



UNIVERSITY OF CENTRAL FLORIDA

Office of the President

University of Central Florida
Board of Trustees Meeting
July 19, 2018
FAIRWINDS Alumni Center
Agenda
9:45 a.m. – 4 p.m.
Lunch 12 p.m.
800-442-5794, passcode, 463796
International calls +1 719-785-9345, passcode, 463796

COMMITTEE MEETINGS

9:45 – 10:15 a.m.	Compensation and Labor, John Sprouls, Chair Closed session, Executive Conference Room
10:15 – 11 a.m.	Nominating and Governance, William Yeargin Chair
11 a.m. – 12 p.m.	Educational Programs, Robert Garvy, Chair

BOARD MEETING

1– 4 p.m.

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| 1. | Welcome and call to order | Marcos Marchena, Chairman |
| 2. | Roll call | Grant J. Heston, Associate Corporate Secretary |
| 3. | Public comment | Grant J. Heston |
| 4. | Minutes of May 24, 2018, and June 20, 2018, meetings | Chairman Marchena |
| 5. | Remarks and introductions | Dale Whittaker, President |
| 6. | Reports | |
| | INFO-1 Information | IGNITE Campaign Update (Mike Morsberger, Vice President for Alumni Relations and Development and CEO UCF Foundation) |
| | INFO-2 Information | Enrollment Planning (Dr. Gordon Chavis, Associate Vice President for Enrollment Services, Student Development and Enrollment Services) |

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| 7. | Advancement Committee report | Chair Conte |
| 8. | Compensation and Labor Committee report | Chair Sprouls |
| 9. | Educational Programs Committee report | Chair Garvy |
| 10. | Finance and Facilities Committee report | Chair Martins |
| | FF-1 | Approval 2018-19 Direct Support Organizations' Budgets (Martins) |
| | FF-2 | Approval Five-year Capital Improvement Plan (Martins) |
| | FF-3 | Approval Academic Health Sciences Center Parking Garage (Martins) |
| | FF-4 | Approval 2018-19 College of Medicine Faculty Practice Plan Budget (Martins) |
| | FF-5 | Approval 2018-19 College of Medicine Self-insurance Program Budget (Martins) |
| 11. | Nominating and Governance Committee report | Chair Yeargin |
| 12. | Consent Agenda | Chairman Marchena |
| | EP-1 | Approval 2018 Tenure with Hire (Garvy) |
| | EP-2 | Approval Academic Degree Program Termination Master of Science in Conservation Biology (Garvy) |
| | EP-3 | Approval Conferral of Degrees (Garvy) |
| | FF-6 | Approval Razing of Building 38 (Martins) |
| | NG-1 | Approval Appointment of Board Members to UCF Foundation (Yeargin) |
| | NG-2 | Approval Appointment of Board Members to UCF Research Foundation (Yeargin) |
| | NG-3 | Approval Appointment of Board Members to Limbitless Solutions (Yeargin) |

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| NG-4 | Approval | Appointment of Board Members to UCF Academic Health (Yeargin) |
| NG-5 | Approval | Amendments to UCF-3.0031 Tuition Waiver Benefit Program (Yeargin) |
| NG-6 | Approval | Amendments to Chapter 4 University Regulations (Yeargin) |
| NG-7 | Approval | Amendments to Chapter 5 University Regulations (Yeargin) |
| NG-8 | Approval | Amendments to UCF-5.016 and UCF-5.017 University Regulations (Yeargin) |
| NG-9 | Approval | Florida Equity Report (Yeargin) |
| NG-10 | Approval | UCF Foundation Bylaws Amendments (Yeargin) |
| 13. | New business | Chairman Marchena |
| 14. | Announcements and adjournment | Chairman Marchena |

Upcoming meetings and events

Commencement	August 4, 2018 CFE Arena
Board of Governors meeting	September 12-13, 2018 (New College)
Board of Trustees meeting	September 27, 2018 (<i>FAIRWINDS</i> Alumni Center)
Association of Governing Boards National Conference on Trusteeship	April 14-16, 2019 (Orlando)

**Minutes
Board of Trustees Meeting
University of Central Florida
May 24, 2018**

Chairman Marcos Marchena called the meeting of the Board of Trustees to order at 1:05 p.m. in the *FAIRWINDS* Alumni Center on the UCF Orlando campus.

Marchena reminded the board that the meeting was covered by the Florida Sunshine Law and that the public and press were invited to attend.

WELCOME

He welcomed the board members and called on Rick Schell, Associate Corporate Secretary, to call the roll. Schell determined that a quorum was present.

The following board members attended the meeting: Chairman Marcos Marchena, Vice Chair Robert Garvy, Josh Boloña, Ken Bradley, Joseph Conte, Danny Gaekwad, John Lord, Alex Martins, Beverly Seay, William Self, David Walsh, and William Yeargin. Trustee John Sprouls attended by teleconference call.

PUBLIC COMMENT

There were no requests for public comment.

MINUTES

Marchena called for approval of the March 22, 2018; March 30, 2018; and April 27, 2018; meeting minutes, which were approved.

PRESENTATIONS

Marchena introduced Dr. Sandy Shugart, President of Valencia College, who recognized Dr. Hitt's accomplishments and thanked him for his enormous impact on the university, the community, and Valencia College. He presented Hitt with a framed caricature.

Marchena introduced Trustee Bill Self, who presented two Faculty Senate Proclamations.

- Resolution: 2017-2018-15 is in honor of John C. Hitt who became the 4th president of the University of Central Florida and who has led UCF to become a major metropolitan research university with global impact.
- Resolution: 2017-2018-16 is in honor of Martha Hitt, first lady of the University of Central Florida who has represented the University of Central Florida for 26 years and

has been a tireless advocate, and mentor for women faculty, staff, and members of the community.

Marchena introduced Mike Morsberger, Vice President for Advancement and CEO, UCF Foundation, and Michael Cantrell, Customer Account Executive, Coca Cola. Cantrell presented Hitt with a Coca Cola Trophy thanking him for 26 years of service to the university and society.

Hitt thanked everyone for the past few months of celebration. He stated he wanted to share in the fun and shared a thank you video of outtakes from commemorative videos.

Marchena called on President John C. Hitt for remarks and introductions.

REMARKS

Hitt welcomed and congratulated Joshua Boloña, the newly elected 2018-19 president of the UCF Student Government Association. Hitt presented him with a gold Pegasus pin and welcomed him to the board.

Hitt congratulated Trustee Yeargin for his appointment to the Department of the Interior's Outdoor Recreation Advisory Committee to represent the recreational boating industry.

Hitt stated that he participated in his last commencement ceremonies as president. He stated that during UCF's seven spring commencement ceremonies, more than 8,000 degrees were awarded, including 116 doctors from the UCF College of Medicine. Hitt reported that it was his honor to have conferred approximately 270,000 degrees during his tenure at UCF.

Hitt reported that UCF is the leading producer of talent in the nation, with approximately 16,000 degrees awarded each year. He reported that UCF produces baccalaureate degrees at a lower cost than any other public university in the nation.

INTRODUCTIONS

Hitt congratulated the following members of the UCF community.

A. Students

Hitt announced that UCF's Computer Programming Team recently won its second straight national title. The three-member team finished first in North America and 10th worldwide in the Association of Computing Machinery's International Collegiate Programming Contest held in Beijing.

UCF defeated teams from Cornell, Harvard, Stanford, and the Massachusetts Institute of Technology, among others. The team is advised by Computer Science professor Ali Orooji. Hitt congratulated professor Orooji and team member Ethan Bainbridge.

B. 2018 Pegasus Professors

The Pegasus Professor Award is UCF's most prestigious faculty honor, recognizing extraordinary contributions to the UCF community through teaching, research, and service. This year five members were named Pegasus Professors.

Pegasus Professors are chosen from senior members of the faculty who have been a professor for at least five years and have achieved noteworthy teaching, research and creative activity, and service of national and international impact. Each is presented with a \$5,000 stipend, a \$5,000 research grant, and a Pegasus Professor medallion. Hitt recognized the recipient who was able to attend.

Cherie Yestrebksy, chair of the Chemistry Department, researches materials development for abiotic environmental remediation. Her work has helped eight countries safely clean their water.

C. 2018 Reach for the Stars Professors

Reach for the Stars awards are given each year to junior faculty members who have achieved noteworthy research or creative activities of national impact. The Reach for the Stars winners receive a \$10,000 annual research grant for three years. Hitt recognized and congratulated the recipients.

George Atia is an assistant professor of electrical and computer engineering. His research includes statistical and brain signal processing, machine learning, and big data analytics. In the past five years, he has received grants totaling \$1.5 million.

Debashis Chanda is an assistant professor of nanotechnology. He is developing new optoelectronic devices and has established an internationally recognized research program. He has received more than \$2 million in research funding.

Dana Joseph is an assistant professor of management. She conducts research on emotional intelligence. Her work is among the most highly cited work on emotional intelligence in organizations, and she has received funding from the National Institute for Occupational Safety and Health.

Kyle Rohde is an assistant professor of biomedical sciences. He established a well-funded research program which is developing new anti-tuberculosis drugs. In the past six years, he and his lab have received \$2.3 million in funding.

D. Faculty

David Harris, associate professor of physiology at the UCF College of Medicine, received The Early Career Award for Excellence in Teaching and Innovation by the International Association of Medical Science Educators. Harris has been with the UCF College of Medicine since October 2011.

E. Employees of the Month

The Employee of the Month for March was Elizabeth Nemec, an office manager in Student Disability Services, Student Development, and Enrollment Services. She has been with UCF for five years.

The Employee of the Month for April was Dawn Tripp, senior library technical assistant in Research and Information Services in the John C. Hitt Library. She has been with UCF for almost five years.

Hitt reported that UCF was part of a *60 Minutes* report on the efforts of the Bill and Melinda Gates Foundation to provide scholarships to low-income minority students. The segment included interviews of several UCF Gates Millennium Scholars. It also described the success of the University Innovation Alliance schools, which in four years have increased by approximately 30 percent the degrees they have awarded to low-income students.

He reported that Bill Gates, in his blog, praised UCF as a leader in digital learning and a pioneer in showing how universities can be bigger and better. Hitt referred the board to a copy of the article included in their meeting materials, and he asked trustees to review it at their convenience.

Hitt bestowed the title of Vice President *Emeritus* upon Rick Schell and thanked him for more than eight years of service to the board.

REPORTS

Marchena called on Dan Holsenbeck, Senior Vice President for University Relations, who introduced Captain Erik Etz and General Tom Baptiste, Central Florida Research Park Military Commands, who gave a report on the following item.

- INFO-1 Team Orlando Presentation

ADVANCEMENT COMMITTEE REPORT

Joseph Conte, Chair of the Advancement Committee, reported the highlights from the committee meeting held earlier in the day.

- Grant Heston, Vice President for Communications and Marketing, reported on UCF's National Championship in Computer Programming, and a \$10 million grant for UCF RESTORES from the U.S. Army. He also shared a video of Bill Gates endorsing UCF's innovative techniques related to digital learning and the ways UCF continues to engage students through a digital learning platform. He introduced members of the WUCF team who gave a presentation about a new initiative called "Meet the Helpers" (INFO-1), a new program by UCF to introduce children to community helpers who respond to emergency situations. In June, WUCF will unveil a toolkit to support "Meet the Helpers" that will be shared with public media stations across the country.

- Holsenbeck thanked the board for their support of the John C. Hitt Partnership Complex dedication last month, and he provided an update on federal legislation that will benefit UCF RESTORES and the Bridg Center in Osceola County. He reminded the committee that the Board of Governors will officially recognize Dr. Hitt immediately following the presentation of the university's work plan on June 27, 2018.
- Michael Morsberger, Vice President for Alumni Relations and Development and CEO of the UCF Foundation, gave an update on the IGNITE Campaign (INFO-2) highlighting principal level gift commitments that will put the campaign close to the \$400 million mark by the end of this fiscal year.
- Morsberger reported on the naming of the UCF RESTORES Clinic as the Rosengren Trauma Clinic at UCF RESTORES upon the completion of certain actions by the donors in recognition of the contributions to UCF by Jim and Julia Rosengren (ADVC-1).
- He reported on naming the UCF football game-day locker room at Spectrum Stadium as the Jim and Julia Rosengren Locker Room upon completion of certain actions by the donors in recognition of the contributions by Jim and Julia Rosengren to UCF (ADVC-2).

Conte presented the following items for board approval.

- ADV-1 Naming of the Rosengren Trauma Clinic at UCF RESTORES—A motion was unanimously passed by the board approving the name change.
- ADV-2 Naming of the Jim and Julia Rosengren Locker Room at Spectrum Stadium—A motion was unanimously passed by the board approving the name.

AUDIT AND COMPLIANCE COMMITTEE REPORT

Beverly Seay, Chair of the Audit and Compliance Committee, reported the highlights of the committee meeting held on April 17, 2018.

- Robert Taft, Chief Audit Executive, reported on the University Audit Report, which highlighted current and scheduled audits, a staffing model benchmark of audit offices in the state university system, staffing model proposal, and other activities.
- Christina Serra, Interim Chief Compliance and Ethics Officer, presented the University Compliance, Ethics, and Risk Report, which included an update on the University Compliance, Ethics, and Risk Program and the status of the 2017-18 work plan. Serra reported that a national search is underway to fill the position of the Chief Compliance and Ethics Officer.
- Serra provided an overview of the office's 2017-18 Compliance and Ethics Annual Work Plan, which is based on the elements of an effective Compliance and Ethics program and highlighted the completion of several initiatives since the last update to the committee in November 2017.
- Serra reported that the office issued its spring edition of the Integrity Star Newsletter. She provided an update on the March 2018 Let's Be Clear campaign, the Youth Protection Program, and the Compliance and Ethics Culture Survey.

