
	Florida State University Police Department	
Standards of Conduct & Disciplinary Process		
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Policy

It is the policy of the Department to administer disciplinary action in a fair and equitable manner to an employee and adhere to appropriate guidelines established by University Policies and Procedures. The purpose of this general order is to define standards of conduct for all employees of the Department. [CFA 7.01]

Procedure

All employees shall comply with the provisions of the FSU & You–Employee Handbook and FSU Policies and Procedures (<http://hr.fsu.edu>). However additional standards of conduct and performance are applicable to sworn members of the department. These include, but are not limited to:

A. Standards of Conduct

1. Acceptance of Gratuities, Bribes, or Rewards

Employees of the Department shall not accept any gratuity, gift, or reward in money or other consideration for services rendered in the line of duty, except lawful salary. Officers may receive discounts on food items purchased in local businesses provided the discounts are offered to all law enforcement while in uniform, but solicitation of any such discount when not offered shall be in violation of this policy. Officers shall be culturally sensitive and shall exercise good judgment when offered items such as a cup of coffee, mints, or candy when conducting non-enforcement contact with community members. Under no circumstance, shall an officer accept money from a citizen for work performed.

2. Address Notification

All sworn employees will provide the Department a current physical residential address. Post Office boxes and/or rural route numbers are not adequate for the purposes of this General Order. Employees with only a post office box or rural route number shall provide written directions to their residence to the Communications Section and the Records Section. Sworn employees shall notify the Department, in writing to the employee’s immediate supervisor, within 24 hours of any permanent change in address.

3. Alcohol and Drug Use

Alcohol is defined as any distilled spirits, wine, malt beverages, or intoxicating liquors. Intoxicants are any substance, such as alcohol, that impairs a person to the point where physical and mental control or abilities are diminished.

- a. No employee shall be on duty while under the influence of intoxicants or drugs.

- b. Employees shall not report for duty or be on duty while under the influence of intoxicants to any degree whatsoever, or with an odor of intoxicants on or about their person.
- c. No employee shall consume intoxicating beverages when off-duty to an extent that impairs his/her faculty(s) for his/her next scheduled tour of duty.
- d. Employees shall not consume any intoxicants for eight (8) hours before reporting for duty.
- e. Employees shall not purchase or consume any intoxicating beverages while in uniform or while on duty in any capacity, unless acting in the performance of duty and under specific orders from a supervisor.
- f. No employee shall take or consume any prescription drug, narcotic, or controlled substance not specifically prescribed for him/her by a licensed medical practitioner.
- g. An employee shall advise his/her supervisor of any medications that might impair his or her work performance.
- h. Should a prescription drug that the employee is taking have a side effect detrimental to the employee's safe performance of his/her duty service, the employee shall immediately notify his/her supervisor.
- i. An employee or member suspected of either consuming an alcoholic beverage while on-duty, having consumed an excessive amount prior to reporting for duty or having taken any drug that renders his/her faculty(s) impaired may be asked to submit to a breath test or other accepted test to confirm or dispel said suspicion.

4. Advertising

Employees shall not permit the use of their names or photographs for advertising, testimonials, recommendations, or other purposes relating to or based upon their employment with the Department without the approval of the Chief.

5. Arrest of FSUPD Employee

Any employee of this Department arrested or cited for a criminal violation, including any criminal traffic offense, in any jurisdiction shall notify the Chief of Police of his/her arrest. The notification must be made within 24 hours of the member's return to work following the arrest or criminal citation. The notification shall be accomplished either by writing, telephone call, or face-to-face meeting with the Chief, or designee in the Chief's absence.

6. Attorneys and Bondsmen

No employee shall, either directly or indirectly, recommend the employment of any person as attorney or counsel. No employee shall suggest or recommend the name of any bondsman to any prisoner or suspect. No employee, while on duty, shall post bond for persons under arrest without authorization from a command officer.

7. Business Cards

No employee of the Department shall utilize any business card, personal card, or other form of communication inscribed with any message, which purports to grant the bearer any special privileges not enjoyed by all citizens. The Chief or his designee shall approve the type and style of business cards utilized by employees of the Department.

8. Civil Issues

Employees shall not institute any civil proceedings arising from their official duties without first notifying the Chief. Employees shall not use their positions with the Department as a means of

forcing or intimidating persons with whom they are engaged in civil matters to settle the case in favor of the employee.

