

the law. Florida A&M University College of Law will not tolerate sexual harassment. FAMU Regulation 10.103, prohibits sexual harassment and provides for the procedures for filing complaints and disciplinary action against anyone who violates this prohibition.

## **POLICY ON STUDENT PEER HARASSMENT**

The law school has an interest in promoting high standards of character, integrity, and professionalism for its students consistent with their future status as members of the bar. In addition, the law school recognizes that harassing conduct by students directed at their peers can be so severe or pervasive in nature that it may have an adverse effect on the educational environment.

The law school also recognizes and supports students' right to speak freely and to express their opinions and ideas, including speech that may be considered offensive by other students.

Conduct will constitute peer harassment when that conduct is sufficiently severe, persistent, or pervasive to limit a reasonable student's ability to participate in or benefit from the law school's education program or if it creates a hostile or abusive educational environment.

Any student who believes that he or she has been subjected to peer harassment should report the harassment to the Associate Dean for Student Services and Administration.

The law school shall provide a prompt and equitable response to any report of peer harassment. If the law school concludes that peer harassment occurred, the law school shall take the steps necessary to provide appropriate remediation, including but not limited to suspension to expulsion of the harasser.

### **Procedures For Responding To Peer Harassment Reports**

- Upon receiving a report of peer harassment, the Director of Student Affairs shall notify the Associate Dean for Student Services and Administration of such report. Upon receiving notice of a report of peer harassment, the Associate Dean for Student Services and Administration shall make an initial determination of the existence of probable cause that peer harassment has been committed.
- Upon finding probable cause that peer harassment has been committed, the Associate Dean for Student Services and Administration shall notify the Dean and the student charged with harassment of that finding.
- Upon receiving such notice, the Dean shall appoint a committee to conduct a hearing to determine whether peer harassment has been committed by the student. This committee will be made up of at least five members and may include law school faculty, administration, and student representatives. Any member who does not feel capable of rendering a fair decision in a particular case shall refuse to serve on the committee.
- At the hearing, a faculty or staff member appointed by the Dean will introduce evidence relevant to the question of whether peer harassment has been committed. The student charged with harassment is entitled to be represented by counsel, other than a non-student law school employee, to introduce relevant evidence, and to confront and cross-examine any witnesses against him or her.
- To support a finding of peer harassment, at least four members of the committee (or at least two-thirds of any committee with more than five members) must find peer harassment beyond a reasonable doubt.
- The committee shall file with the Dean a written report on its proceedings and its findings. If peer harassment has been found by the committee, the report shall include a recommended sanction. Such sanctions include, but are not limited to, expulsion, suspension, probation, written reprimand, or remedial activity. A finding of no peer harassment by the committee in accord with the procedures established by this policy shall be final and

binding. A finding of peer harassment by the committee may be reversed by the Dean if the Dean determines that the finding is clearly erroneous.

- The final determination of the appropriate sanction for peer harassment shall be made by the Dean. It may be more or less severe than any sanction recommended by the committee. This determination shall be expressed in writing and provided to the student within fourteen days of the filing of the committee's report with the Dean. The committee members and the complaining student or students shall receive copies of the Dean's determination of sanction. The Dean's determination of sanction may be appealed to the Provost and Vice President for Academic Affairs of the University.
- In response to appropriate inquiries, the law school shall make available to appropriate bar officials, the written committee report and the Dean's final determination of sanction.

## **POLICY ON STUDENT OBSERVANCE OF RELIGIOUS HOLY DAYS**

All University students shall be allowed to observe holy days of their religious faith. The University shall reasonably accommodate the religious observance, practice, and belief of individual students in regard to admissions, class attendance, and the scheduling of examinations and work assignments.

### **Accordingly, the following procedures are in effect:**

- A student who wishes to observe a religious holy day of his or her religious faith shall notify all of his or her professors two weeks prior to the religious observance.
- The student shall be held responsible for any material covered during the absence, but shall be permitted a reasonable amount of time to make up any work missed. Where practical, major examinations, major assignments, and university ceremonies will not be scheduled on a major religious holy day.
- A student who is absent from academic or social activities because of religious observances shall not be penalized by his or her instructors and/or university administrators.
- In those instances, where a faculty member wishes to observe a religious holy day, he or she shall make arrangements to have another faculty member conduct the class in his or her absence, if possible, or reschedule the class.
- Any student who feels that he or she has been denied educational benefits because of his or her religious belief or practice may seek redress by notifying, in writing, the Dean of the nature of his or her grievance.
- The Dean shall investigate each occurrence (grievance) and insure that appropriate corrective action is taken to insure compliance with this policy.

## **FAMU REGULATION**

Please see 10.103 ("Non Discrimination Policy and Discrimination and Harassment Complaint Procedures.") for policies concerning discrimination and harassment.