

## **POLICY NO 11-201 Student-Athlete Misconduct Policy**

<b>Responsible Executive:</b>	Stan Wilcox
<b>Approving Official:</b>	Cabinet
<b>Effective Date:</b>	May 1, 2018
<b>Revision History:</b>	Substantial rewording of current Section 201 May 1, 2018

### **I. INTRODUCTION**

This Student-Athlete Misconduct Policy relates to the conduct of student-athletes with respect to their participation in the athletics programs and intercollegiate athletics.

### **II. POLICY (Including any Forms and Attachments)**

The president and director of athletics retain the inherent authority to suspend or dismiss any student-athlete at any time for conduct that is inconsistent with or in violation of the University or athletics department code of conduct or team rules, or for conduct that the president or director of athletics deem detrimental to the University, the Department of Athletics, or to the health, safety or welfare of the team or the student body as a whole. Conduct or behavioral issues may be addressed by the Department of Athletics regardless of whether such conduct or behavior results in a criminal investigation, criminal charges, student code of conduct charges, or a sentence from the court.

Each incident will be reviewed independently, as no two cases are identical in nature and each must be assessed based on the facts and circumstances presented. In the event that a student-athlete is subject to suspension in accordance with this policy, the particular terms of the suspension will be determined by the Department of Athletics and may include restricting the student-athlete from competition, practice, team meetings, and/or other privileges of being an FSU student-athlete.

In the case of conduct that results in a criminal investigation in which the student-athlete is considered a suspect, the student-athlete may, at the discretion of the Department of Athletics, be placed on suspension while the investigation takes place. In such cases, a suspension is not necessarily considered disciplinary in nature and may be imposed on an interim basis while the relevant facts are being determined.

If criminal charges are initiated against a student-athlete, the involved student-athlete will be subject to the following disciplinary action:

- A) In the event that a student-athlete is charged with a felony, absent extraordinary circumstances as determined by the administration, the student-athlete will be suspended until such time as the charge is resolved, the conditions of a sentence, if any, are completed, and all University and athletics department conditions for reinstatement have been met.

- B) In the event that a student-athlete is charged with a misdemeanor involving violence, absent extraordinary circumstances as determined by the administration, the student-athlete will be suspended until such time as the charge is resolved, the conditions of a sentence, if any, are completed, and all University and athletics department conditions for reinstatement have been met. For purposes of this policy, a misdemeanor involving violence shall be any misdemeanor offense involving the use, attempted use, or threatened use of physical force against the person or property of another, or that by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the crime. Misdemeanors involving violence may include but are not limited to, domestic violence, assault, battery, stalking, or an attempt or conspiracy to commit any of the foregoing offenses.
  
- C) In the event that a student-athlete is charged with a misdemeanor not involving violence, absent extraordinary circumstances as determined by the administration, suspension and/or disciplinary action will be determined by the head coach, subject to approval by the director of athletics and sport oversight. If misdemeanor charges result in a sentence that includes jail time, the student-athlete will be suspended until that time is served and all University and athletics department conditions for reinstatement are met.

Any proceedings brought under the FSU Student Conduct Code are separate from and unrelated to actions taken under this policy.

### **III. LEGAL SUPPORT, JUSTIFICATION, AND REVIEW OF THIS POLICY**

BOG Regulation 1.001 (4)(d),

/s/ Name of Approving Official

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[Proof of approval retained in file]