. The chairperson will exercise control over the proceedings. Any person disrupting a hearing or who fails to abide by the decisions of the chairperson may be excluded from the hearing.

viii. Violations will be determined by majority vote of the SDC on the basis of whether it is more likely than not that the respondent violated the Code (preponderance of evidence).

ix. The chairperson shall determine what information and evidence the SDC will consider. The chairperson shall have the right to exclude testimony or evidence which is not relevant to the charge(s). Information may be considered if it directly relates to the facts of the complaint or appropriateness of a particular sanction. Formal rules of evidence and procedure shall not apply.

x. The complainant, respondent, and SDC may examine the information accepted by the chairperson. The chairperson will determine how the evidence will be tested and how the witnesses will be questioned during the hearing.

xi. Respondents may speak on their own behalf; however, they will not be forced to speak against themselves and their silence shall not be used to their detriment.

xii. All hearings, up to the final resolution of the charge, shall be kept confidential by all participants unless the respondent chooses to waive confidentiality, in which case all parties are relieved of the responsibility of confidentiality. Any breach of confidentiality shall be brought to the attention of the Associate Dean of Student Affairs.

xiii. At the hearing, the complainant and respondent may submit relevant information to be considered by the SDC prior to their deliberations. The respondent’s prior disciplinary record may be considered only to recommend an appropriate sanction.

xiv. If the SDC recommends that the respondent be found responsible under the Conduct Code, deliberations will occur by the SDC to determine the appropriate sanction(s).

xv. Recommendations for sanctions by the SDC shall be by majority vote. The SDC shall have full discretion to recommend any sanction it deems appropriate, which may include suspension or expulsion.

xvi. The hearing may be recorded. This is not a required aspect of any hearing. If a hearing is recorded, the recordings will remain the property of the school.

xvii. Within five (5) business days of the hearing, the SDC’s recommendation will be forwarded in writing to the Dean for review and approval. The SDC will also provide a copy of the report and recommendation to the accused student within five (5) business days of the hearing. The student may choose to appeal the recommendations and proposed sanctions of the SDC through the process outlined in Section K.

xviii. The Dean of the law school or the Dean’s assigned deputy shall review the Student Discipline Committee’s report and recommended sanction, along with any challenge from the accused student. The Dean may request information or
ask questions of any person, as necessary, when he or she deliberates over the recommendations made by the SDC. Notwithstanding any recommendation made by the Conduct Code, the Dean may assign any action or sanction that he or she believes is appropriate for a given incident. Likewise, if the Dean determines there are grounds warranting the student’s challenge to the SDC’s report and recommended sanction, the Dean may impose an alternative sanction, or remand the case to the SDC for additional proceedings. In any instance where the Dean does depart from the SDC’s recommendation, the Dean shall inform the SDC in writing of his or her alternative decision and the reasons for the alternative decision.

xix. The Dean of the law school shall inform the student in writing of the final determination of the Conduct Code violation and any sanctions. A copy of the Dean’s written communication to the student resulting from a formal hearing shall be placed in the student’s permanent academic file at the Registrar’s Office. The Associate Dean of Student Affairs shall also maintain all pertinent information and reports within the disciplinary files in the Student Affairs office.

xx. The Dean of the school may inform the student body, faculty, and staff in writing of the nature of the alleged violation and his final decision in the case, including the imposed sanction.

xxi. The time requirements specified throughout the Conduct Code are guidelines. The specified time requirements may be modified by the Associate Dean of Student Affairs or designee, as necessary, to ensure a fair and thorough hearing.

J. Sanctions and Affirmative Actions

1. The following sanctions and affirmative actions may be imposed upon any student found to have violated the Conduct Code:

(a) Warning—Notice, orally and in writing, that continuation or repetition of prohibited conduct will be cause for additional disciplinary action.

(b) Disciplinary Probation—A written reprimand specifying the violation for which the student is held responsible. Students on disciplinary probation are not considered to be in good standing with the school. Probation is for a designated period of time and includes the probability of more severe disciplinary action if the student is found in violation of any school policy during the probationary period.

(c) Restrictions or Loss of Privileges and/or Benefits—Denial or restriction of certain privileges or benefit for a designated period of time. An example would be the denial of the privilege of participation in any school-sponsored extracurricular or athletic activity or organization for a definite period of time. Another example would be the removal from any student governmental office or position in any school-sponsored activity or organization or from any school-sponsored position of trust, responsibility or interest. Another example would be the partial or total revocation or suspension of scholarship.

(d) Restitution—Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
(e) Discretionary Sanction—Work assignments, service to the school, local community, civic organizations, or other related discretionary assignments.

(f) Counseling—This may be for substance abuse, anger management, or other purposes depending on the incident and associated circumstances. The student will be required to provide documentation of completion of the required off-campus counseling by a qualified professional. The student will be responsible for all costs associated with the counseling.

(g) Suspension—Separation of the student from the school for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

(h) Expulsion—Permanent separation of the student from the school. School officials administering this Code have the right to permanently dismiss a student for any reason, cause, or Conduct Code violation notwithstanding any other provision in the Conduct Code or Student Handbook. If a student is expelled from the school for any Conduct Code violation, the student is not entitled to any reimbursement of tuition, book expenses, or other fees associated with the school and/or enrollment.