Employees shall avoid entering into civil disputes, particularly while performing their police duties. In such cases, employees shall prevent breaches of the peace and the commission of crimes. Employees shall refer civil disputants to the appropriate agencies.

9. Compensation

No employee of this department shall accept any fees or compensation of any kind from any person, agency, court official, or any other person except those fees and compensation specifically provided and authorized by law and with the authorization of the Chief.

10. Contributions

Employees shall not solicit or collect any money or other thing of value, nor shall they circulate subscription papers, sell tickets of any kind, or collect money from any person for any purpose without the specific authorization of the Chief of Police.

11. Conflict of Interest, Impropriety

Whether on-duty, off-duty, or engaged in secondary employment activity, Department members shall avoid any appearance of impropriety or a conflict of interest in their role as a public servant and in their personal lives.

Conflict of interest includes, but is not limited to, engaging, interacting, influencing, or otherwise affecting incidents or situations of an enforcement nature such as:

- a. Arrests
- b. Traffic Crashes
- c. Traffic Stops
- d. Trespass Warnings
- e. Disturbances/civil matters

12. Correspondence, Departmental

No employee of the Department shall forward correspondence of a Departmental nature over the employee's signature without the authorization of the Chief or designee.

13. Driver's License Status

All employees must notify the Department if their Driver's License status becomes invalid due to suspension, cancellation, revocation, or other cause. A status verification of the driver's licenses for all currently employed members will be conducted periodically.

14. Court Attendance

Every employee of the Department shall be present at the time specified for court appearance. If an emergency prevents an employee from appearing at the appointed time, the court shall be promptly notified.

An employee failing to appear in court without prior approval may be subject to disciplinary action. The employee's immediate supervisor, upon learning that the employee has failed to appear in court, shall investigate the incident and provide findings to the appropriate division commander via chain of command to determine appropriate action.

15. Courtesy

Every employee shall afford courtesy, consideration, and cooperation to every other employee. Employees shall avoid the manifestation of unfriendliness to other employees.

16. Criminal Cases

No employee shall interfere with the proper administration of criminal justice. No employee shall attempt to interrupt the legal process except where a manifest injustice might otherwise occur. No employee shall participate in or be involved with any activity that might interfere with the due process of law.

Except in the interest of justice, no employee shall attempt to have any traffic citations, notices to appear, or final warnings reduced, voided, or stricken from records or files. Any employee having knowledge of such activity and failing to inform the appropriate supervisor shall be subject to disciplinary action.

Employees receiving or possessing facts or information relative to a criminal offense or case shall not retain such facts or information through ulterior motives, desire for personal credit, or aggrandizement. Such facts or information shall be reported in accordance with Department policy.

No employee shall provide, directly or indirectly, any information that might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment or provide any information that may enable the same to dispose of or secrete evidence of unlawful activities.

17. Criminal Records

Except as authorized by a command officer, contents of criminal record reports filed in the Department shall not be exhibited or divulged to any person except when necessary in the investigative process, when released to another duly authorized law enforcement officer, or under due process of law.

18. Criticism of University and Department

Constructive criticism of any department, operation, employee, or policy is encouraged. Whenever there are any such constructive criticisms, they shall be discussed only with employees of the Department and shall be forwarded up the chain of command for appropriate consideration.

Employees shall refrain from making any statements or allusions that discredit or disparage another employee, except when reporting to a supervisor as required by these regulations.

19. Department Property

Employees shall immediately report to their supervisor the loss or damage to Department property assigned to them. In addition, supervisors shall be advised of any property defects and hazardous conditions. Employees shall use the appropriate documentation when filing such reports.

No employee shall have in their possession keys to any premises on the campus that are not issued to them, unless authorized by the Chief or designee.

Keys shall not be made available to any individual not employed with the Department unless expressly authorized by a command officer.

No employee shall use or operate Department property in a careless or improper manner.

20. Dissemination of Information, Release of Records

All Department employees shall treat the official business of the Department as confidential. Information regarding official business shall be disseminated only to those for whom it is intended, in accordance with established Department policy. All requests for information regarding crimes, criminal offenders, persons arrested, and victims shall be referred to the appropriate individual. No employee of the Department shall release any information on the aforementioned topics without proper authorization. Requests for release of records, to include arrests and reports, shall be handled in accordance with state statute and Departmental orders.

