

Subject: Application of Laws and Regulations
Number: 527
Issued by: Vice Chancellor for Student Development
Date: July 19, 2007

APPLICATION OF LAWS AND REGULATIONS

1. Students should be aware that educational institutions are not sanctuaries beyond the reach of the criminal laws of the communities and states wherein such institutions exist. While the rules and regulations of USCB are not meant to duplicate general laws, there are some aspects in which the lawful interests of the institution as an academic community coincide with the broader public interests dealt with in general laws. Students who commit offenses against the laws of municipalities, states or the United States are subject to prosecution by those authorities and may be subject to disciplinary action under university rules when their conduct violates Institutional standards.

2. Students, no less than other citizens, are entitled to be secure in their persons, lodgings, papers and effects against unreasonable searches and seizures. Searches and seizures by law enforcement personnel incident to investigations or arrests are conducted only under proper warrant. This does not prohibit normal inspections of facilities for maintenance, health or safety purposes.

NOTE: Housing and Residence Life policies also allow for the entrance and inspection of student housing units if there is reason to believe that a violation of law or University policy exists, or for life safety and/or emergency circumstances.

3. Students enjoy the same freedoms of speech and peaceable assembly as all citizens, but they are under certain legal obligations in the exercise of these freedoms by virtue of their membership in the University community. Expression may be subjected to reasonable regulations of time, place, number of persons and form under established regulations. Expression in the form of action that materially interferes with the normal activities of the institution or infringes upon the rights of others is prohibited. The University is pledged to protect lawful exercise of the rights of free speech and assembly and will invoke appropriate legal and disciplinary sanctions when necessary in the pursuit of this goal.

4. Students who are apprehended and charged by law enforcement agencies with felony criminal conduct on or off campus are required to inform the Vice Chancellor of Student Development.

5. The standard of proof required in University judicial processes differs from that required in criminal judicial processes. In University judicial processes, the standard of proof required to find a person responsible for a violation is that of the preponderance of the evidence; that is, if the evidence provided indicates that "more likely than not" the violation occurred, the student will be held accountable for that violation.

6. In accordance with the provisions of the Family Rights and Privacy Act of 1974, any

information related to an alleged violation of the University's Honor Code and Judicial Code or to the outcome of a judicial hearing will be treated confidentially by members of the faculty and administration.