(i) Revocation of Degree—Rescinding a student’s degree awarded by the school.

(j) Other Sanctions — Other sanctions or actions may be imposed instead of or in addition to those specified in parts (a) through (j) of this section.

2. The following sanctions may be imposed on any organization found in violation of the Conduct Code.

(a) Any of the sanctions listed in Section A above.

(b) Loss of identification as a registered student organization.

(c) Loss or withdrawal of all student general fee dollars or other school funding for the remainder of the academic year.

3. More than one of the sanctions listed above may be imposed for any single violation.

4. Violations involving persons or organizations intentionally targeted because of their protected class(es) in the school’s non-discrimination policy may result in enhanced sanctions.

5. Drug or alcohol-related arrests may result in enhanced sanctions. Likewise, any arrest involving firearms or acts of violence may result in enhanced sanctions.

K. Appeals

A respondent or complainant may appeal the sanctions imposed through the formal or informal processes. Appeals should be made in writing to the Dean of the school within five (5) days of the respondent or complainant’s receipt of the decision reached in disciplinary meetings or hearings. Copies of the appeal must also be provided to the Vice Dean and Associate Dean of Student Affairs. An appeal must be based on one or more of the following:

1. Availability of new evidence sufficient to alter the decision.
2. A procedural defect that was prejudicial or that substantially prevented the student from obtaining a fair hearing.
3. Sanctions found to be grossly disproportionate to the offense.

Formal rules of evidence will not be applied nor will deviations from prescribed procedures necessarily invalidate a decision, unless significant prejudice to a respondent or the school may result. Upon review of the appeal, the decision of the Dean of the school is final. The student will be notified in writing of the Dean’s decision regarding the appeal.

L. Implementation of Sanctions

Sanctions will not begin until either the time for appeal has been exhausted or until the appeal process is exhausted. The Dean or Vice Dean may impose sanctions during the appeal process to ensure the safety and wellbeing of members of the school community. If the sanctions include suspension or expulsion, various members of the school community will be promptly notified, including school security personnel and the student’s faculty.

M. Immediate Suspension

The Dean, Vice Dean, or designee may impose an immediate suspension on a student or student organization at any time prior to a disciplinary meeting or hearing. The Dean, Vice Dean, or designee may suspend the registration of an organization at any time prior to a disciplinary meeting or hearing.

1. An immediate suspension may be imposed:

   (a) To ensure the safety and well-being of members of the school community or preservation of school property.
   (b) If the student or organization poses a threat of disruption or interference with the normal operation of the school based on collected evidence.
   (c) If a student or organization is charged with one or more offenses of violence.

2. During an immediate suspension, a student will be denied access to the campus including classes, and/or all other school activities or privileges for which the student might otherwise be eligible. An organization shall discontinue all activities during an immediate suspension.

3. An immediate suspension takes effect immediately upon issuance. A student or organization will receive written notice of the immediate suspension, including a description of the suspected misconduct within one (1) business day after the immediate suspension has been imposed. A hearing will take place within five (5) business days of the student or organization’s receipt of written notice of the immediate suspension. School security personnel and the student’s faculty will be promptly notified when an immediate suspension occurs. If it should be deemed necessary, other members of the school community may also be informed of an immediate suspension for security or other purposes.
4. The student or organization affected by the immediate suspension may submit a written petition for reinstatement at any time to the Dean. The petition should outline all relevant facts to allow thorough consideration of the events that generated the immediate suspension. Upon receipt of the petition, the Dean will provide a written response to the student within three (3) business days summarizing their decision regarding the petition.

5. School officials administering this Conduct Code have the right to require a student to see a mental health professional, or other qualified medical professional specified by the school, to demonstrate the health, well-being, and overall fitness of the student to continue in law school before gaining readmission.

N. Maintenance of Disciplinary Records

Disciplinary files for all formal and informal hearings shall be maintained by the Associate Dean of Student Affairs. Written determinations reached in formal and informal hearings will be included in the student’s disciplinary file. For formal hearings, a copy of the Dean’s written communication to the student summarizing the final determination will be placed in the student’s permanent file at the Registrar’s Office. If the student was found to have violated the Conduct Code, records related to informal hearings will be made part of a student’s permanent file.

O. Student Code of Conduct Review and Amendment

The Student Code of Conduct shall be reviewed semi-annually under the direction of the Associate Dean of Student Affairs. In addition, specific Coastal Law personnel selected by the Dean or Vice Dean shall conduct an annual review of the Student Code of Conduct and make recommendations regarding omissions, clarifications, constructive changes, and other matters germane to the proper interpretation and operation of the Student Code of Conduct. Questions of interpretation regarding the Conduct Code shall be referred to the Associate Dean of Student Affairs or designee. In keeping with normal school policy approval processes, the Student Code of Conduct may, at the sole discretion of the school, be amended at any time to include any changes deemed necessary to the Code. Changes made to the Conduct Code take effect immediately. Changes will be made with or without notice. Current/updated versions of the Student Code of Conduct will be maintained on the Coastal Law website.