21. False Official Reports

No employee shall make a false official report or make a false statement about another employee of the Department or the business of the Department to the discredit or detriment of the other employee or Department as a whole.

No employee shall make false official reports or knowingly enter or cause to be entered in any Department book, record, or report any inaccurate, false, or improper police information or other material matter.

22. Feigning Illness

Employees shall not feign illness or injury, or falsely report themselves injured. Employees shall not attempt to deceive any other employee of the Department as to the condition of their health.

23. Identification

All members shall be civil, orderly, and courteous in their conduct and deportment. An employee shall give their name and identification number, if applicable, in a respectful manner to any persons who may request such. If, during an official investigation such as an undercover or covert operation, revealing such information would cause an officer safety issue or jeopardize the investigation, the information may not be revealed.

24. Improper Association

Employees of the Department shall avoid association or dealings with individuals whom they know are under criminal investigation, indictment, or who are known to the employee to have a reputation in the community or to the Department for personal involvement in illegal criminal behavior. Permissible exceptions are when necessary to the performance of official duties and where unavoidable because of family relationships with the employee.

Employees shall not engage in or participate in any form of illegal gambling at any time.

Employees shall not knowingly visit, enter, or frequent a house of prostitution or establishment wherein the laws of the United States, the State of Florida, or local jurisdiction are regularly violated, except in performance of duty or while acting under proper and specific orders from an immediate supervisor.

25. Improper Investigation

Employees of the Department shall not undertake any investigation, including accessing or causing to be accessed computer programs/databases utilized for official law enforcement purposes (*i.e. student files, DAVID, NCIC/FCIC, etc.*) or other official action not part of their official duties or while off duty without first obtaining authorization from their supervisor, unless the exigencies of the situation require immediate police action.

26. Incompetence

Employees of the Department shall maintain sufficient competency to perform their duties and to assume the responsibilities that are assigned to their position. Incompetence may be

demonstrated by a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, a failure to conform to work standards established for the employee's rank or position, or repeated poor evaluations or repeated violations of Departmental General Orders.

27. Injury Payments

Employees shall not accept or agree to accept anything for personal injury incurred in the line of duty without first notifying the Chief or designee.

28. Insubordination

Employees shall promptly obey all lawful orders of a supervisor. This shall include orders relayed by an officer of the same or lesser rank.

29. Interference in Private Business

Employees shall not unnecessarily interfere with the lawful business of any person.

30. Loyalty

Loyalty is a two-way process. Management, including all supervisors, must have a concern for the welfare of their employees and responsibility to support them in proper actions. This does not include protecting employees from the consequences of misdeeds.

31. Neglect of Duty

Employees of the Department shall not engage in any activities or personal business that would cause them to neglect or be inattentive to duty.

32. Neighborhood Disputes

Employees of the Department shall not intentionally become involved in neighborhood quarrels or disputes while off-duty.

33. Notices, Marking or Defacing

No employee shall mark, deface, or alter any printed or written notice relating to the Department or other Florida State University business. All notices of a derogatory character relating to official transactions within the Department or the University regarding any unit or person are prohibited.

34. Payment of Debts

Employees shall not undertake any financial obligations that they know or should know that they will be unable to meet. Employees shall pay all just debts when due. An isolated incident of financial irresponsibility will not be grounds for discipline except in unusually severe cases. Repeated instances of financial difficulty may be cause for disciplinary action. Filing for a voluntary bankruptcy petition shall not, in itself, be cause for discipline. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline if good faith efforts to settle all accounts are being undertaken.

35. Personal Conduct, Use of Blogs, Web Postings, Chat Rooms

Active participation in web/internet services such as web postings, blogs, chat rooms, and dating services should be carefully considered by any employee in terms of how such participation would reflect upon the Department, the University, and the employee.

Employees are not to use, or caused to be used, any official information, photographs, speeches, or written documents that identify them as members of the Department when participating in any personal web/internet-based activity. All employees are expected to

exercise due diligence so as not to engage in any web/internet-based activity that would have an adverse effect on the reputation of the Department, the University, and/or themselves.

