

**FLORIDA ATLANTIC UNIVERSITY
NOTICE OF PROPOSED NEW REGULATION**

Date: April 29, 2008

REGULATION TITLE AND NUMBER: Medical Advisory Committee (4.014).

SUMMARY: The Division of Student Affairs seeks approval for the proposed FAU Regulation 4.014, Medical Advisory Committee. This committee will advise and make recommendations regarding students with health related problems that constitute a health hazard or a danger to themselves or others in the University. Approval of this proposed regulation allows the University to have a formal process that outlines the role and scope of the committee.

The committee, composed of representatives from all Campuses, spent several months drafting this regulation. It was also reviewed by the General Counsel's Office.

FULL TEXT OF THE REGULATION: The full text of the proposed regulation is attached below to this Notice. The full text of the existing regulation is posted on FAU's website at

- (B) If conditions warrant immediate action, an interim suspension may be initiated by the AVP and Dean for Student Affairs with the approval of the Vice President for Student Affairs.
- (C) The AVP and Dean of Student Affairs or designee will call a meeting of the Medical Advisory Committee within five (5) academic days to discuss the case. At least four designated committee members must be present to proceed with a meeting and take action. The student has the right to be present at this meeting and may present written information (i.e., deposition of student conduct, character letters or statements, mental health assessments/evaluations) in support of his/her case. The student may testify on his/her own behalf, and may present witness testimony only if deemed helpful by the MAC. Following the student's presentation, the committee shall deliberate in private session. At the conclusion of this meeting, the committee shall make a recommendation to the AVP and Dean of Student Affairs or designee whether to take action including withdrawing the student, reinstate the student, or reinstate the student with conditions.
- (D) Emergency meetings could be called within 24 hours notice to address any student incident that poses a threat to the University Community.
- (E) The AVP and Dean of Student Affairs or designee will make a final decision regarding the student's enrollment status and notify the student in writing within five (5) academic days of the MAC's recommendation.
- (F) Any student whose registration is involuntarily withdrawn by the AVP and Dean of Student Affairs upon the committee's recommendation and whose withdrawal is after the published deadline for withdrawal will receive grades of WM in his/her course work for the semester. Any student who is withdrawn under this procedure may be permitted to enroll at a future date after having satisfied the specific conditions required by the MAC.
- (G) The student may appeal the decision of the Vice President for Student Affairs or designee based on the following grounds:
 - i. Failure to receive due process;
 - ii. E 11. 245 0 Tdi (y BT / TT0 14 Tw 1. 61 0 C

(5) academic days after the date of the notification to the student of the decision. The Vice President for Student Affairs may, within five (5) academic days, approve, modify, or reject the original decision. The Vice President for Student Affairs decision will be considered final agency action.

- (I) Upon being involuntarily withdrawn, the student may no longer attend classes, may not be an active member of a registered Student Organization, may no longer use University facilities, must vacate University owned or affiliated housing, and may be entitled to whatever refunds of tuition, fees, and room and board charges as would be appropriate given the timing of the withdrawal.
- (J) Students who are involuntarily

- (A) Restrict or bar the student's attendance of classes;
- (B) Restrict or bar the student's access or contact with individuals;
- (C) Restrict or bar the student's access to University property, places, facilities or equipment;
- (D) Restrict or ban the student's participation in University activities or organizations; or
- (E) Otherwise restrict or ban the student's access to University resources or other conduct.

- (E) Continued enrollment may be contingent upon adhering to a behavioral agreement with the AVP and Dean of Student Affairs or designee.

Specific Authority: Article IX of the Florida Constitution, Florida Board of Governors Resolution dated January 7, 2003, Florida Statutes 1001.706, 1001.74. History–New 5-28-08.