COMPENSATION AND LABOR COMMITTEE REPORT

John Sprouls, Chair of the Compensation and Labor Committee, reported highlights of the committee meeting held earlier in the day.

- Maureen Binder, Associate Vice President and Chief Human Resources Officer, reported on the 2016-19 Revised Performance Incentive Measures and Goals (CLC-1), noting a correction in the data for the 2016-19 period.
- Binder also gave a report on the 2017-20 Revised Performance Incentive Measures and Goals (CLC-2).

Sprouls presented the following items for board approval.

- CL-1 2016-19 Revised Performance Incentive Measures and Goals—A motion was unanimously passed approving the 2016-19 Revised Performance Incentive Measures and Goals for the president and senior officers.
- CL-2 2017-20 Revised Performance Incentive Measures and Goals—A motion was unanimously passed approving the 2017-20 Revised Performance Incentive Measures and Goals for the president and senior officers.

EDUCATIONAL PROGRAMS COMMITTEE REPORT

Robert Garvy, Chair of the Educational Programs Committee, reported the highlights from the committee meeting held earlier in the day.

- Elizabeth Dooley, Interim Provost, Vice Provost for Teaching and Learning, Dean of the College of Undergraduate Studies, and Professor in the College of Education and Human Performance, reported on the 2018 Tenure Recommendations (EPC-1), which was unanimously approved. The item appears on the consent agenda as EP-1.
- Dooley reported on the 2018 Tenure with Hire (EPC-2), which was unanimously approved and the item appears on the consent agenda as EP-2.
- Paige Borden, Assistant Associate Provost for Academic Program Quality and Associate Vice President for Institutional Knowledge Management, reported on the 2018 Accountability Plan (EPC-3). The Board of Governors instituted a new report that combines the previous Annual Accountability Report and the University Work Plans into one document that more closely aligns with the Board of Governors 2025 System Strategic Plan. The 2018 Accountability Plan was unanimously approved and the item appears on the consent agenda as EP-3.
- Borden reported on the 2018 Improvement Plan for Four-year Graduation Rate (EPC-4), which was unanimously approved and the item appears on the consent agenda as EP-4.
- Dooley reported on the Faculty Spotlight (INFO-1) and introduced Konstantin Vodopyanov, 21st Century Scholar Chair and Professor of Optics, College of Engineering and Computer Science, who provided the faculty spotlight presentation (INFO-1).

FINANCE AND FACILITIES COMMITTEE REPORT

Alex Martins, Chair of the Finance and Facilities Committee, reported highlights from the committee meeting held on April 18, 2018, and earlier in the day.

The following actions occurred at the April 18, 2018, meeting.

- Deborah C. German, Vice President for Medical Affairs and Dean of the College of Medicine; Mary Lou Sole, Dean of the UCF College of Nursing; and Jeanette Schreiber, Associate Vice President for Medical Affairs and Chief Legal Officer for the UCF College of Medicine, presented a concept of moving the UCF College of Nursing to the medical campus at Lake Nona. The item was removed to allow staff to prepare a full financial plan for the prospect of moving the College of Nursing.
- William F. Merck II, Vice President for Administration and Finance and Chief Financial Officer, and John C. Pittman, Associate Vice President for Debt Management, gave a report on Direct Support Organizations' 2017-18 Second-Quarter Financial Reports for the period that ended December 31, 2017.
- Pittman gave a report on the University and Direct Support Organization Debt Report.
- Christina Tant, Assistant Vice President and University Controller, reviewed the University Final Audited Financial Report 2016-17.
- Elizabeth Klonoff, Vice President for Research and Dean of the College of Graduate Studies, provided an update on UCF's acquisition of the Arecibo Observatory in Puerto Rico.

The following actions occurred at the meeting earlier in the day.

- Merck and Tant reported on the Repeat Course Fee for 2018-19 (INFO-1).
- Tant gave a report on the University Operating Budget Report Quarter Ended March 31, 2018 (INFO-2).
- Merck and Tant presented the operating budgets for the Educational & General, Medical School, Auxiliary Enterprises, Sponsored Research, Student Financial Aid, Student Activities, Technology Fee, and Concessions areas. Performance-based funding is subject to final approval by the Florida Board of Governors in June. The committee unanimously approved the 2018-19 University Operating Budget (FFC-1) as presented.
- Lee Kernek, Associate Vice President for Administration and Finance, presented the 2018-19 Capital Outlay Budget (FFC-2), which was unanimously approved.
- Pittman reported on the UCF Convocation Corporation Unrestricted Funds Transfer (FFC-3), which was unanimously approved and the item appears on the consent agenda as FF-5.
- Merck, David Hanson, Chief Operating Officer, reported on Use of Spectrum Stadium for Professional Football Games (FFC-4). The committee requested that this item be tabled pending further financial details of the use agreement being made available. Scott Cole, Vice President and General Counsel, will meet with each trustee individually to answer questions and discuss the agreement. The use agreement will then be brought back to the committee for approval at a future meeting.
- Hansen reported on the Use of Spectrum Stadium for International Soccer Match (FFC-5). The committee unanimously approved to rent Spectrum Stadium to SPD Sports to conduct a one-time international soccer match on July 12, 2018.

- Holsenbeck and Kernek requested the approval of the 50-year lease terms for the leases of Partnership IV and V to the Department of Defense. The committee unanimously approved the 50-year terms for the leases (FFC-6), and the item appears on the consent agenda as FF-6.
- Pittman reported on Refinancing of UCF Convocation Corporation Series 2014A and B Certificates of Participation (FFC-7), which was unanimously approved by the committee and the item appears on the consent agenda as FF-7.
- Keisha Hoerner, Interim Assistant Vice Provost for Teaching and Learning and Associate Dean of the College of Undergraduate Studies, reported on Equipment Fees for 2018-19 school year (INFO-3).

Martins presented the following items for board approval, noting that FF-3 Use of Spectrum Stadium for Professional Football Games was removed pending further financial details of the use agreement being made available.

- FF-1 2018-19 University Operating Budget—A motion unanimously passed approving the university's 2018-19 operating budget.
- FF-2 2018-19 Capital Outlay Budget—A motion unanimously passed approving the university's 2018-19 Capital Outlay Budget and authorizing the president to make necessary adjustments to the 2018-19 Capital Outlay Budget based on the final bill from the state.
- FF-4 Use of Spectrum Stadium for International Soccer Match— A motion unanimously passed approving the rental of Spectrum Stadium to SPD Sports to conduct an international soccer match on July 12, 1018.

NOMINATING AND GOVERNANCE COMMITTEE REPORT

William Yeargin, Chair of the Nominating and Governance Committee, reported highlights from the committee meeting held earlier in the day.

- Conte reported on one of two Direct Support Organization reports (INFO-1). He reported that Academic Health is continuing development of the UCF hospital in partnership with HCA. Groundbreaking is scheduled for October 25, 2018, with the hospital expected to open in January 2021. Conte reported that Academic Health is pursuing a possible lease arrangement in the Sanford Burnham Pribus building from Orange County to create a UCF Cancer Research and Treatment Center next to UCF Lake Nona medical center.
- Martins presented the second Direct Support Organization report (INFO-1) on UCF Stadium Corporation. He reported that 30-year debt issued in 2006 was refinanced in 2016. The stadium asset was transferred to the university at that time. He reported on the premium seating experience at the stadium being expanded and enhanced by adding chair backs in the club areas, the cabana, and the fields in the south end zone. More cabanas are planned.
- Cole reported on the Amendments to UCF-9.001 Schedule of Tuition and Fees (NGC-1), which was unanimously approved and the item appears on the consent agenda as NG-1.

- Cole reported on the Amendments to UCF-6.007 Traffic/Parking Regulation and Enforcement and UCF-6.008 Vehicle Registration Fees; Parking Violation Fines (NGC-2). The regulation was approved in its entirety with the exception of Item 1B relating to a parking advisory committee, which was removed from consideration. With approval of Cole, the item appears on the consent agenda as NG-2.
- Cole reported on the Amendments to UCF-4.019 Fee Policy-Payments, Refunds and Release of Fee Liability (NGC-3), which was unanimously approved, and the item appears on the consent agenda as NG-3.

CONSENT AGENDA

A motion was made to accept the consent agenda, as revised, with the modification to NG-2, Amendments to University Regulations UCF-6.007 Traffic/Parking Regulation and Enforcement and UCF-6.008 Vehicle Registration Fees: Parking Violation Fines, removing Item 1B from consideration as it relates to a parking advisory committee. The motion was unanimously approved.

- EP-1 2018 Tenure Recommendations—Approval of tenure of recommended faculty members
- EP-2 2018 Tenure with Hire—Approval of tenure with hire
- EP-3 2018 Accountability Plan—Approval of 2018 Accountability Plan
- EP-4 2018 Improvement Plan for Four-year Graduation Rate—Approval of 2018 Improvement Plan for Four-year Graduation Rate
- FF-5 UCF Convocation Corporation Unrestricted Funds Transfer—Approval for the corporation to transfer an amount not to exceed \$312,000 as an unrestricted gift to the UCF Athletic Association
- FF-6 PEO-STRI Leases of Partnership IV and V—Approval of the 50-year leases of Partnership IV and V to the Department of Defense (PEO-STRI)
- FF-7 Refinancing of UCF Convocation Corporation Series 2014A and B Certificates of Participation—Approval of the corporation's request to refinance the outstanding Series 2014A and B certificates of participation and replace the certificates with revenue bonds
- NG-1 Amendments to University Regulation UCF-9.001 Schedule of Tuition and Fees—Approval of amendments to the regulation
- NG-2 Amendments to University Regulations UCF-6.007 Traffic/Parking Regulation and Enforcement and UCF-6.008 Vehicle Registration Fees: Parking Violation Fines—Approval of amendments to the regulations, as amended, removing Item 1B relating to a parking advisory committee from consideration

- NG-3 Amendments to University Regulation UCF-4.019 Fee Policy – Payments, Refunds and Release of Fee Liability—Approval of amendments to the regulation

NEW BUSINESS

Marchena referred the board to the 2019 Board of Trustees meeting dates.

- INFO-2 2019 UCF Board of Trustees Meeting Dates

Marchena called on Trustee Seay to provide information on the following.

- INFO-3 Discussion of International Collegiate Programming Contest

Trustee Bradley advised board members that he and Trustee Self attended the Association of Governing Boards Annual Conference for Trustees. Some of the topics included freedom of speech, the role of higher education in the future, and athletic and academic integrity.

Trustee Martins reported that he attended the sports industry's annual awards dinner in New York City. He announced that Danny White, Vice President and Director of Athletics, was recognized as one of the five finalists for Athletics Director of the Year.

Marchena noted that on May 9, 2018, an Evening of Honor event recognized Dr. and Mrs. Hitt for their many achievements. Mrs. Hitt was presented with an honorary doctoral degree for public service. Schell received *Emeritus* status from Dr. Hitt. Marchena thanked Schell for his service to the board.

Marchena noted that he had been re-reading some of Winston Churchill's work and one quote stood out: "Success is not final, failure is not fatal, it is the courage to continue that counts." Marchena noted that we at UCF have persevered, achieved, and moved forward. He thanked Hitt for all that he has done.

ANNOUNCEMENTS AND ADJOURNMENT

Marchena reminded trustees to see Rick Schell about their Diligent board books and announced the following upcoming meetings:

Board of Governors meeting	June 26-28, 2018 (FAIRWINDS Alumni Center)
Board of Trustees meeting	July 19, 2018 (FAIRWINDS Alumni Center)
Association of Governing Boards National Conference on Trusteeship	April 14-16, 2019 (Orlando)

Marchena adjourned the board meeting at 2:51 p.m.

Respectfully submitted: _____ Date: _____
John C. Hitt
Corporate Secretary

Minutes
Board of Trustees Teleconference Meeting
University of Central Florida
June 20, 2018

Chairman Marcos Marchena called the teleconference meeting of the Board of Trustees to order at 10:01 a.m.

The following board members attended the meeting: Chairman Marcos Marchena, Josh Boloña, Alex Martins, and David Walsh. Trustees Robert Garvy, Kenneth Bradley, Joseph Conte, Danny Gaekwad, John Lord, Beverly Seay, William Self, and John Sprouls attended by telephone conference call.

WELCOME

Marchena welcomed the board members and called on Rick Schell, Associate Corporate Secretary, to call the roll. Schell determined that a quorum was present.

NEW BUSINESS

Marchena called on William F. Merck II, Vice President for Administration and Finance and Chief Financial Officer, and Danny White, Vice President and Director of Athletics, who presented the following item for board approval.

- FF-1 Use of Spectrum Stadium for Professional Football Games—A motion was unanimously passed approving the rental of Spectrum Stadium to Legendary Field Exhibitions, LLC, to conduct professional football games beginning in February 2019.

Marchena called on Scott Cole, Vice President and General Counsel, who presented the following item for board approval.

- FF-2 Amendment to Sublease Agreement between UCF and Pegasus Hotel, LLC—A motion was unanimously passed approving the amendment to the sublease with Pegasus Hotel for the on-campus hotel and conference center.

Marchena called on Deborah C. German, Vice President for Medical Affairs and Dean of the College of Medicine, and Jeannette Schreiber, Associate Vice President for Medical Affairs and Chief Legal Officer for the UCF College of Medicine, who presented the following item for board approval.