36. Political and Campaign Activities [CFA 7.08]

- a. Members shall abide by regulations noted in FS 104.31, Political Activities of State, County and Municipal Officers and Employees. In addition, it shall be the responsibility of the member to review the statute before participating in campaigns or running for a political office.
- b. Members shall not engage in political activities while on duty and/or in uniform, with the exception of approved union business.
- c. Members shall not endorse a particular candidate or political issue while on duty and/or in uniform.
- d. While as a private citizen, members shall not state or imply in any way that their political views represent the FSU Police Department.
- e. Members shall not use their official position when engaged in political activities.
- f. The name of the FSU Police Department shall not be used in any campaign literature as an endorsement. Department equipment, uniforms or insignia shall not be used in any political campaign.

37. Professional Attitude

The attitude of Department employees shall be objective towards persons and situations encountered.

38. Property, Personal Use

No employee shall convert for personal use or claim any State property, found property, recovered property, or property held as evidence.

39. Refusal to Work

Because of the potential emergency nature of the services provided by the Department, employees can be required to work as necessary. This may include both emergency and non-emergency situations. Any employee directed to work when needed and fails to do so will be subject to disciplinary action up to and including dismissal. Verifiable medical emergencies are exempted.

40. Reporting for Duty

Employees of the Department shall report for duty at the time and place required by assignment or orders. Employees shall follow established work schedules, to include reporting for duty on time, not returning from lunch breaks or rest breaks, and not leaving work early at the end of the work schedule.

Employees shall be physically and mentally fit to perform their duties.

Employees shall be properly equipped and cognizant of information required for the proper performance of duty in order that they may assume that duty.

Subpoenas, as discussed in this order, shall constitute an order to report for duty.

41. Solicitation, Unauthorized

The solicitation of an employee by another employee, including the distribution of any material for any purpose not specifically authorized by the Florida State University while either employee is on duty, is prohibited.

42. Smoking/Tobacco Products

Employees in uniform shall not smoke or utilize tobacco products in view of the general public. Employees shall not smoke or utilize tobacco products while investigating accidents, issuing traffic citations, interviewing witnesses, or directing traffic. Additionally, use of tobacco products is prohibited in Departmental vehicles.

43. Special Privileges

No employee shall use his/her badge, uniform, identification card, or official position to solicit special privileges for themselves or others. An employee may use his/her official position to gain admission to any public gathering when such use is in the furtherance of official duties.

44. Stationery, Departmental

No employee shall use Department stationery for personal correspondence without approval of the Chief or designee.

45. Subversive Organizations

No employee shall knowingly become an employee or connected with any subversive organization except when necessary in the performance of duty, and then only with the authorization of the Chief or designee.

46. Telephones, Departmental

Departmental telephones, office or cellular, are for official use only. No employee shall charge personal, personal long distance or toll calls to the Department. Personal calls charged to Department phones should be an emergency in nature and shall require reimbursement.

47. Telephones, Private

All sworn employees of the Department shall maintain a working telephone in their residence. All employees shall keep their supervisor and other necessary Departmental personnel apprised of their telephone numbers. In the event an employee changes their telephone number, they shall advise the Department in writing within 24 hours. Their supervisor shall forward this information to the Communications Section and Records Section for inclusion in the employee roster.

48. Testimony at Departmental Investigations

Employees shall answer questions or render material and relevant statements to a competent authority in a Departmental personnel investigation when so directed.

49. Unbecoming Conduct

Employees of the Department shall not conduct themselves at any time in such a manner that would be detrimental to the Department's image as the law enforcement agency of the Florida State University. Unbecoming conduct shall include any act or conduct, whether specifically prohibited or not, which brings the Department into disrepute or reflects discredit upon the individual as an employee of the Department.

50. Uncalled for Remarks

No member of the department shall make any remarks, use threatening or abusive language concerning any member of the Department or to any citizen, which may bring the department or any member thereof into disrepute, or subject it or them to any ridicule.

B. Disciplinary Process

Authority of Supervisors [CFA 7.03]

1. The attendant level of discipline to each level of supervision and command relative to discipline functions is set forth in FSU Policy and Procedure 4-OP-G-7-G5 "Guidelines for Discipline for USPS and A&P Employees". To ensure consistency of discipline within the Department, the following additional approvals are implemented within the Department:
 - a. Oral Reprimand – No additional approval required.
 - b. Written Reprimand – Immediate supervisor with approval of Major or designee.
 - c. Demotion/Pay Reduction – Approval by Chief before submission to Vice President or designee.
 - d. Suspension – Approval by Chief before submission to Vice President or designee.
 - e. Dismissal – Approval by Chief before submission to Vice President or designee.

