

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

Date: July 6, 2012

REGULATION TITLE AND NUMBER: Disruptive Conduct (7.005).

SUMMARY: Regulation 7.005 describes types of disruptive conduct that are deemed to violate University standards for faculty, staff, and students. Regulation 7.005 is no longer necessary because other University Regulations and policies govern these areas more specifically. This repeal amendment shall be effective August 6, 2012.

FULL TEXT OF THE REGULATION: The full texts of the existing regulations are posted on FAU's website at www.fau.edu/regulations. In addition, the full texts of the existing regulations are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or GeneralCounsel@fau.edu.

AUTHORITY TO REPEAL THE REGULATION: Article IX of the Florida Constitution and the Board of Governors Regulation Development Procedure dated July 21, 2005.

UNIVERSITY OFFICIAL INITIATING THE REGULATION REPEAL: David Kian, General Counsel.

COMMENTS CONCERNING THE PROPOSED REGULATION REPEAL SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation repeal in whole or in part after notice, or proceed with adopting the regulation repeal. The comments must identify the regulation(s) on which you are commenting:

THE PERSON TO BE CONTACTED REGARDING THE REPEAL OF REGULATIONS IS: David Kian, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), GeneralCounsel@fau.edu.

Florida Atlantic University

Regulation 7.005

This regulation should be repealed as all of its provisions are either incorporated in other regulations or policies or are no longer applicable or needed.

~~Disruptive Conduct.~~

~~(1) Faculty, students, administrative staff, and employees who intentionally act to impair, interfere with, or obstruct the mission, purposes, order, academic atmosphere, operations, processes, and functions of Florida Atlantic University shall be subject to appropriate disciplinary action by University authorities for disruptive conduct, as set forth in Regulations 7.004, 4.007, and applicable collective bargaining agreements.~~

~~(2) Disruptive conduct shall further be defined as misconduct which shall include, but shall not be limited to, the following:~~

~~(a) Violence, or threat of violence to others or against one's self.~~

~~(b) Theft, conversion, misuse, damage or destruction of University property or of the property of members of the University community.~~

~~(c) Interference with the freedom of movement of any member or guest of the University.~~

~~(d) Interference with the rights of others to carry out their activities or duties at or on behalf of the University.~~

~~(e) Interference with academic freedom and freedom of speech of any member or guest of the University.~~

~~(f) Non-compliance with written or oral requests or orders of authorized University personnel in the performance of their official duties. Such orders may include but not be limited to orders given by authorized University facilities managers or University Police to vacate campus premises.~~

~~(g) Providing of false information to University officials, the withholding of required information, or the misuse of University documents.~~

~~(h) Misuse or duplication of any University key.~~

~~(i) Possession of fireworks, explosives or weapons on campus without the express approval of the appropriate University authority.~~

~~(j) Creating a false alarm.~~

~~(k) Misuse of, or interference with, firefighting equipment.~~

~~(l) Disturbing the peace.~~

~~(m) Violation of the University policy concerning the use of alcoholic beverages on campus. The consumption of any alcoholic beverage in public places on the campus is prohibited except within the rathskeller of the University Center. All other buildings, lobbies, walkways and grounds of the campus are, for the purpose of this policy, considered to be public places. Dormitory rooms and suites are considered to be private living quarters and are exempt from this policy. Exceptions to this policy may be made only by the President, or the Vice President of Student Affairs, when provisions of University Policies, rules and procedures, and all agreements with the University food~~

service contractor have been satisfied.

~~(n) Illegal possession or misuse of drugs and other controlled substances.~~

~~(o) Unauthorized solicitation of funds. University buildings and campus areas may not be entered for the purpose of raising funds for any person or organization other than officially registered student organizations, recognized University-related organizations, or officially recognized non-profit charitable organizations. Requests for solicitations must be submitted to the Vice President for Administrative Affairs, or his/her designee, in advance and must conform to University procedures and to applicable law. Written materials may be distributed on campus in designated exterior campus spaces unless the distribution is primarily for commercial purposes.~~

~~(p) Violation of the Laws of Florida. Any act that could constitute a violation of the laws of this state will establish cause for legal and disciplinary action by the University.~~

~~(q) Endangering the health, safety and welfare of members or guests of the University.~~

~~(r) Hazing prohibited. Attention is called to Presidential Policy Memorandum 59 for guidelines defining actions by students or other persons associated with any University organization which actions are prohibited by Florida Statutes.~~

~~(3) This rule shall apply to acts conducted on or off campus when relevant to the orderly conduct, processes and functions of the University.~~

~~Specific Authority 240.227(1), 240.261, 240.262 FS. Law Implemented 240.261(2), 240.262, 240.132, 240.133 FS. History New 3-26-80, Amended 8-1-82, Formerly 6C5-7.07, Amended 11-11-87. Formerly 6C5-7.007.~~