- FF-3 Assignment of Option to Purchase 11.4 Acres at Lake Nona—A motion was passed 11 for and with Trustee Bradley recusing himself due to conflict of interest approving assignment to Central Florida Health Services of an option to purchase 11.4 acres of land adjacent to the site for the UCF Lake Nona Medical Center.

ADJOURNMENT

Marchena adjourned the board meeting at 10:28 a.m.

Respectfully submitted: _____ Date: _____

John C. Hitt
Corporate Secretary

FORM 8A MEMORANDUM OF VOTING CONFLICT FOR STATE OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Bradley, Kenneth Wayne	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Board of Trustees
MAILING ADDRESS 1612 Elizabeth's Walk	NAME OF STATE AGENCY University of Central Florida
CITY COUNTY Winter Park Orange	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE
DATE ON WHICH VOTE OCCURRED June 20, 2018	

WHO MUST FILE FORM 8A

This form is for use by any person serving at the State level of government on an appointed or elected board, council, commission, authority, committee, or as a member of the Legislature. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

As a person holding elective state office, you may not vote on a matter that you know would inure to your special private gain or loss. However, you may vote on other matters, including measures that would inure to the special private gain or loss of a principal by whom you are retained (including the parent or subsidiary or sibling organization of a principal by which you are retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. If you vote on such a measure or if you abstain from voting on a measure that would affect you, you must make every reasonable effort to disclose the nature of your interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for you to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

APPOINTED OFFICERS:

As a person holding appointive state office, you are subject to the abstention and disclosure requirements stated above for Elected Officers. You also must disclose the nature of the conflict before voting or before making any attempt to influence the decision by oral or written communication, whether made by you or at your direction.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, Kenneth W. Bradley, hereby disclose that on June 20, 20 18 :

(a) A measure came or will come before my agency which (check one or more)

- Inured to my special private gain or loss;
- Inured to the special gain or loss of my business associate, _____ ;
- Inured to the special gain or loss of my relative, _____ ;
- Inured to the special gain or loss of _____, by whom I am retained; or
- Inured to the special gain or loss of Florida Hospital | Adventist Health System, which is the parent, subsidiary, or sibling organization of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

At the board today, item F.F. #3 was voted on. As a former executive of Florida Hospital and still "of counsel" in a retired capacity, the vote could impact the success of the proposed VCF/HCA hospital. Therefore still being retained by a competitor, Florida Hospital; I have chosen to recuse myself from the vote.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

June 20, 2018
Date Filed

Kenneth W. Bradley
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

ITEM: INFO-1

**University of Central Florida
Board of Trustees**

SUBJECT: IGNITE Campaign Update

DATE: July 19, 2018

PROPOSED COMMITTEE ACTION

For presentation at meeting.

Supporting documentation: For presentation at meeting.

Prepared by: UCF Advancement

Submitted by: Mike Morsberger, Vice President for Advancement and CEO of the UCF Foundation

ITEM: **INFO-2**

**University of Central Florida
Board of Trustees**

SUBJECT: Enrollment Planning

DATE: July 19, 2018

PROPOSED COMMITTEE ACTION

For presentation at meeting.

Supporting documentation: See attached presentation

Prepared by: Dr. Gordon Chavis, Vice President for Enrollment Services
Student Development and Enrollment Services

Submitted by: Dr. Gordon Chavis, Vice President for Enrollment Services
Student Development and Enrollment Services

UCF Undergraduate Enrollment Update

Dr. Gordon D. Chavis

**Associate Vice President: Enrollment
Student Development and Enrollment Services**

UCF Board of Trustees Meeting: July 19, 2018

Division of Student Development and Enrollment Services: Helping Students Stay In School, Be Healthy, Live Ethically...Graduate



SAFETY, SECURITY,
PREVENTION, CARE



ENROLLMENT



STUDENT LEARNING &
SUCCESS



CAREER READINESS
& SUPPORT



SOCIAL JUSTICE
&
DIVERSITY &
INCLUSION

SDES PRIORITIES: 2020

UCF SDES Enrollment

- student financial assistance
- student outreach
- undergraduate admissions

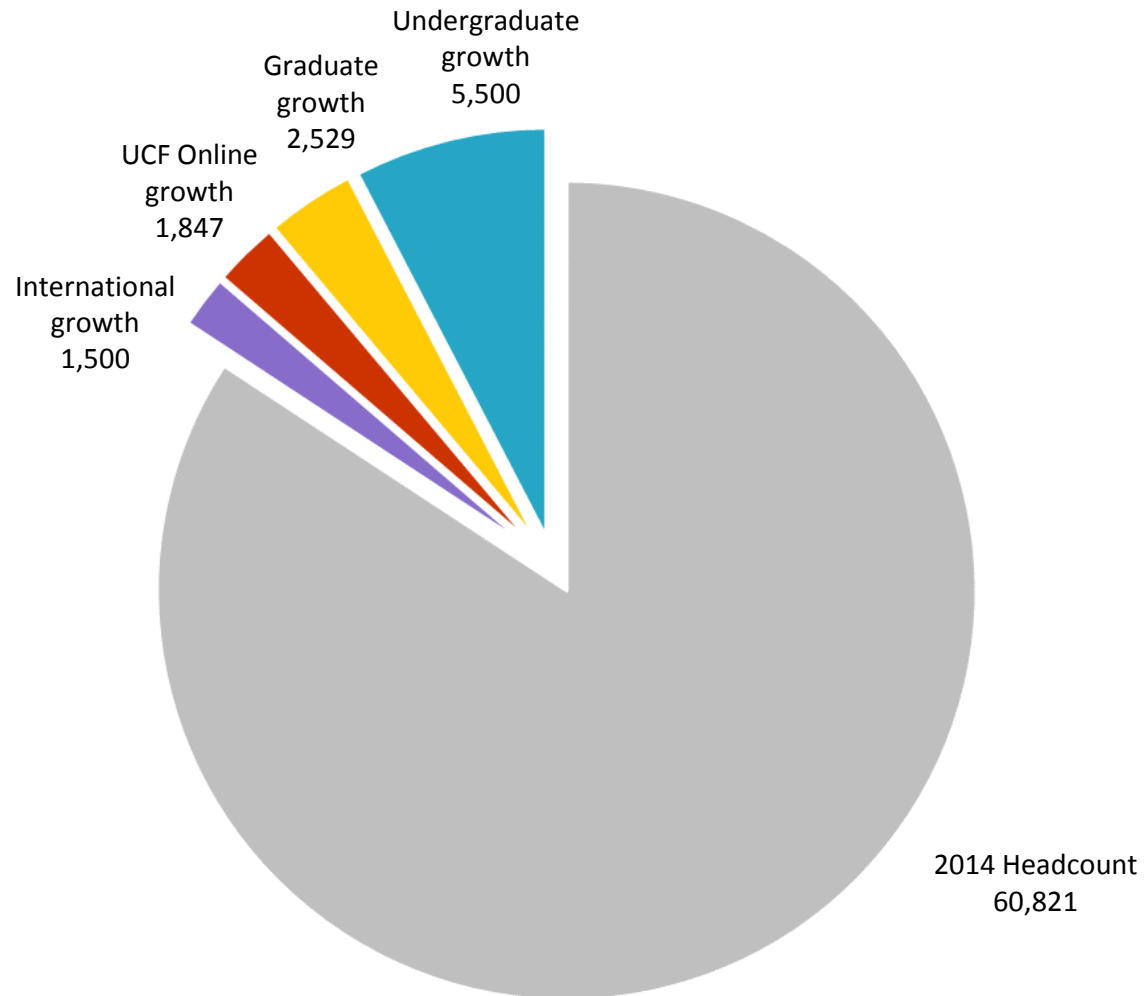
UCF Enrollment Planning

- Successful Enrollment positively impacts every aspect of the University
- 2014 Enrollment Management Work Group formed
 - Ensure campus entities work together and not at cross-purposes
 - Keep student success at the forefront of our discussions
 - Review relevant data and analyze national and local trends
 - Demand based upon demographic and geographic data
 - Campus challenges and concerns that impact enrollment
 - Brand awareness and growth potential
 - Determine what UCF might look like in the next five years
- Goals:
 - Annual growth potential = 2% annually thru 2019
 - high-quality enrollment to support student success

Enrollment Goals

Increase Total Headcount

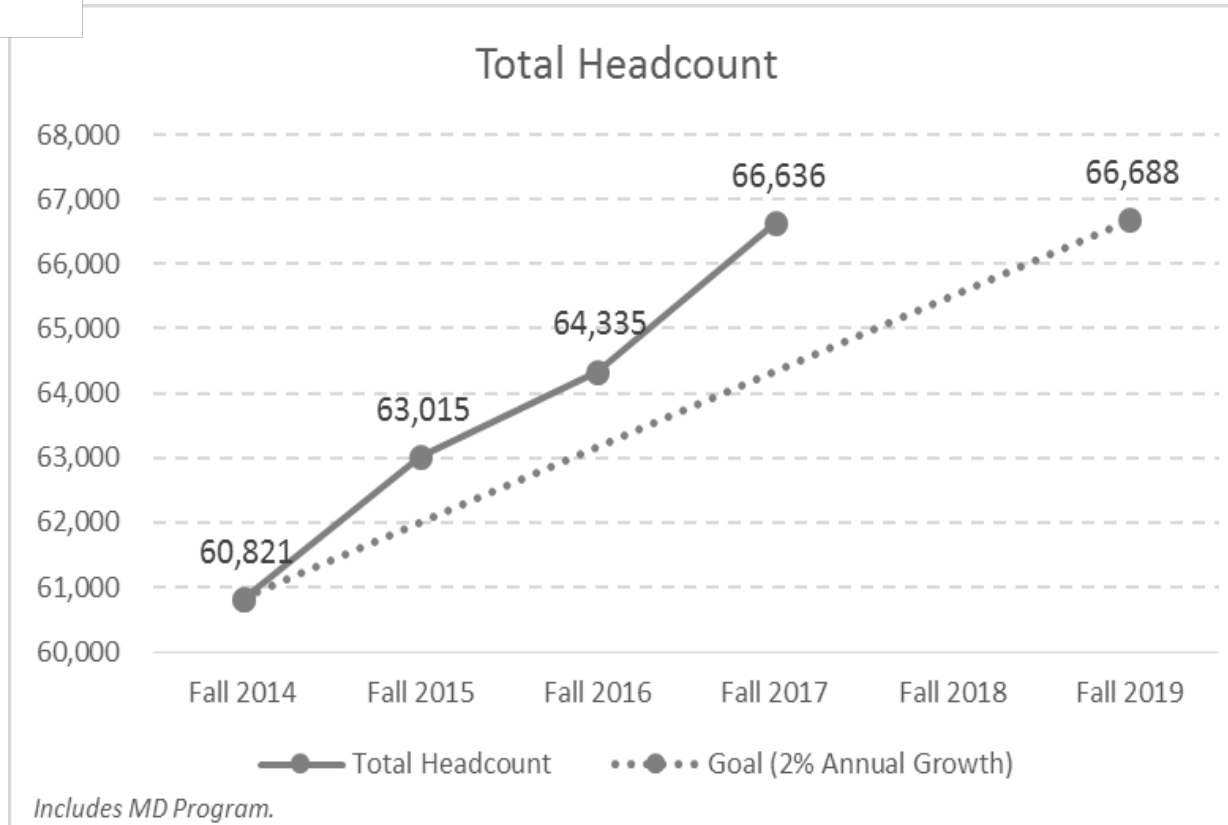
Goal = 2% Growth per year (2019 Headcount = 66,688)



Enrollment Goals 2014-19



Total Headcount Growth
Goal = 2% Growth per year





UNDERGRADUATE ADMISSIONS

Successful recruitment strategies:

(EAB-Royall)

- **Make the process personal**
 - Frame messages around student needs
- **Be Preemptive**
 - Reach students as early as freshmen in HS
 - Engage test score senders*
- **Be Persistent**
 - Develop a relationship; like dating or a courtship!
- **Include Parents**
 - Essential to the recruitment/marketing process
- **Use mix of hard copy and electronic communication materials**
- **Evaluate these annually**

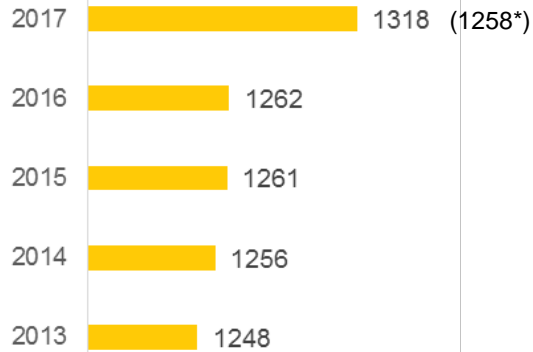
Creating the UCF admissions pipeline:

How do students and parents engage with and explore colleges?

- **Top 5 resources used;** (Buffalo/Noel Levitz)
 - Website, Social Media, Email, Videos and Printed materials
 - 60% of students use “college planning websites”
 - CollegeBoard, MyCollegeOptions, Fastweb, Naviance
 - 43% of their parents use “college planning websites”
- **Must engage in Social Media to reach this generation:**
 - #1 for Students = Snapchat; #1 for Parents = Facebook
 - top UCF UGRAD Admissions “Social Media” platforms used:
 - Facebook, Instagram, Pintrest, Twitter, Utube, Snapchat
- Lets see the results!