C. Counseling [CFA 7.02]

1. In certain circumstances, employee misconduct may be resolved by informal or formal counseling rather than by the formal corrective/disciplinary action discussed subsequently in this General Order.
2. For very minor offenses against University and Departmental policy, or cumulative minor offenses, the employee's supervisor may, at his or her discretion, counsel the offending employee in a private, face-to-face meeting.
3. For numerous, minor complaints levied against an employee as entered into the Department's Administrative Investigations Management system, the supervisor may, at his or her discretion, counsel the offending employee and recommend non-punitive corrective actions such as remedial training or further counseling.
4. For minor violations of the University's policy on alcohol abuse, and in accordance with applicable State policies, the supervisor may, at his or her discretion, recommend the offending employee undergo counseling through the [University's Employee Assistance Program](#).

D. Just Cause Standard for Disciplinary Action

1. Supervisors must have just cause before taking disciplinary action against an employee. A supervisor's activities regarding disciplinary action should be conducted in such a way that all of the following questions should be answered "yes" if the facts were reviewed later:
 - a. Notice
 - 1) Was the employee given an expectation of performance and conduct?
 - 2) Was the employee adequately trained with the needed skills or knowledge to meet the expectation or conduct themselves in a manner consistent with policies and procedures?
 - 3) Did the employer grant an opportunity for clarification of expectations?
 - 4) Did the employer provide any needed or requested remedial training for the employee?
 - b. Reasonableness
 - 1) Is the rule reasonable as it applies to the employer's operations and business?
 - 2) Is it reasonable for the employee's performance of duties?
 - c. Review

- 1) Did the employer make an effort to determine if the employee violated the rule?
 - 2) Were all of the facts gathered?
 - 3) Did the employer speak with the employee, others who were involved and possible witnesses before the decision to discipline was made?
 - 4) Was the review conducted fairly and objectively?
 - 5) Did someone who is above the individual recommending the action review the case?
- d. Proof
- 1) Did the supervisor base the decision on the weight of evidence vs. suspicion or conjecture?
- e. Equal Treatment
- 1) Is the rule applied evenly among employees (no disparate treatment or discrimination)?
 - 2) Was the same action taken in similar cases by the Department? If not, can you distinguish between the cases?
- f. Penalty
- 1) Does the degree of discipline or corrective action imposed against the employee reasonably relate to the seriousness of the offense?

E. Consistency of Discipline

1. While internal consistency of discipline is desirable, several factors should be considered in determining the appropriate level of discipline to be assessed at each successive step. Some of the factors to be considered are, but are not limited to:
 - a. Length of service
 - b. Time intervals between offenses
 - c. Effectiveness of prior disciplinary action
 - d. Willingness to improve
 - e. Overall work performance
 - f. Job attitude
 - g. Disciplinary actions previously administered to other comparable Department employees for similar offenses
 - 1) A repetition of the same offense should be taken into consideration in determining the level of discipline to be imposed.
 - 2) Written reprimands may be marked “invalid for future disciplinary action” at any time after an employee maintains a two consecutive year discipline-free work record, upon written request of the employee.
 - 3) Oral reprimands may be marked “invalid for future disciplinary action” at any time after an employee maintains a one-year discipline-free work record, upon written request of the employee.
 - 4) Certain offenses are of such a serious nature that immediate dismissal upon the first offense is applicable.

