



HOLMES UNIVERSITY FLORIDA

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PD7 – Disciplinary Policy and Procedures

Policy Code	PD7
Policy Title	Disciplinary Policy and Procedures
Domain	J – Legal, Risk and Compliance
Internal Ref	J.7
Jurisdiction	Florida, United States – Holmes University Florida (HUF)
Version	1.1
Policy Owner	Director of Risk and Compliance, Holmes University Florida
Approved By	Holmes University Florida Board of Directors

1. Related Policies

- PD1 – Terms and Conditions of Enrollment (Florida)
- PD3 – Attendance and Monitoring (Florida)
- PD31 – Student Academic Conduct and Integrity (Florida)
- PD13 – Student Charter (Florida)
- PD6 – Appeals and Complaints Procedures (Florida)

2. Context, Scope and General Principles

- 2.1** Learners are expected to act as responsible and reasonable members of the Holmes University Florida (HUF) academic community and to treat the HUF community and the public with courtesy, dignity and respect. This policy applies to all learners enrolled with HUF and is read in conjunction with the Terms and Conditions of Enrollment (PD1) and the Student Charter (PD13). The Registrar is responsible for the maintenance of learner discipline and, within this policy, for the withdrawal of learners on disciplinary or other grounds; HUF retains the right to withdraw a student from a stage of study, temporarily or permanently, where reasonable requirements have not been met (see PD1). The Registrar may delegate operational responsibilities to appropriate staff. The policy acts as a deterrent by applying a penalty for unacceptable behavior and as an incentive for improvement through discussion and positive action where behavior falls short.

3. Definition of a Disciplinary Offense

- 3.1** In general, any behavior that interferes with HUF's functioning or with those who work or study at HUF, or an action that otherwise damages HUF or its reputation, constitutes a disciplinary offense. General misconduct may be classified as a minor infringement, a major infringement, or gross misconduct. In addition, while studying at HUF, learners are expected to meet reasonable

requirements relating to the payment of fees (PD1), attendance (PD3), and academic conduct (PD31).

4. Learner Disciplinary Procedures

- 4.1** Minor breaches are handled locally by the Program Director or Center Manager as appropriate. Where an allegation is received that a learner has breached the Student Charter, or whose behavior represents a serious risk to the safety, health or welfare of themselves or others, the Registrar is notified and appoints an appropriate manager (such as a Program Director) to investigate.
- 4.2** **Investigation.** Where a learner is suspected of gross misconduct, the Registrar may suspend the learner while the investigation is undertaken; the learner is informed in writing, the investigation is conducted as quickly as possible to limit academic impact, and during suspension the learner must cease contact with other parties involved. The Program Director conducts the investigation and submits a report recommending a penalty for minor infringements or outlining reasons to call the learner before a Learner Disciplinary Hearing; the Registrar determines whether a hearing is required. A learner who is the subject of a hearing is required to attend, has the right to be accompanied and to present their own case, and if they fail or choose not to attend, the hearing proceeds in their absence.
- 4.3** **Learner Disciplinary Hearing.** The hearing is chaired by the Registrar and comprises two other members not involved in the case, to include student affairs; in exceptional cases an external representative may be appointed. Classification of the misconduct is based on its nature, extent, seriousness and impact, determined by the Registrar and informed by the investigation. Any misconduct that could be classified as a criminal offense is automatically classified as gross misconduct (though gross misconduct is not limited to criminal activity), and HUF reserves the right to report a criminal offense to the appropriate authorities. Following the hearing, a decision is made and an appropriate penalty applied; the learner is notified in writing of the outcome, normally within 72 hours of the hearing. If the learner exercises the right of appeal, application of the penalty is suspended pending the outcome; if not, the penalty is applied.

5. Suspension or Withdrawal from Studies

- 5.1** A learner may be withdrawn from studies at the Registrar's discretion where expulsion has been recommended by the hearing, or for any of the reasons set out in the Terms and Conditions of Enrollment (PD1) — such as failure to meet the conditions of the offer; providing incorrect, misleading, untrue or fraudulent information, or withholding relevant information; non-payment of tuition fees; failure to complete enrollment at the beginning of each academic year; failure to maintain the minimum expected level of attendance without approved mitigating circumstances; or committing a material breach that is irremediable or not remedied within 30 days of written notice. Suspending a learner temporarily is generally not a penalty but a precautionary measure to exercise duty of care or while investigation takes place. The learner is notified by letter of the reasons for withdrawal, its terms, and the right of appeal.

6. Penalties and Appeals

- 6.1** Penalties include, but are not limited to: for minor infringements, an oral warning effective for six months, with a note retained on the record and removed after six months; for major infringements, a written warning normally effective for 12 months, retained on the record; for a

second major infringement, a final written warning normally effective for the remainder of the learner's program, retained on file (and in serious cases a final warning may be issued without prior warnings); a further major infringement normally leading to expulsion, with a permanent record retained; and for gross misconduct, immediate expulsion, with a permanent record retained. Other penalties include giving a written undertaking as to subsequent conduct, giving a verbal or written apology to those affected, and covering the cost of damage to property. The outcome of a hearing may be appealed on the grounds of procedural irregularity, new evidence that could not reasonably have been available to the initial hearing, or that the penalty was too severe in the circumstances; an appeal is submitted in writing to the Registrar within 10 working days of notification, and the Registrar determines whether there are grounds for appeal (see also PD6).

Document Control

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