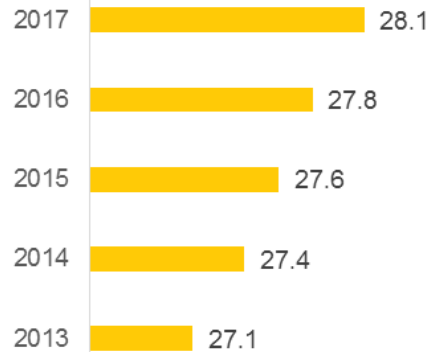
UCF FTIC Outcomes

Average Fall SAT

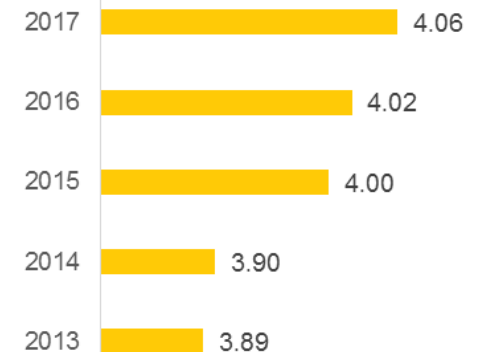


*New rSAT converted to Old SAT

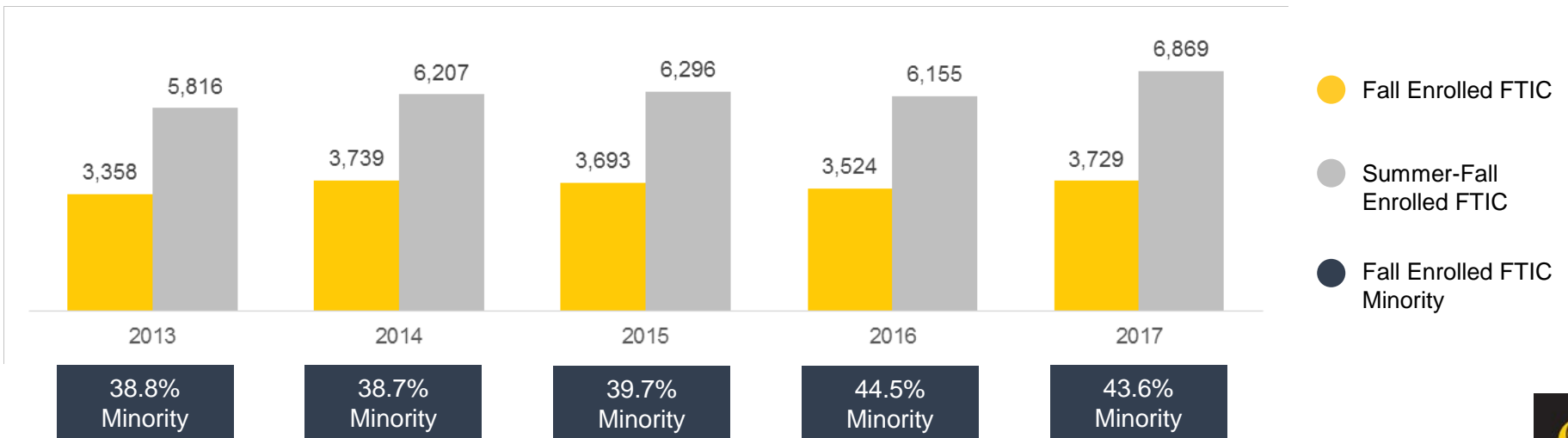
Average Fall ACT



Average Fall HS GPA



Enrollment



Test Score Senders: Florida

(an indication of potential demand)

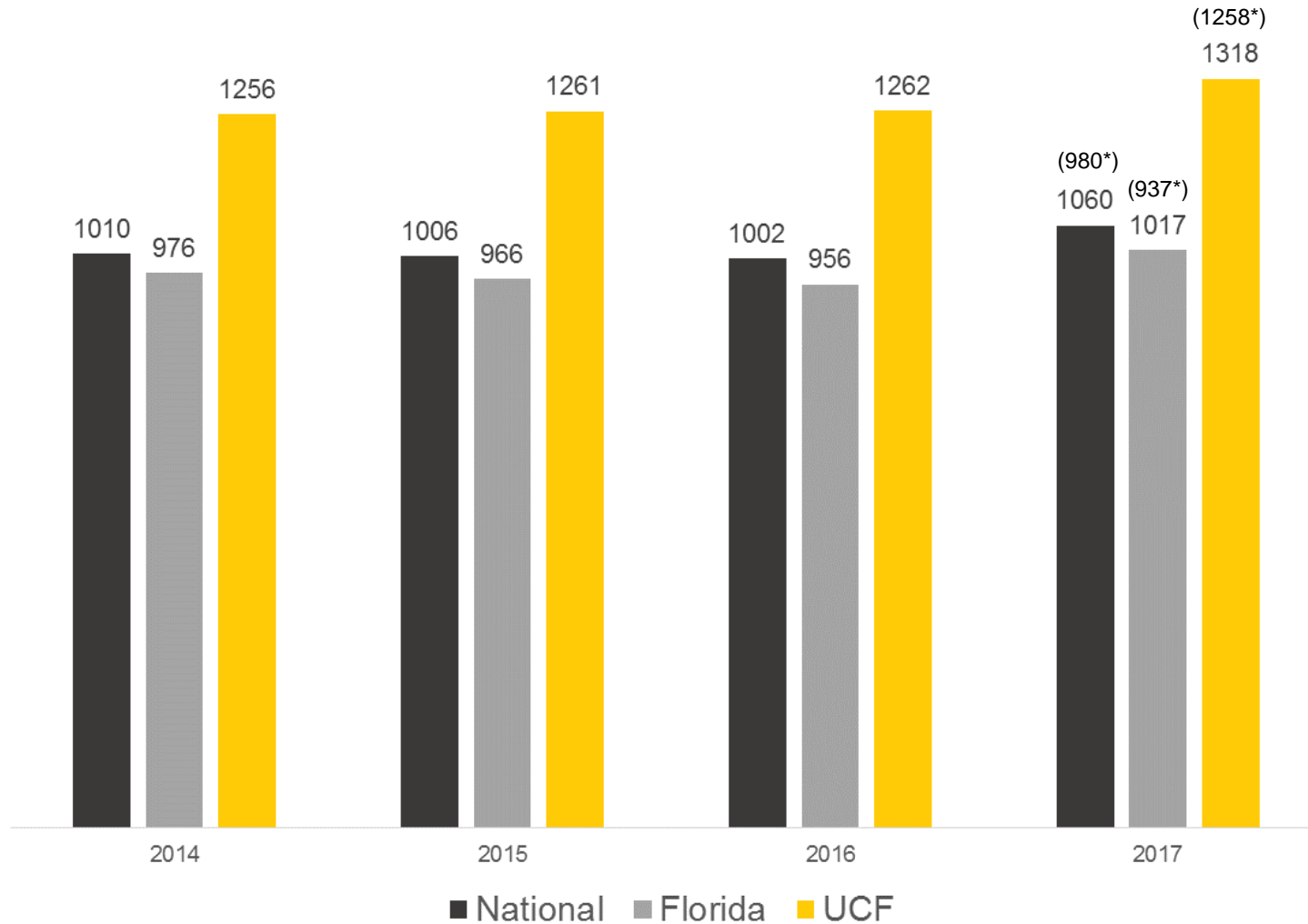
More students send test

SAT	#1	#2	#3
2017	UCF	UF	FSU
2016	UCF	UF	FSU
2015	UCF	UF	FSU
2014	UCF	FSU	UF
2013	UCF	FSU	UF
2012	UCF	FSU	UF
2011	UCF	FSU	UF
2010	UCF	UF	FSU
2009	UCF	UF	FSU

scores to UCF!

ACT	#1	#2	#3
2017	UCF	FSU	UF
2016	UCF	FSU	UF
2015	UCF	FSU	UF
2014	UCF	FSU	UF
2013	UCF	FSU	UF
2012	UCF	FSU	UF
2011	UCF	FSU	UF
2010	UCF	FSU	UF
2009	UCF	UF	FSU