F. Dismissal Due to Misconduct [CFA 7.04]

1. Upon completion of all applicable investigations and hearings regarding the particular incident, the Department shall provide, in conjunction with the University Human Resources division, the following information to the dismissed employee:
 - a. Effective date of the dismissal [CFA 7.04B]
 - b. Specific reason for the dismissal [CFA 7.04A]
 - c. Status of fringe and retirement benefits after the dismissal [CFA 7.04C]
 - 1) An employee who is dismissed shall have the right to continue his/her fringe benefits in accordance with applicable Federal and State Law.
 - 2) An employee who is dismissed shall have the right to any applicable retirement funds or retirement benefits unless the employee is found guilty of a specified crime committed prior to the retirement, or the employee is dismissed because he/she admitted to committing, aiding, or abetting a specified crime prior to retirement, except that an employee will be eligible for a refund of any retirement contributions that he/she made. Specified crimes, identified by Florida Statute are:
 - a) Committing, aiding, or abetting any embezzlement of public funds or any grand theft from the University
 - b) Bribery in connection with an employee's employment
 - c) Any felony specified in Chapter 838, Florida Statutes, except sections 838.15 and 838.16
 - d) Any felony with the intent to defraud the public or the University of the right to receive the faithful performance of duty
 - e) Receiving or attempting to receive profit or advantage by an employee or for another person through the use of the employee's position
 - f) Being found guilty by any court of competent jurisdiction of violating any state law against strikes by public employees.

G. Unlawful Harassment Prohibited [CFA 7.07]

General Harassment

1. No employee shall either explicitly or implicitly ridicule mock, deride, or belittle any other employee or person.
2. Employees shall not make offensive or derogatory comments based on race, color, sex, religion, religion, sexual orientation, or national origin either directly or indirectly to any person.
3. The use of Departmental computers to harass another person or transmit text, pictures, or sound that might be perceived by a reasonable person as being offensive or harassing is prohibited.
4. Each employee of the Department is responsible for assisting in the prevention of illegal discrimination/harassment through the following acts:
 - a. Refraining from participation in or encouragement of actions that could be perceived as discrimination/harassment
 - b. Reporting any such acts to a supervisor.
 - c. Encouraging any employee who confides that he/she is being harassed or discriminated against to report such to a supervisor.

5. Each supervisor shall be responsible for preventing acts of harassment. This responsibility includes:
 - a. Monitoring the work environment on a daily basis for signs that harassment may be occurring.
 - b. Counseling all employees on the types of behavior prohibited and the University's procedure for reporting and resolving claims of harassment.
 - c. Stopping any observed acts that may be considered illegal discrimination and/or harassment and taking appropriate steps to intervene, whether or not the employees are within his/her line of supervision.
 - d. Advising the Chief through the chain of command of any incidents of harassment.
 - e. Assisting any employee of the Department who approaches the supervisor with a complaint of harassment or discrimination in documenting and filing a complaint with the Internal Affairs Officer or the Chief of Police.
6. Failure by any employee to report acts of which they are made aware, or failure of a supervisor to take appropriate action shall be grounds for disciplinary action.

H. Biased Policing [CFA 2.06]

1. Members of the Department will comply with Florida Statute regarding biased policing and may not use racial, ethnic, gender or sexual stereotypes in any context, including but not limited to traffic contacts, field contacts, or asset seizure and/or forfeiture.
2. Traffic stop procedures must conform to those in the General Order titled "Traffic Administration & Enforcement", regardless of the racial, ethnic, gender, or sexual orientation or makeup of the vehicle occupants.
3. Members may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident, but race and/or ethnicity may never be used as the sole basis for probable cause or reasonable suspicion.
4. Members recording traffic contacts, arrests, and field contacts into the Department's records management system shall ensure that all applicable information regarding race and contact are properly entered.
5. All sworn officers are required to meet CJSTC guidelines regarding completion of the Human Diversity and Discriminatory Profiling and Traffic Stops training.
6. Citizen complaints alleging biased policing shall be processed as provided in the General Order titled "Internal Investigation and Citizen Complaints".
7. The Support Services Lieutenant shall be responsible for conducting an annual administrative review of the Departmental practices, including a review of citizen complaints and documented concerns and an analysis of racial profiling information in the Department's records management system. This report will be forwarded to the Chief of Police for review.
8. If corrective action is necessary, either due to a sustained complaint or as a result of the annual administrative review, the Chief shall determine whether biased policing is endemic to the Department or reflective only upon the action of specific officer(s). Taking into account factors such as history, the specific incident at hand, and the egregiousness of the violation, avenues of corrective action from retraining to formal discipline may be utilized. Any sustained instance of biased policing shall subject the officer to appropriate disciplinary action, regardless of any retraining provided.

9. The Department shall incorporate information regarding bias-based profiling into public information and education vehicles including, but not limited to, the Citizens' Police Academy and the Department website.

