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Hearing Procedures for Active Advisor Participation

To achieve the educational purpose of the University of Florida's conduct processes, and comply with FL Board of Governor's Regulation 6.0105, this procedure has been established to provide reasonable rules of order and decorum during a disciplinary proceeding (Defined as: Hearings, Collaborative Resolution, and Administrative Review).

Accused students and reporting persons may have an advisor to assist them throughout the student conduct process. Any Advisor serves at the student's own expense and initiative. The Advisor cannot serve in any other role, including as a witness, investigator, Student Conduct Administrator, Appeal Authority, Conduct Committee Advisor, or Hearing Body. The University is not responsible for selecting an Advisor for any Student navigating the Student Conduct Process. It is the student's responsibility to make appropriate arrangements for their Advisor to attend meetings, which will not be delayed due to scheduling conflicts of the chosen Advisor. The Advisor may be present to advise the Accused Student or Reporting Person in any meeting and may participate in all aspects of a Disciplinary Proceeding, but shall not testify for the Accused Student or Reporting Person or be present absent the Accused Student or Reporting Person.

A Student who chooses to have an Advisor present during any Hearing, must provide the identity of the person(s) to the Director of Student Conduct and Conflict Resolution or designee at least two (2) Class Days in advance and must provide the appropriate executed privacy waiver(s) during this notification and notify their advisor of the advisor's their obligation to follow all University regulations, rules, policies and procedures throughout the Student Conduct Process. Failure to comply with the procedures for active advisor participation, may result in the advisor not being permitted to attend, or remain in attendance at, the hearing.

Participation of Advisor

Advisors may actively participate during the following portions of the hearing:

- Questioning of all witnesses, accused student, reporting person, and faculty. (This includes ability to question the student they are advising)
- During the specific portion of the hearing in which the student they are advising is able to provide relevant information related to the alleged incident

Advisors may not actively participate in the following portion of the hearing:

- Introductory statements
- Closing statements
- Advisors may not answer questions on behalf of the student they are advising

Orderliness of Participants

The following hearing procedures are to be observed in the hearing and applied equally to all involved individuals (accused student, reporting person, witnesses, and faculty) and advisors:

1. Questions must be conveyed in a neutral tone.
2. Participants may not antagonize or mock other participants by asking insulting or derisive questions, continue with questions that the Hearing Body or Student Conduct Committee Advisor has determined to be irrelevant, or ask repetitive questions. This includes questions that have already been asked by another participant. When the Hearing Body or Student Conduct Committee Advisor has determined that a question has been ask and answered or is determined to be irrelevant, the participant must move on.
3. Participants may not act abusively or disrespectfully during the hearing toward any other party or to witnesses, advisors, or hearing bodies.
4. Participants may not yell, threaten, intimidate, or physically encroach on another.
5. Participants may not use profanity or make irrelevant verbal attacks upon a party or witness. (If an advisor is an attorney, this may be understood as a prohibition on irrelevant ad hominem attacks)
6. Participants may not talk over one another and must defer to and follow the order of the hearing set forth by the Hearing Body or Student Conduct Committee Advisor.
7. If a break is needed to confer with an advisor, participants should alert the Hearing Body or Student Conduct Committee Advisor.

The student conduct process is an education process and should not be interpreted or expected to include procedures similar to court proceedings; processes for hearings are outlined in Regulation 4.040 and operationalized by the Hearing Body or Student Conduct Committee Advisor. For example, objections are not a tool used in this process, and no duty of zealous advocacy should be inferred or enforced within the student conduct process.

Violation of Procedure

The Hearing Body or Student Conduct Committee Advisor has sole discretion to determine if this hearing procedure has been violated. If a violation occurs, the Hearing Body or Student Conduct Committee Advisor may issue a warning, take a break to review this procedure with the individual involved, or for multiple, continual or egregious violations, the individual may be removed from attendance at the hearing.