Fall FTIC rSAT Quality Comparison

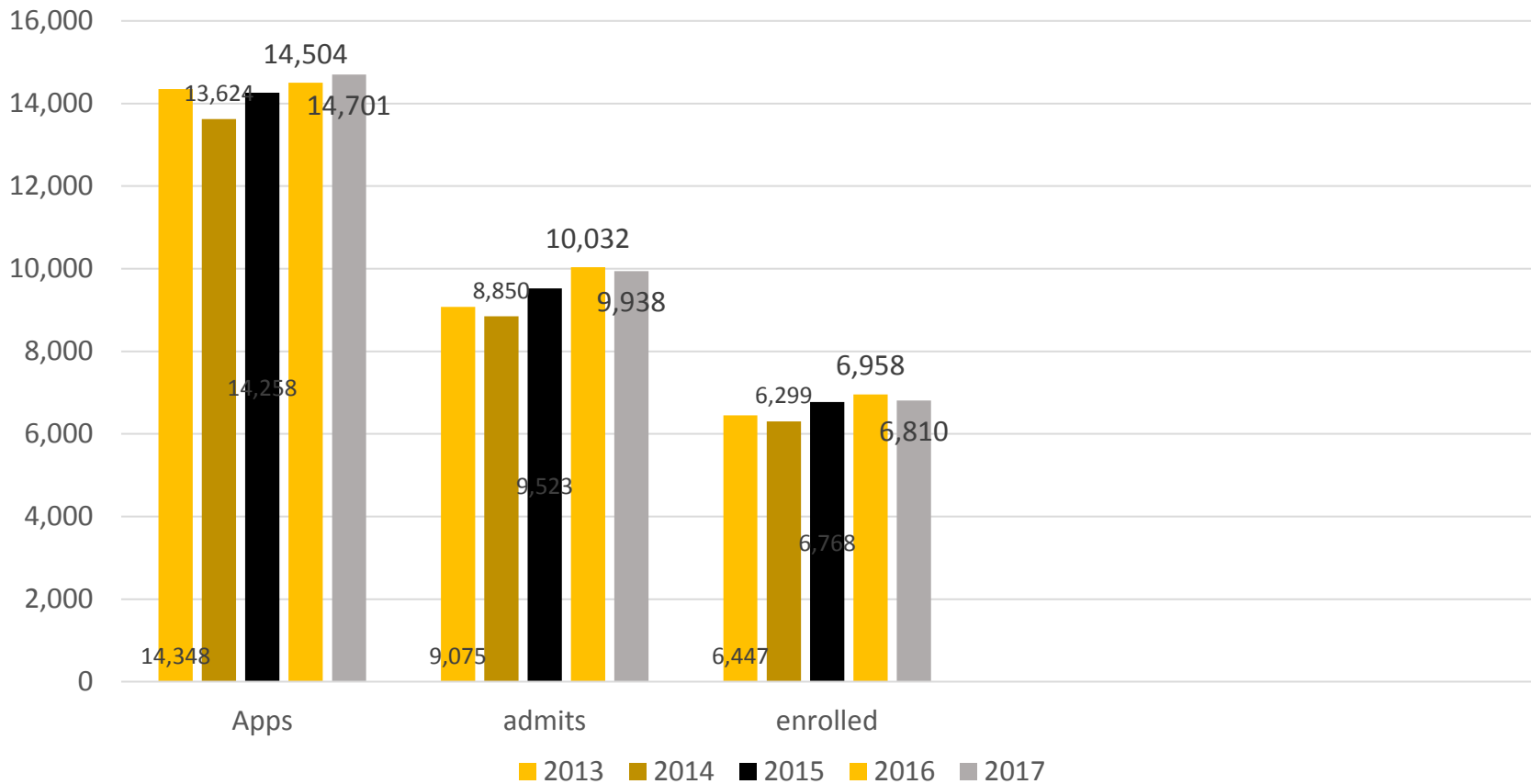


UGA Recruitment/Marketing efforts: FTIC Quality and Success

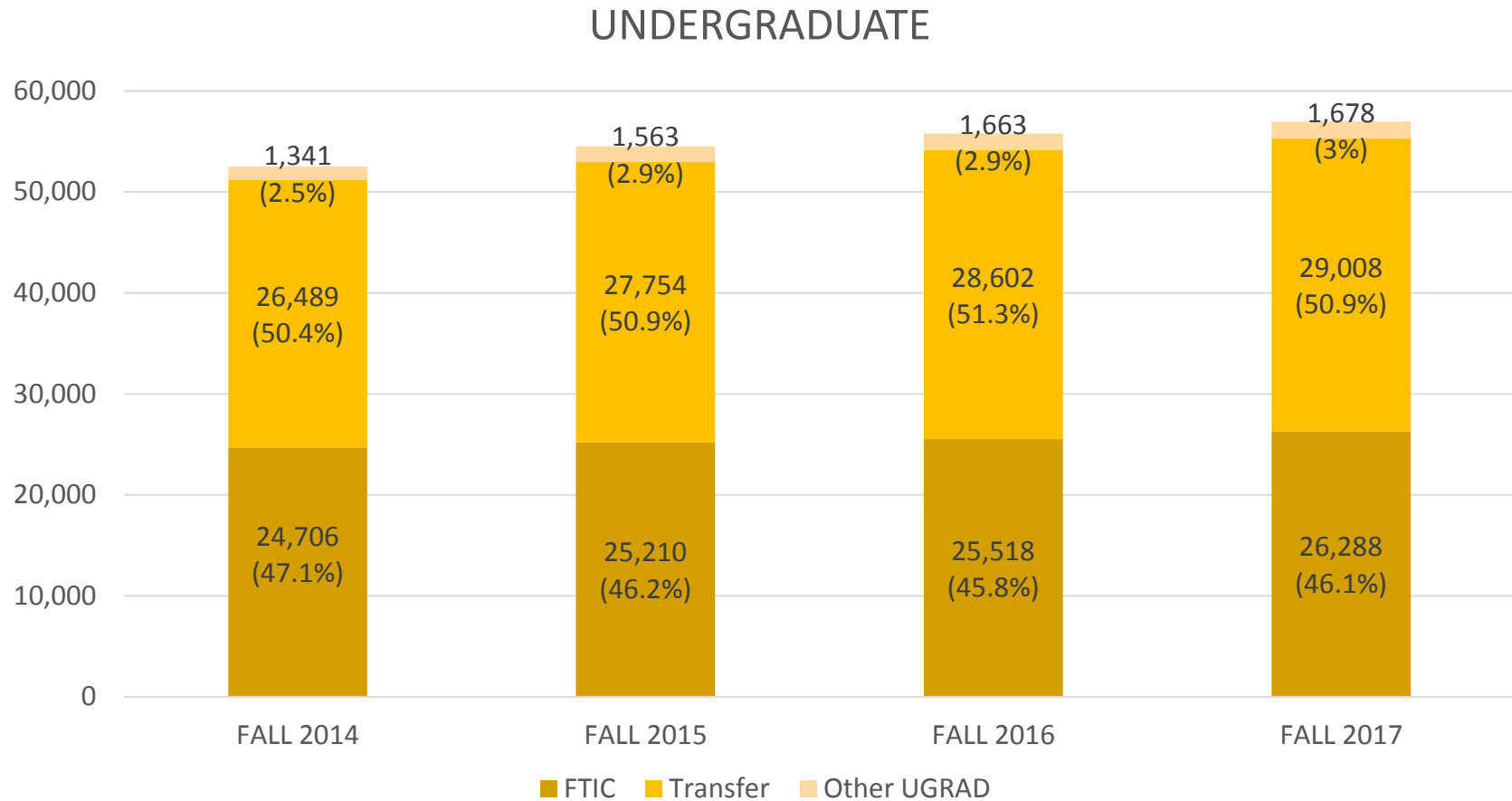
- We have 4 “signature recruitment programs” to obtain FTIC quality:
 - National Merit Scholars (1998) (94.9%)
 - Burnett Honors (1998) (94.2%)
 - Provost Scholars (2010) (92%)
 - Top 10 Knights (2014) (94.2%)
- Overall 1st year retention rate = 89.6%

Transfer Outcomes: Recruitment and Success

Transfers: 60% of FCS are DC
Transfer retention: 80%

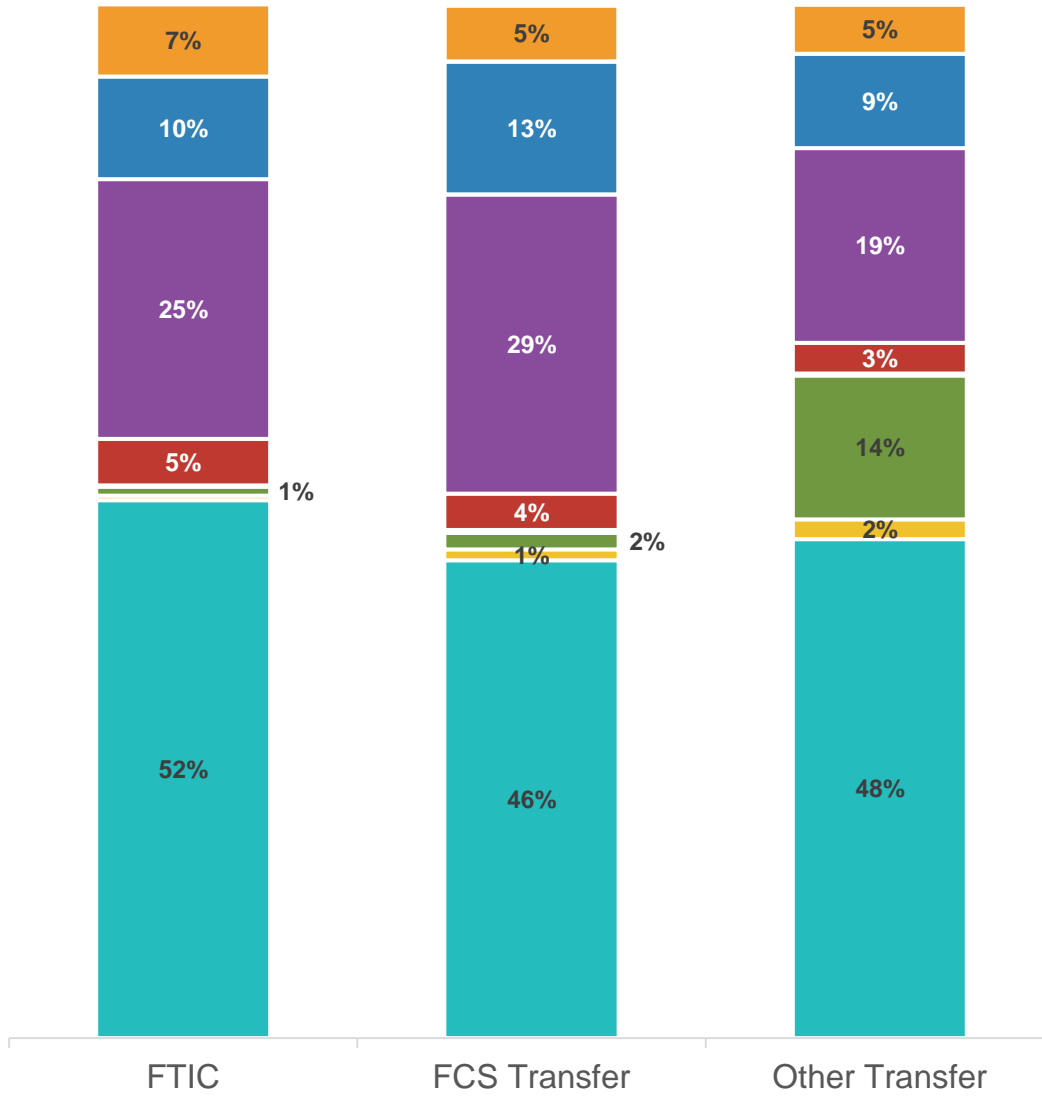


STUDENT MIX – Fall 2014-2017



Student Diversity

Undergraduate: FTIC, Transfers



	FTIC	FCS Transf.	Other Transf.
● American Indian/Alaska Native	30	58	6
● Asian	1,840	1,387	234
● Black/African American	2,605	3,308	448
● Hispanic/Latino	6,611	7,435	926
● Multi-racial	1,189	900	145
● Native Hawaiian/Other Pacific Islander	33	74	10
● International	227	410	683
● Not Specified	114	272	94
● White	13,693	11,870	2,371

Enrollment Update, November 2017

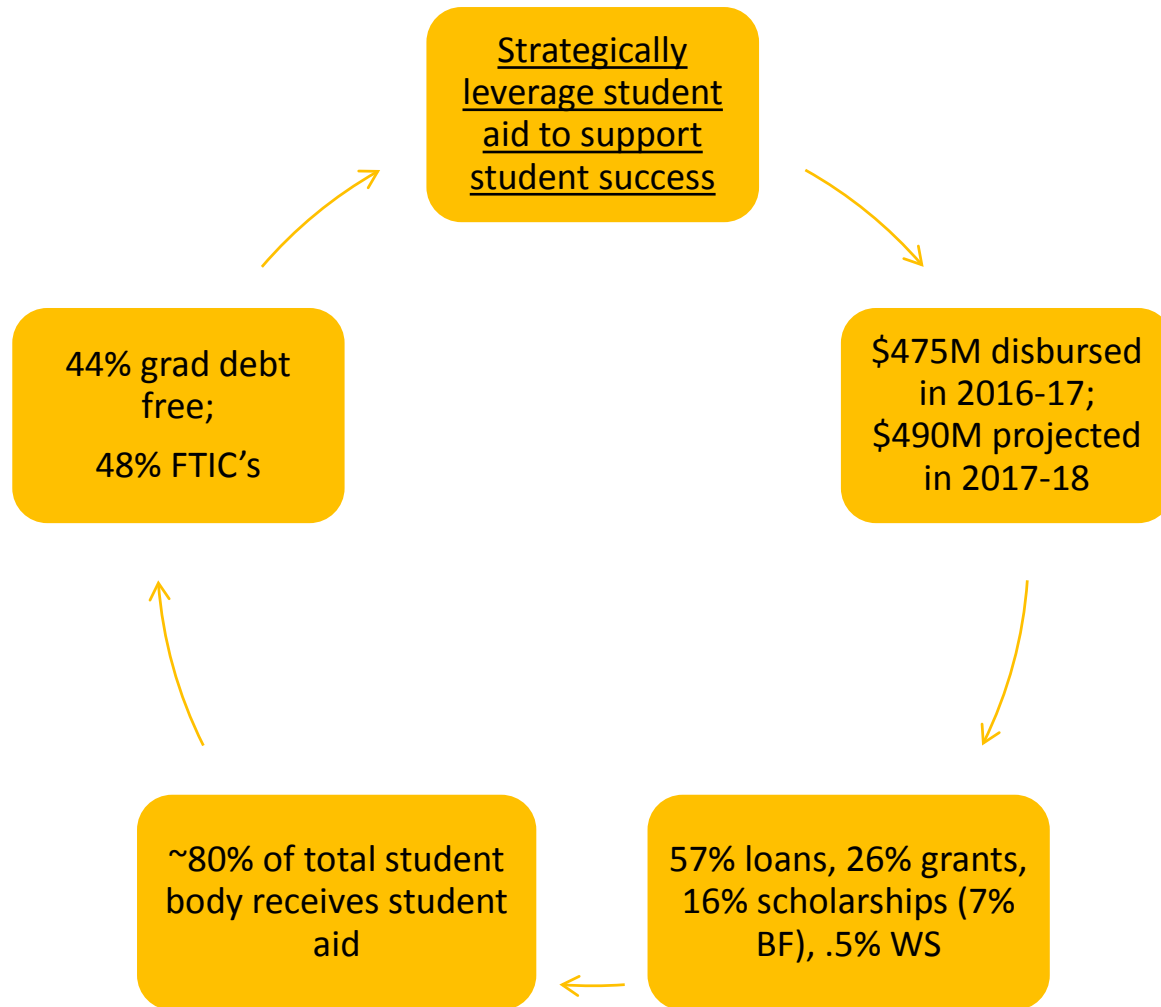


Student Aid Support)

Financial Aid



UCF Student Aid Support:

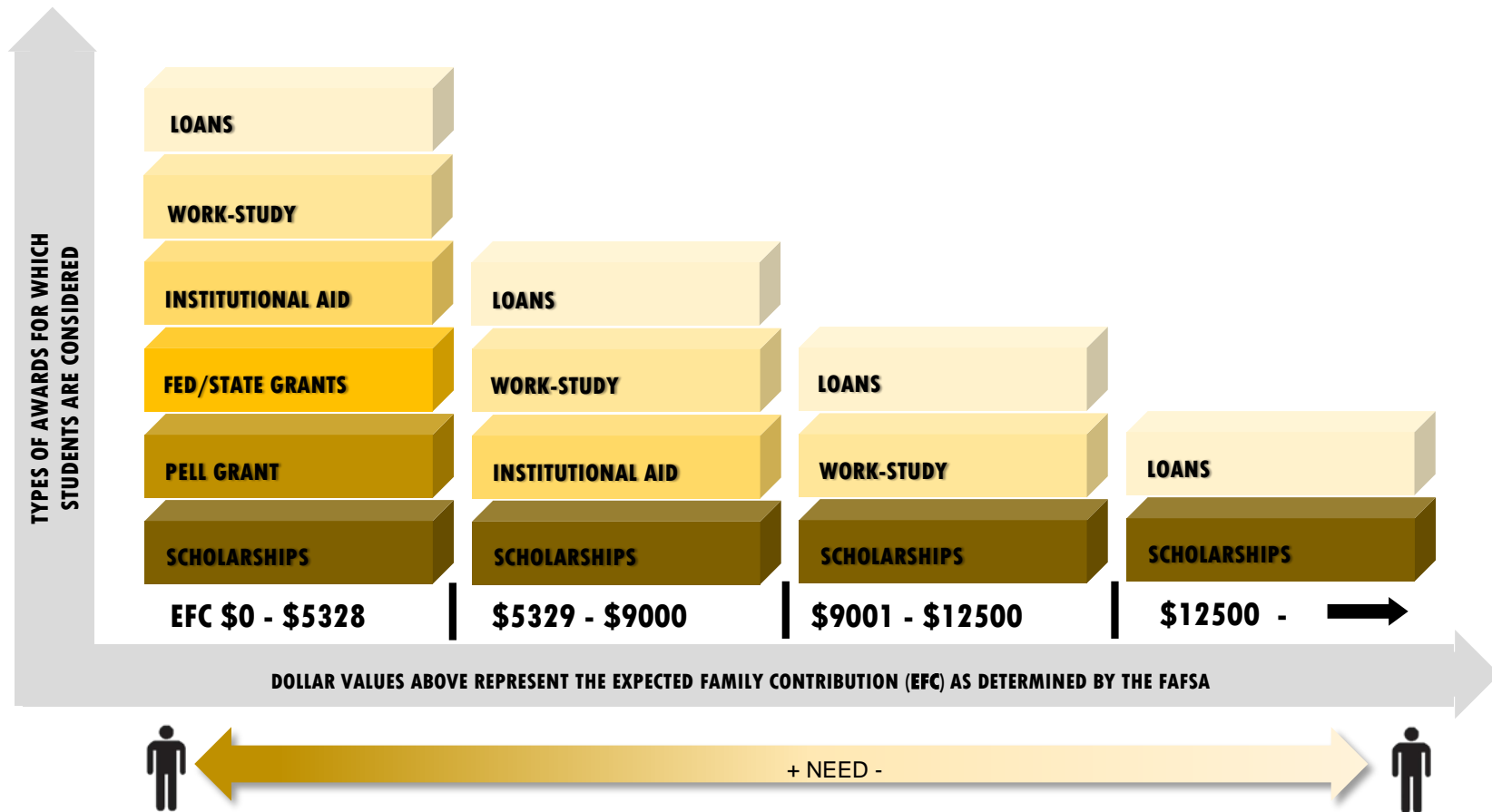


Student Financial Aid

(wordcloud)



UCF Fin Aid Packaging Methodology:



Support A KNIGHT!!