I. Disciplinary Process and Appeal of Discipline

1. For employees not covered by a collective bargaining agreement, the Florida State University disciplinary process, predetermination process, and appeals information can be found at [FSU Human Resources Disciplinary Process Webpage](#).
2. Employees covered by collective bargaining agreement are subject to the disciplinary process, predetermination process, and appeals process outlined in the FSU policy as linked above, supplemented by their individual bargaining agreements:
 - a. [PBA Collective Bargaining Agreement](#) for Officer, Investigator, Corporal and Sergeant ranks.
 - b. [AFSCME Operational Services](#) or [AFSCME Administrative and Clerical](#) for covered civilian employees.
 - c. In all cases, it will be the decision of the Chief of Police to determine whether corrective action/discipline is warranted and, if warranted, the type of disciplinary action to be administered.
 - d. A supervisor may initiate discipline by submission of a written report to the Chief recommending corrective action or discipline in a specific instance. The report shall contain:
 - 1) Full name and rank of the individual involved
 - 2) Date, time, and location of misconduct
 - 3) General Order number and section of the violation
 - 4) A complete statement regarding the facts surrounding the misconduct
 - 5) The corrective action/disciplinary action recommended
 - 6) The written signature of the person recommending the action

J. Maintenance and Storage of Disciplinary Records [CFA 7.05]

Copies of all written disciplinary actions taken against employees shall be placed in the employee's Department personnel file and shall be placed in the employee's official personnel file maintained by the University Human Resources division. Written disciplinary action shall remain in an employee's personnel file unless the President of the University, the courts, an arbitrator, or other statutory authority determines that a document is in error or is otherwise invalid. The Chief of Police also has the authority to render a written disciplinary action invalid from an employee's personnel file at any time that the Chief deems such action advisable.

Glossary

Administrative and Professional – The positions classified by the Florida Board of Governors and the University Board of Trustees which describe those employees who have been determined to be comparable to General Faculty classification in their effect on the accomplishment of the University's mission and goals.

Alcohol – Any distilled spirits, wine, malt beverages, or intoxicating liquors.

Biased Policing – The inappropriate consideration of specified characteristics while enforcing the law or providing police services. Specified characteristics includes, but is not limited to, race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, disability, political status, or any other legally protected characteristics. [CFA 2.06C]

Conflict of Interest – Circumstance that would prevent, or appear to prevent, the department member from carrying out their public service responsibilities objectively due to their personal relationship with the involved parties.

EEOC – Equal Employment Opportunity Commission

Employee – All personnel working under the direction of the Chief of Police at the Florida State University.

Florida Police Benevolent Association – The exclusive representative for the purposes of collective bargaining with respect to wages, hours, and terms and conditions of employment for all employees included in the University Law Enforcement Bargaining Unit.

Intoxicants – Any substance, such as alcohol, that impairs a person to the point where physical and mental control or abilities are diminished.

Misconduct – Violation of specified conditions of employment that result in forfeiture of all rights and benefits in the Florida Retirement System.

Reasonable Suspicion – The existence of information which establishes sufficient facts to give a trained law enforcement officer a basis to believe there is a reasonable possibility that an individual or group of individuals are involved in a definable criminal activity or enterprise.

Regular Status - A status earned by an employee in a class after completion of the probationary period for the class with satisfactory service which provides the employee with rights to remain in the class or to appeal adverse action taken against the employee while serving in the class. Once attained in any USPS class, regular status is retained throughout continuous employment in the USPS.


Smoking – inhaling, exhaling, burning, carrying or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, water-pipes, hookahs or any other lighted tobacco products, as well as any product consumed in a similar manner; or the use of an electronic cigarette or any other device intended to simulate lighted tobacco use.

Tobacco products – cigarettes, cigars, pipe tobacco, hookah, smokeless tobacco, snuff, chewing tobacco, smokeless pouches, dissolvable tobacco products like orbs (dissolvable tobacco pellets), sticks, and strips or any other forms of ignitable or smokeless tobacco.

University Support Personnel System – The classification and pay plan approved and administered by the Florida Board of Governors and the University Board of Trustees for all authorized and established positions at the Florida State University, with the exception of those positions designated for inclusion in either the General Faculty or Administrative and Professional classification and pay plans.

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Approved: 
Terri S. Brown, Chief

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