FLORIDA GATEWAY COLLEGE

POLICY

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TITLE: Student Charged with the Commission NUMBER: 6Hx12:9‑18

of a Felony

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AUTHORITY: District Board of Trustees PAGE: 1 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RESPONSIBILTY: Vice President for

Student Services and Public Information

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OTHER: DATE: See History Below

Florida Statute 1001.65(1); 1001.65(22); 1006.62; 1001.64(8)(a)

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It is the policy of the District Board of Trustees to establish a procedure to be followed upon receipt of information by the College that a student has been charged with the commission of a felony.

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History: Adopted: 7/14/87; Effective: 7/14/87; Revised: 2/11/92, 3/11/97; 4/11/00; 08/28/12; 7/14/22

FLORIDA GATEWAY COLLEGE

PROCEDURE

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TITLE: Student Charged with the PAGE: 1 of 2

Commission of a Felony

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AUTHORITY: District Board of Trustees DATE: See History

Below

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RESONSIBILITY: Vice President for Student Services

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NUMBER OF RELATED BOARD POLICY: 6Hx12:9-18

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1. **Student Charged with the Commission of a Felony While Enrolled**

In accordance with Policy 6Hx12:9-18, the following procedure shall be immediately put into operation when the College is advised that a student has been charged with the commission of a felony while enrolled:

Such information, as completely as possible, shall be forwarded to the President or his/her designee.

It shall be the responsibility of the general counsel to the Board to determine whether or not the individual has been charged with the commission of a felony under the laws of any state or of the United States by Grand Jury indictment, or by information filed by a state attorney, or there has been judicial determination of probable cause that the felony was committed and that the student is the person committing such felony.

Should it be determined that the individual has been charged with the commission of a felony as outlined above, a panel shall immediately conduct a hearing to make a recommendation to the President as to whether or not the individual charged with the felony should be suspended from classes. The panel shall take into account the nature of the alleged offense and the individual's prior record in making its recommendation as to whether the individual should remain enrolled pending adjudication of the alleged offense. The panel referred to herein will be comprised of the members of the Campus Appeals Board, as established in Policy and Procedure 6Hx12:9-08 (Student Discipline). A minimum of four members will constitute a quorum.

When there has been a final judicial resolution of the matter, the board will reconvene to consider the final disposition of the case.

Procedure 6Hx12:9-18

(Continued)

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The Campus Appeals Board shall have the right to recommend to the President that the individual be returned to school with reimbursement of lost fees, be returned to school without reimbursement of lost fees, or remain suspended.

1. **Enrollment of Sexual Offenders**

In accordance with Florida Statute 1001.64(8)(a), Florida Gateway College may consider the past actions of any person applying for admission or enrollment and may deny admission or enrollment to an applicant or student because of misconduct if determined to be in the best interest of the College.

Federal and State law requires a person designated as a “sexual predator or offender” to register with the Florida Department of Law Enforcement (FDLE). The FDLE is then required to notify the local law enforcement agency where the offender resides, attends or is employed by an institution of higher learning. Offenders are also required to notify local law enforcement of their intent to apply for enrollment or employment at an institution of higher learning. The local law enforcement agency is, in turn, required to notify the college when receiving this information.

Upon notification from local law enforcement, student self-disclosure, or other notification of predator status, an individual designated as a sexual predator by any court will not be permitted to enroll or remain enrolled with the College.

Upon notification from local law enforcement, student self-disclosure, or other notification of offender status, an individual identified as a sexual offender by any court may be considered for admission or enrollment using procedures established by the College. A review panel consisting of the Dean of Enrollment Management, Director of Enrollment Services/Registrar, and Code of Conduct Officer shall convene to review the request for enrollment.

1. Offender shall provide additional information to support their request for enrollment.
2. A private conference will be scheduled to determine if the offender is eligible to enroll at the College.
3. If approved for enrollment:
   1. Faculty and Program Coordinator will be notified.
   2. Offender may not change programs of study without notifying the Director of Enrollment Services/Registrar.
   3. Offender shall have a hold placed on their account to allow monitoring of enrollment activity.

Appeals to the decision of the Review Panel shall go to the Vice President of Student Affairs and Public Information. The decision of the Vice President is final.

History: Adopted: 3/11/97; Effective: 3/11/97; Revised: 4/11/00; 08/28/12; ; 7/14/22