- First Generation College Student
- Multicultural Student
- Academic Merit
- Special Talents, Interests or Qualities
- Financial Need
- Other Criteria Defined By You
- Limited restrictions are best!
- Targeted Scholarships: books, meals, tuition



Your support will guarantee that a diverse group of the world's brightest students will be able to study at UCF.



Questions



ITEM: FF-1

**University of Central Florida
Board of Trustees**

SUBJECT: 2018-19 Direct Support Organizations' Budgets

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve the 2018-19 operating budgets for the following DSOs: UCF Athletics Association, UCF Convocation Corporation, UCF Finance Corporation, UCF Foundation, UCF Limitless Solutions, UCF Research Foundation, and UCF Stadium Corporation.

BACKGROUND INFORMATION

The Florida Board of Governors requires the local boards of trustees for the state universities to approve the operating budgets of the universities' DSOs.

Each DSO has approved the attached budget.

Supporting documentation: Attachment A: UCF Athletics Association
Attachment B: UCF Convocation Corporation
Attachment C: UCF Finance Corporation
Attachment D: UCF Foundation
Attachment E: UCF Limitless Solutions
Attachment F: UCF Research Foundation
Attachment G: UCF Stadium Corporation

Prepared by: John C. Pittman, Associate Vice President for Debt and Revenue Management

Submitted by: William F. Merck II, Vice President for Administration and Finance and Chief Financial Officer

Attachment A

**UCF Athletics Association
Annual Budget
2018-19**

	2018-19 Proposed Budget	2017-18 Approved Budget	Variance Favorable (Unfavorable)		2017-18 Projected Actual	2017-18 Approved Budget	Variance Favorable (Unfavorable)	
Revenues								
Athletic events (including per-seat contributions)	\$ 20,600,850	\$ 18,823,060	\$ 1,777,790	9.4 %	\$ 21,267,939	\$ 18,823,060	\$ 2,444,879	13.0 %
Other donations used for operations	1,155,909	791,735	364,174	46.0 %	453,735	791,735	(338,000)	(42.7)%
University sources	29,428,293	28,195,872	1,232,421	4.4 %	28,271,727	28,195,872	75,855	0.3 %
Other	478,003	377,303	100,700	26.7 %	3,432,857	377,303	3,055,554	809.8 %
Total revenues	<u>51,663,054</u>	<u>48,187,970</u>	<u>3,475,084</u>	<u>7.2 %</u>	<u>53,426,258</u>	<u>48,187,970</u>	<u>5,238,288</u>	<u>10.9 %</u>
Expenses								
Scholarships	9,422,149	9,010,217	(411,932)	(4.6)%	9,035,011	9,010,217	(24,794)	(0.3)%
Employee compensation	21,567,579	19,603,130	(1,964,449)	(10.0)%	20,882,397	19,603,130	(1,279,267)	(6.5)%
Sport operations	9,237,807	8,857,404	(380,403)	(4.3)%	10,462,543	8,857,404	(1,605,139)	(18.1)%
Support operations	10,443,875	8,883,364	(1,560,511)	(17.6)%	9,771,650	8,883,364	(888,286)	(10.0)%
Other	1,144,683	1,359,641	214,958	15.8 %	2,410,434	1,359,641	(1,050,793)	(77.3)%
Total operating expenses	<u>51,816,093</u>	<u>47,713,756</u>	<u>(4,102,337)</u>	<u>(8.6)%</u>	<u>52,562,035</u>	<u>47,713,756</u>	<u>(4,848,279)</u>	<u>(10.2)%</u>
Net Increase (decrease) from total operations	<u>(153,038)</u>	<u>474,214</u>	<u>(627,252)</u>	<u>(132.3)%</u>	<u>864,223</u>	<u>474,214</u>	<u>390,009</u>	<u>82.2 %</u>
Nonoperating revenues (expenses)								
Net transfers - Stadium Corporation	1,155,368	234,419	920,949	392.9 %	264,910	234,419	30,491	13.0 %
Interest income	-	-	-		-	-	-	
Interest expense	(306,512)	(376,865)	70,353	(18.7)%	(466,782)	(376,865)	(89,917)	23.9 %
Capital project donations - Athletics	1,808,189	1,000,400	807,789	80.7 %	4,057,160	1,000,400	3,056,760	305.6 %
Restricted accounts revenue	771,266	506,504	264,762	52.3 %	550,075	506,504	43,571	8.6 %
Restricted accounts outlay	(478,899)	(286,252)	(192,647)	67.3 %	(687,500)	(286,252)	(401,248)	140.2 %
Capital projects outlay	(2,332,303)	(3,300,400)	968,097	(29.3)%	(5,903,395)	(3,300,400)	(2,602,995)	78.9 %
Total nonoperating (expense) revenue	<u>617,110</u>	<u>(2,222,194)</u>	<u>2,839,304</u>	<u>(127.8)%</u>	<u>(2,185,531)</u>	<u>(2,222,194)</u>	<u>36,662</u>	<u>1.6 %</u>
Increase (decrease) in net position	<u>\$ 464,071</u>	<u>\$ (1,747,980)</u>	<u>\$ 2,212,051</u>	<u>(126.5)%</u>	<u>\$ (1,321,309)</u>	<u>\$ (1,747,980)</u>	<u>\$ 426,671</u>	<u>24.4 %</u>
Debt Service								
Principal	683,488	285,533	397,955	139.4 %	285,533	285,533	-	-
Interest	306,512	376,865	(70,353)	(18.7)%	466,782	376,865	(89,917)	(23.9)%
Total Debt Service	<u>\$ 990,000</u>	<u>\$ 662,398</u>	<u>\$ 327,602</u>	<u>49.5 %</u>	<u>\$ 752,315</u>	<u>\$ 662,398</u>	<u>\$ (89,917)</u>	<u>(13.6)%</u>
Operations budget surplus (shortfall)	<u>\$ 12,330</u>	<u>\$ 46,235</u>	<u>\$ (33,905)</u>	<u>(73.3)%</u>	<u>\$ 376,818</u>	<u>\$ 46,235</u>	<u>\$ 330,582</u>	<u>715.0 %</u>
Operations + net stadium transfers less debt service								

Board of Trustees Meeting - Reports

Attachment B
UCF Convocation Corporation
Annual Budget
2018-19

	2018-19 Proposed Budget	2017-18 Approved Budget	Variance Favorable (Unfavorable)		2017-18 Projected Actuals	2017-18 Approved Budget	Variance Favorable (Unfavorable)	
Housing Operations								
Revenues								
Apartment rentals	\$ 17,986,410	\$ 17,871,199	\$ 115,211	0.6 %	\$ 18,026,974	\$ 17,871,199	\$ 155,775	0.9 %
Parking	1,036,388	1,036,388	-	-	1,036,388	1,036,388	-	-
Other	75,000	75,000	-	-	104,023	75,000	29,023	38.7 %
Total revenues	<u>19,097,798</u>	<u>18,982,587</u>	<u>115,211</u>	0.6 %	<u>19,167,385</u>	<u>18,982,587</u>	<u>184,798</u>	1.0 %
Total expenses	<u>6,979,516</u>	<u>6,974,000</u>	<u>(5,516)</u>	(0.1)%	<u>6,649,735</u>	<u>6,974,000</u>	<u>324,265</u>	4.6 %
Net increase from housing operations	<u>12,118,282</u>	<u>12,008,587</u>	<u>109,695</u>	0.9 %	<u>12,517,650</u>	<u>12,008,587</u>	<u>509,063</u>	4.2 %
Retail Operations								
Total revenues	1,934,755	1,878,003	56,752	3.0 %	1,872,225	1,878,003	(5,778)	(0.3)%
Total expenses	<u>596,316</u>	<u>631,667</u>	<u>35,351</u>	5.6 %	<u>556,728</u>	<u>631,667</u>	<u>74,939</u>	11.9 %
Net increase from retail operations	<u>1,338,439</u>	<u>1,246,336</u>	<u>92,103</u>	7.4 %	<u>1,315,497</u>	<u>1,246,336</u>	<u>69,161</u>	5.5 %
Arena Operations								
Revenues								
Event related	6,636,961	6,565,221	71,740	1.1 %	6,864,156	6,565,221	298,935	4.6 %
Premium seating and sponsorship	1,388,500	1,276,900	111,600	8.7 %	1,171,696	1,276,900	(105,204)	(8.2)%
Rental income	2,735,000	2,735,000	-	-	2,735,000	2,735,000	-	-
Other	<u>143,552</u>	<u>188,558</u>	<u>(45,006)</u>	(23.9)%	<u>119,449</u>	<u>188,558</u>	<u>(69,109)</u>	(36.7)%
Total revenues	<u>10,904,013</u>	<u>10,765,679</u>	<u>138,334</u>	1.3 %	<u>10,890,301</u>	<u>10,765,679</u>	<u>124,622</u>	1.2 %
Expenses								
Direct event	5,112,142	5,116,319	4,177	0.1 %	5,292,412	5,116,319	(176,093)	(3.4)%
Operating and indirect event	5,050,838	5,049,973	(865)	(0.0)%	4,772,834	5,049,973	277,139	5.5 %
Direct premium seating	312,860	309,860	(3,000)	(1.0)%	264,023	309,860	45,837	14.8 %
Other ¹	<u>500,000</u>	<u>500,000</u>	<u>-</u>	-	<u>500,000</u>	<u>500,000</u>	<u>-</u>	-
Total expenses	<u>10,975,840</u>	<u>10,976,152</u>	<u>312</u>	0.0 %	<u>10,829,269</u>	<u>10,976,152</u>	<u>146,883</u>	1.3 %
Net decrease from arena operations	<u>(71,827)</u>	<u>(210,473)</u>	<u>138,646</u>	65.9 %	<u>61,032</u>	<u>(210,473)</u>	<u>271,505</u>	129.0 %
Net increase from total operations	<u>\$ 13,384,895</u>	<u>\$ 13,044,450</u>	<u>\$ 340,445</u>		<u>\$ 13,894,179</u>	<u>\$ 13,044,450</u>	<u>\$ 849,729</u>	
Debt Service								
Principal payments	7,450,000				7,245,000			
Interest payments	<u>6,709,392</u>				<u>7,030,125</u>			
Total Debt Service	<u>\$ 14,159,392</u>				<u>\$ 14,275,125</u>			

[1] Other expenses include transfers to UCF of \$500,000 for the CFE Arena scoreboard project.

Attachment C
UCF Finance Corporation
Annual Budget
2018-19

	2018-19 Proposed Budget	2017-18 Approved Budget	Variance Favorable (Unfavorable)		2017-18 Projected Actual	2017-18 Approved Budget	Variance Favorable (Unfavorable)	
Revenues								
Operating	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	-
University transfers ¹	1,477,880	3,251,818	(1,773,938)	(54.6)%	2,272,927	3,251,818	(978,891)	(30.1)%
Foundation transfers ²	8,671,005	-	8,671,005	100.0 %	65,084	-	65,084	100.0 %
Interest	<u>35,000</u>	<u>6,500</u>	<u>28,500</u>	438.5 %	<u>39,000</u>	<u>6,500</u>	<u>32,500</u>	500.0 %
Total revenues	<u>10,183,885</u>	<u>3,258,318</u>	<u>6,925,567</u>	212.6 %	<u>2,377,011</u>	<u>3,258,318</u>	<u>(881,307)</u>	(27.0)%
Expenses								
Operating	22,240	20,665	(1,575)	(7.6)%	22,140	20,665	(1,475)	(7.1)%
Interest ¹	1,546,409	2,290,915	744,506	32.5 %	831,988	2,290,915	1,458,927	63.7 %
Debt related ¹	-	946,738	946,738	100.0 %	722,883	946,738	223,855	23.6 %
University transfers ²	<u>8,615,236</u>	<u>-</u>	<u>(8,615,236)</u>	(100.0)%	<u>800,000</u>	<u>-</u>	<u>(800,000)</u>	-
Total expenses	<u>10,183,885</u>	<u>3,258,318</u>	<u>(6,925,567)</u>	(212.6)%	<u>2,377,011</u>	<u>3,258,318</u>	<u>881,307</u>	37.1 %
Net increase from operations	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	
Debt Service								
Principal	\$ 2,498,000				\$ 1,415,000			
Interest	<u>1,546,409</u>				<u>831,988</u>			
Total Debt Service	\$ 4,044,409				\$ 2,246,988			

[1] 2018-19 budgets have decreased as a result of the debt refunding that occurred in September 2017.

[2] UCF Foundation will transfer UCF Downtown pledges to the Finance Corporation to cover draws on the Finance Corporation line of credit used for the UCF Downtown construction. Transfers to the university projected for 2017-18 also include \$800,000 for stadium repairs.

Attachment D
UCF Foundation
Annual Budget
2018-19

	2018-19 Proposed Budget	2017-18 Approved Budget	Variance Favorable (Unfavorable)		2017-18 Projected Actual	2017-18 Approved Budget	Variance Favorable (Unfavorable)	
Revenues								
Unrestricted gifts, fees, and investment earnings	\$ 6,338,750	\$5,175,000	\$ 1,163,750	22.5 %	\$ 5,417,386	\$ 5,175,000	\$ 242,386	4.7 %
Real estate	1,969,356	2,945,000	(975,644)	(33.1)%	2,945,000	2,945,000	-	-
University and other related support	11,735,854	11,785,878	(50,024)	(0.4)%	12,251,000	11,785,878	465,122	3.9 %
Total revenue	<u>20,043,960</u>	<u>19,905,878</u>	<u>138,082</u>	0.7 %	<u>20,613,386</u>	<u>19,905,878</u>	<u>707,508</u>	3.6 %
Expenses								
Academic and university support	1,797,932	2,796,433	998,501	35.7 %	2,883,095	2,796,433	(86,662)	(3.1)%
Development, alumni relations, and operations	<u>18,246,028</u>	<u>17,109,445</u>	<u>(1,136,583)</u>	(6.6)%	<u>17,730,291</u>	<u>17,109,445</u>	<u>(620,846)</u>	(3.6)%
Total expenses	<u>20,043,960</u>	<u>19,905,878</u>	<u>(138,082)</u>	(0.7)%	<u>20,613,386</u>	<u>19,905,878</u>	<u>(707,508)</u>	(3.6)%
Net increase (decrease) from total operations	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	
Debt Service								
Principal payments	1,750,000				3,708,020			
Interest payments	<u>882,060</u>				<u>923,380</u>			
Total Debt Service	<u>\$ 2,632,060</u>				<u>\$ 4,631,400</u>			

Attachment E
Limbitless Solutions Inc.
Annual Budget
2018-19

	2018-19 Proposed Budget	2017-18 Approved Budget	Variance Favorable (Unfavorable)		2017-18 Projected Actual	2017-18 Approved Budget	Variance Favorable (Unfavorable)	
Revenues								
Philanthropic	\$ 750,000	\$ 275,000	\$ 475,000	172.7 %	\$ 275,000	\$ 275,000	\$ -	0.0 %
Sponsorships	50,000	75,000	(25,000)	(33.3)%	-	75,000	(75,000)	(100.0)%
Other	96,300	-	96,300	0.0 %	13,092	-	13,092	0.0 %
Total revenues	<u>896,300</u>	<u>350,000</u>	<u>546,300</u>	<u>156.1 %</u>	<u>288,092</u>	<u>350,000</u>	<u>(61,908)</u>	<u>(17.7)%</u>
Expenses								
Operating expenses ¹	<u>293,728</u>	<u>147,800</u>	<u>145,928</u>	98.7 %	<u>85,345</u>	<u>147,800</u>	<u>(62,455)</u>	(42.3)%
Total expenses	<u>293,728</u>	<u>147,800</u>	<u>145,928</u>	98.7 %	<u>85,345</u>	<u>147,800</u>	<u>(62,455)</u>	(42.3)%
Net increase from operations	<u><u>\$ 602,572</u></u>	<u><u>\$ 202,200</u></u>	<u><u>\$ 400,372</u></u>	198.0 %	<u><u>\$ 202,747</u></u>	<u><u>\$ 202,200</u></u>	<u><u>\$ 547</u></u>	0.3 %

¹ Clinical studies for child bionic arms begin in 2018-19.

Attachment F
UCF Research Foundation
Annual Budget
2018-19

	2018-19 Approved Budget	2017-18 Approved Budget	Variance		2017-18 Projected Actual	2017-18 Approved Budget	Variance	
Revenues								
Operating revenue ¹	\$ 12,090,000	\$ 9,185,000	\$ 2,905,000	31.6%	\$ 11,534,309	\$ 9,185,000	\$ 2,349,309	25.6%
Management fees and other	<u>655,000</u>	<u>545,000</u>	<u>110,000</u>	20.2%	<u>640,628</u>	<u>545,000</u>	<u>95,628</u>	17.5%
Total revenues	<u>12,745,000</u>	<u>9,730,000</u>	<u>3,015,000</u>	31.0%	<u>12,174,937</u>	<u>9,730,000</u>	<u>2,444,937</u>	25.1%
Expenses								
Total operating expenses ¹	<u>12,291,000</u>	<u>9,523,500</u>	<u>(2,767,500)</u>	(29.1)%	<u>11,727,451</u>	<u>9,523,500</u>	<u>(2,203,951)</u>	(23.1)%
Net increase from operations	<u>\$ 454,000</u>	<u>\$ 206,500</u>	<u>\$ 247,500</u>	119.9%	<u>\$ 447,486</u>	<u>\$ 206,500</u>	<u>\$ 240,986</u>	116.7%

¹ Operating revenue includes royalties, contributions, rents, conferences, unit residuals, and consortiums.

Attachment G
UCF Stadium Corporation
Annual Budget
2018-19

	2018-19 Proposed Budget	2017-18 Approved Budget	Variance Favorable (Unfavorable)		2017-18 Projected Actual	2017-18 Approved Budget	Variance Favorable (Unfavorable)	
Revenues								
Premium seating	\$ 2,305,231	\$ 1,842,007	\$ 463,224	25.1 %	\$ 2,029,200	\$ 1,842,007	\$ 187,193	10.2 %
Naming rights	800,000	850,000	(50,000)	(5.9)%	800,000	850,000	(50,000)	(5.9)%
Athletic transfers	6,560,747	6,158,559	402,188	6.5 %	6,185,747	6,158,559	27,188	0.4 %
Other	1,509,000	1,394,000	115,000	8.2 %	1,520,623	1,394,000	126,623	9.1 %
Total revenues	<u>11,174,978</u>	<u>10,244,566</u>	<u>930,412</u>	<u>9.1 %</u>	<u>10,535,570</u>	<u>10,244,566</u>	<u>291,004</u>	<u>2.8 %</u>
Expenses								
Total expenses	<u>129,756</u>	<u>548,666</u>	<u>418,910</u>	<u>76.4 %</u>	<u>484,052</u>	<u>548,666</u>	<u>64,614</u>	<u>11.8 %</u>
Net Increase from total operations	<u>\$ 11,045,222</u>	<u>\$ 9,695,900</u>	<u>\$ 1,349,322</u>		<u>\$ 10,051,518</u>	<u>\$ 9,695,900</u>	<u>\$ 355,618</u>	
Debt Service								
Principal	1,786,000				1,715,000			
Interest	1,843,637				1,913,712			
Total Debt Service	<u>3,629,638</u>				<u>3,628,712</u>			

ITEM: FF- 2

**University of Central Florida
Board of Trustees**

SUBJECT: Five-year Capital Improvement Plan

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve the capital improvement plan for 2019-20 through 2023-24.

BACKGROUND INFORMATION

Each year, the university must submit an updated capital improvement plan to the Board of Governors. This plan identifies projects that will be included in the three-year Public Education Capital Outlay list, and it provides information to the State Board of Education for its request for capital project funding for 2019-20.

The capital improvement plan must be submitted to the Board of Governors' staff by August 1, 2018. The attached schedules include the following:

- projects that are proposed for inclusion in the five-year capital improvement plan
- items to be included in the 2019-20 Appropriations Authorization Bill, including projects funded by bonds, direct support organization projects, and projects requiring general revenue to operate.

We request approval to submit the 2019-20 Capital Improvement Plan with the projects listed in the attached schedules.

Supporting documentation: Attachment A: 2019-20 Five-year Plan List
Attachment B: 2019-20 Fixed Capital Outlay Projects
Requiring Board of Governors Approval to
be Constructed, Acquired, and Financed by
a University or a University Direct Support
Organization with Approved Debt
Attachment C: 2019-20 Fixed Capital Outlay Projects
That May Require Legislative
Authorization and General Revenue Funds
to Operate and Maintain

Prepared by: Lee Kernek, Associate Vice President for Administration and Finance

Submitted by: William F. Merck II, Vice President for Administration and Finance
and Chief Financial Officer

Board of Trustees Meeting - Reports

Attachment B
STATE UNIVERSITY SYSTEM
Fixed Capital Outlay Projects Requiring Board of Governors Approval
to be Constructed, Acquired, and Financed by a University or
a University Direct Support Organization with Approved Debt
BOB-1

Univ.	Project Title	GSF	Brief Description of Project	Project Location	Project Amount	Funding Source	Estimated Month	Estimated Annual Amount For	
							Of Board Approval Request	Operational and Maintenance Costs Amount	Source
UCF	Roth Athletics Center (formerly known as Wayne Densch Expansion)	TBD	Offices, storage, and support space	UCF, Orlando	\$8,750,000	Donations	July	\$0	DSO
UCF	Spectrum Rust Remediation	21,337	Additional club seating, suites, and operational booths	UCF, Orlando	\$14,000,000	Donations	July	\$320,055	DSO
UCF	Spectrum Stadium Expansion and Improvements Phase I	21,337	Additional club seating, suites, and operational booths	UCF, Orlando	\$16,416,900	Donations	July	\$320,055	DSO
UCF	Spectrum Stadium Expansion and Improvements Phase II	80,000	Additional seating up to 20,000	UCF, Orlando	\$44,905,316	Donations	July	\$1,200,000	DSO
UCF	Football Building	45,000	Offices, storage, and support space	UCF, Orlando	\$16,685,798	Donations	July	\$675,000	Auxiliary
UCF	Golf Training Facility (move from Twin Rivers Golf Course)			UCF, Orlando	\$2,000,000	Donations	July	\$0	DSO
UCF	Venue Expansion and Renovation	TBD	Offices, storage, and support space	UCF, Orlando	\$10,000,000	Donations	July	\$0	Auxiliary

Board of Trustees Meeting - Reports

Attachment C

**STATE UNIVERSITY SYSTEM
Fixed Capital Outlay Projects That May Require Legislative Authorization
and General Revenue Funds to Operate and Maintain
BOB-2**

Univ.	Project Title	GSF	Brief Description of Project	Project Location	Project Amount	Funding Source	Estimated Annual Amount For Operational and Maintenance Costs	
							Amount	Source
UCF	Florida Advanced Manufacturing Research Facility	81,750	Research Labs, Wet Labs, Collaboration Rooms, Offices	UCF-Osceola	\$75,000,000	PECO	\$1,339,850	General Revenue
UCF	Optical Materials Lab Addition	5,530	Research Labs	UCF-Orlando	\$1,640,000	C&G	\$90,634	General Revenue
UCF	John C. Hitt Library Expansion Phase I (ARC)	8,800	Automatic Retrieval Center	UCF-Orlando	\$10,771,963	CITF	\$144,228	General Revenue
UCF	John C. Hitt Library Expansion Phase I (Connector)	12,609	Automatic Retrieval Center	UCF-Orlando	\$21,366,592	CITF	\$122,007	General Revenue
UCF	CREOL	2,756	Research Labs	UCF-Orlando	\$1,406,000	E&G	\$45,170	General Revenue
UCF	Arts Complex II Performance	2,728	Teaching Lab, Offices	UCF-Orlando	\$964,411	PECO	\$31,353	General Revenue
UCF	BPW Building	4,038	Teaching Labs, Offices	UCF - Orlando	\$275,000	Donations	\$66,181	General Revenue
UCF	District Energy IV Plant	13,000	Offices	UCF - Orlando	\$13,000,000	Auxiliary	\$94,231	General Revenue
UCF	Trevor Colbourn Hall and Colbourn Demolition	135,600	Offices, Classrooms	UCF-Orlando	\$38,000,000	CF-Aux	\$1,312,093	General Revenue
UCF	Coastal Biology	3,000	Research	UCF-Melbourne Beach	\$2,500,000	E&G	\$29,029	General Revenue
UCF	Partnership IV Phase	42,529	Office, Research Labs	UCF-Orlando	\$42,000,000	PECO	\$697,033	General Revenue
UCF	Partnership V	123,658	Office, Research Labs	UCF-Orlando	\$42,000,000	PECO	\$2,026,705	General Revenue
UCF	Florida Solar Energy Center Renovation	42,986	Offices, Research Labs	UCF-Orlando	\$10,000,000	PECO	\$704,623	General Revenue
UCF	Research I (formerly Interdisciplinary Research and Incubator Faculty)	97,482	Offices, Research Labs	UCF-Orlando	\$46,614,853	Aux-CF	\$1,597,691	General Revenue
UCF	Arboretum Green House	800	Teaching Lab	UCF-Orlando	\$400,000	E&G	\$3,728	General Revenue
UCF	Band Building	3,695	Teaching Labs, Offices	UCF-Orlando	\$5,000,000	Auxiliary	\$35,754	General Revenue
UCF	CREOL Expansion Phase II	13,086	Research Labs, Offices	UCF-Orlando	\$6,784,228	E&G-Aux-C&G	\$214,474	General Revenue
UCF	UCF Downtown Dr. Phillips Academic	148,000	Research Labs, Offices	UCF-Orlando	\$6,784,228	PECO-Private-Aux	\$1,528,618	General Revenue
UCF	Visual Arts Building Addition	699	Teaching Lab	UCF-Orlando		PECO	\$11,456	General Revenue
UCF	Arecibo National Astronomy Ionosphere Center	62,918	Research Labs, Offices	UCF-Puerto Rico		C&G	\$1,031,201	General Revenue
UCF	Medically Directed Wellness and Sports Center	2,000	Teaching Labs, Classroom	UCF Lake Nona			\$32,779	General Revenue
UCF	UCF Downtown Central Energy Plant	15,000	Teaching Labs, Offices	UCF-Orlando	\$12,100,000	E&G (Reserve)-Private	\$245,844	General Revenue
UCF	Health Sciences and College of Nursing Building	145,000	Teaching Labs, Offices	UCF-HSC	\$19,000,000	PECO	\$2,376,492	General Revenue
UCF	UCF Downtown Garage (E and G Spaces)	32,000	Offices, Support	UCF-Orlando	\$13,500,000	Auxiliary	\$524,467	General Revenue
UCF	Energy Lab	20,000	Research Labs, Offices	UCF-Orlando		C&G	\$327,792	General Revenue
UCF	Laboratory and Environmental Support Expansion	1,535	Offices	UCF-Orlando	\$909,534	CF	\$25,158	General Revenue
UCF	DataSite Orlando	460	Office, Storage	UCF-Orlando		CF	\$7,539	General Revenue
UCF	UCF Downtown Police Department	3,000	Offices	UCF-Orlando	\$5,000,000	Auxiliary-Donations	\$49,169	General Revenue
UCF	UCF Research Hub - Downtown	7,000	Offices, Teaching Lab, Interview Rooms	UCF-Orlando	\$1,500,000	Auxiliary-Donations	\$114,727	General Revenue
UCF	Union West - Student Services	50,000	Classrooms, Offices	UCF-Orlando	\$105,000,000	Private	\$819,480	General Revenue
UCF	Sanford Burnham Institute for Medical Research	174,843	Research Labs, Vivarium, Offices	UCF-Orlando		Private	\$2,865,607	General Revenue

ITEM: FF- 3

**University of Central Florida
Board of Trustees**

SUBJECT: Razing of Building 38

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve the demolition of Building 38.

BACKGROUND INFORMATION

Building 38 is in poor condition and should be demolished.

The estimated cost to correct the problems within the building is \$3,000,000, which is greater than 187 percent of the building cost.

The attached Board of Governors staff email acts as a supplemental survey recommendation to demolish Building 38, along with Building 39, which received survey recommendation in 2015.

According to Florida Board of Governors' Regulation 9.004 Razing of Buildings, each university's Board of Trustees shall have the authority to raze buildings. Prior to demolition of any educational support facility with a replacement cost exceeding \$1,000,000, the university shall obtain an Educational Plant Survey recommendation for demolition. The university Board of Trustees shall review and approve the Educational Plant Survey recommendation and transmit to the Board of Governors for validation.

The cost to demolish Buildings 38 and 39 is estimated to be approximately \$300,000.

Supporting documentation: Attachment A: Photographs of the Building
Attachment B: Approval from BOG Staff

Prepared by: Lee Kernek, Associate Vice President for Administration and Finance

Submitted by: William F. Merck II, Vice President for Administration and Finance
and Chief Financial Officer

Attachment A



Rodney Jefferson Architect

AR 0014517

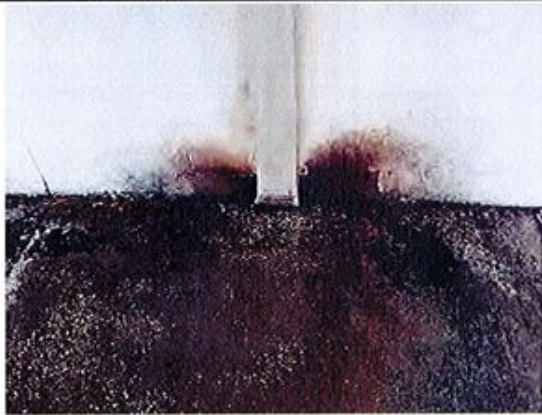
AIA / NCARB



1. NE exterior side showing extensive mildew buildup from moisture.



2. NE corner with mildew.



3. NW side with downspout and sidewalk.



4. SW side.



5. SW door to mechanical room.



6. SW door to mechanical room corroded and crack over door.

17301 Pagonia Road, Ste 230C

Clermont, Florida 34711

phone (407)291-8406

fax (407) 293-5015

RJ02218SV UCF Bldg 38

email RLJArchitect@aol.com



Rodney Jefferson Architect

AR 0014517

AIA / NCARB



7. SE side of building.



8. SE Corner of building.



9. Roof area inside mechanical room.



10. Mechanical room.



11. Drain in mechanical room with mold into gypsum board.



12. Mechanical room with moisture in walls.



Rodney Jefferson Architect

AR 0014517

AIA / NCARB



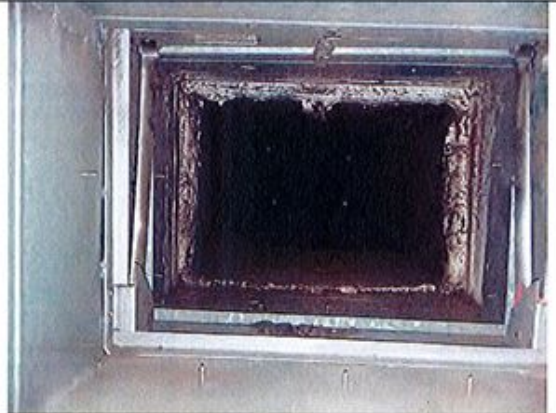
13. Roof in mechanical mezzanine.



14. HVAC unit in mezzanine.



15. Corroded piping in mezzanine HVAC.



16. Example of condition of ductwork.



17. Drains clogged in unused restroom.



18. Step into shower room.



Rodney Jefferson Architect

AR 0014517

AIA / NCARB



19. Apparent leaks in roofing around skylight.



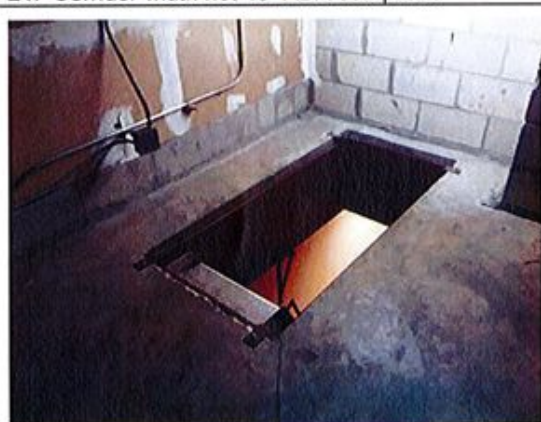
20. Non-compliant single ADA drinking fountain.



21. Corridor width not 48" ADA compliant.



22. Alarm system.



23. No railing around access to mezzanine.



24. More corroded piping in HVAC mezzanine.

Attachment B

Lee Kernek

From: Ogletree, Kenneth <Kenneth.Ogletree@flbog.edu>
Sent: Thursday, May 24, 2018 4:02 PM
To: Lee Kernek
Cc: Christy Collier; Velasquez, Aileen
Subject: RE: Demolition Back-up for Building 38

OK

So it sounds like you want to revise the existing 2015 Educational Plant Survey to include Building 38 with a demolition recommendation, which I agree is exactly like or at least very similar to Building 39. Based on the information provided;

Let this e-mail act as a supplemental survey recommendation modifying the existing demolition recommendation for building 39 to include building 38 also.

Please let me know if you need anything else from us prior to proceeding with the proposed demolition of both. Have a great Holiday weekend.

Sincerely,

Kenneth Ogletree
Senior Architect

State University System of Florida
Board of Governors
325 W. Gaines Street
Tallahassee, Florida 32399-0400
(850) 245-9254 | Fax (850) 245-9611
Kenneth.Ogletree@flbog.edu www.flbog.edu



STATE UNIVERSITY
SYSTEM of FLORIDA
Board of Governors

From: Lee Kernek [mailto:Lee.Kernek@ucf.edu]
Sent: Thursday, May 24, 2018 3:26 PM
To: Ogletree, Kenneth <Kenneth.Ogletree@flbog.edu>
Cc: Christy Collier <Christy.Collier@ucf.edu>
Subject: RE: Demolition Back-up for Building 38

Hi, Ken. It doesn't appear that you have the answers you need. Christy and I talked briefly yesterday, and I agreed to send you a response.

Buildings 38 and 39 are located along Gemini Boulevard, to the south of Garage B and to the west of the Recreation and Wellness Center. The 2015 Educational Plant Survey team toured Building 39 and agreed that that building is in "demolishable" state. The group did not tour Building 38, but, since the Survey, that building has also progressed beyond the point of it being fiscally responsible to invest capital renewal dollars into restoration and renovation, as you can see by the independent third party report.

From: Ogletree, Kenneth [<mailto:Kenneth.Ogletree@flbog.edu>]
Sent: Tuesday, May 22, 2018 4:27 PM
To: Christy Collier <Christy.Collier@ucf.edu>
Cc: Lee Kernek <Lee.Kernek@ucf.edu>; Velasquez, Aileen <Aileen.Velasquez@flbog.edu>
Subject: RE: Demolition Back-up for Building 38

Christy,
Please give me a little context information on this building and site. In addition to the attached report. Either from your masterplan or whatever to show where the building is on the campus and **Why** from the universities perspective you want to demolish these two buildings. You may have given it to me before, but I'm trying to have a complete package here.

Thanks.

Kenneth Ogletree
Senior Architect

State University System of Florida
Board of Governors
325 W. Gaines Street
Tallahassee, Florida 32399-0400
(850) 245-9254 | Fax (850) 245-9611
Kenneth.Ogletree@flbog.edu www.flbog.edu



STATE UNIVERSITY
SYSTEM of FLORIDA
Board of Governors

From: Lee Kernek [<mailto:Lee.Kernek@ucf.edu>]
Sent: Tuesday, May 22, 2018 11:16 AM
To: Kinsley, Chris <Chris.Kinsley@flbog.edu>; Ogletree, Kenneth <Kenneth.Ogletree@flbog.edu>
Subject: FW: Demolition Back-up for Building 38

Ken, it looks like you may already have this; I apparently put you on the mail that I was sending to Christy, but I think you were right today when you were thinking that this was for Building 39 (the conjoined twin that the Ed Plant Survey Team already approved for demolition).

Please review the report and provide approval for razing so that the item can go to the BOT in June. Thanks!

From: Lee Kernek
Sent: Thursday, May 10, 2018 9:47 AM
To: Christy Collier <Christy.Collier@ucf.edu>; Ogletree, Kenneth <Kenneth.Ogletree@flbog.edu>
Subject: Demolition Back-up for Building 38

As discussed, this building is scheduled for razing in the fall. I will need the spot survey recommendation as soon as possible so that I can get it to the BOT this summer. Thanks!

ITEM: **FF-4**

**University of Central Florida
Board of Trustees**

SUBJECT: Academic Health Sciences Center Parking Garage

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approval of the Health Sciences Campus Parking Garage I and to move forward with the advertisement and solicitation of an architect and engineer for the design of this project.

BACKGROUND INFORMATION

The Academic Health Sciences Center, which comprises the College of Medicine, Burnett School of Biomedical Sciences, and the future Health Sciences and College of Nursing building, is in need of a parking garage. Preliminary studies have begun on temporary parking solutions, along with the location and size of future buildings.

The Academic Health Sciences Center, which includes the Health Sciences and College of Nursing Building, is planned to be constructed on the current landscape and hardscape area of the site immediately west of the College of Medicine. This location is consistent with the initial concept plan for the long-term development of the site. The building is planned to be 150,000 gross square feet and three or four stories in height.

The ideal location for a parking garage is to the west of the Health Sciences and College of Nursing building in the current parking lot. The attached diagram indicates this location and shows a parking deck the identical size of the existing Libra Garage on the main campus, which is a five-story, six-level parking garage holding just over 1,000 cars.

The anticipated total project cost of the parking garage is \$20,000,000. This figure is based on a 1,000-car parking garage at \$20,000 per parking space. This value is a total project cost and includes design fees, permitting, site development, and the parking garage. An additional \$500,000 will be reserved for the temporary parking solution. The garage will be 100 percent financed, with \$1 million set aside for design and permitting (which will be reimbursed via bond proceeds). This arrangement is typically a 25-year amortization, paid for by parking revenues.

Supporting documentation: Attachment A: Parking Garage Location

Prepared by: Lee Kernek, Associate Vice President for Administration and Finance

Submitted by: William F. Merck II, Vice President for Administration and Finance
and Chief Financial Officer

Attachment A



ITEM: FF-5

**University of Central Florida
Board of Trustees**

SUBJECT: 2018-19 College of Medicine Faculty Practice Plan Budget

DATE: July 19, 2018

PROPOSED BOARD ACTION

Recommend approval of the 2018-19 College of Medicine Faculty Practice Plan budget presented by the College of Medicine.

BACKGROUND INFORMATION

With approval and support from the Finance Committee and Board of Trustees, the College of Medicine's Faculty Practice Plan, UCF-Health, opened in November 2011.

The College of Medicine presents for approval the attached budget for 2018-19 showing revenues and expenses for the seventh year of operation of the Faculty Practice Plan.

Supporting documentation: Attachment A: 2018-19 Faculty Practice Plan Operating Budget
Attachment B: Faculty Practice Plan Five-year Operating Budget

Prepared by: Deborah C. German, Vice President for Medical Affairs and Dean of the College of Medicine
Steven Omli, Assistant Dean of Medical School Finances

Submitted by: William F. Merck II, Vice President for Administration and Finance and Chief Financial Officer

Attachment A



One-year Budget Summary

	<u>2019</u>
Revenue	\$ 7,624,165
Expense	
Non-Faculty Salary and Benefits	\$ 6,467,918
Operating Expenses	3,444,847
Total Expense	9,912,765
Operating Loss	(2,288,600)
Transfer From/(To)	2,288,600
Net Cash Flow	\$0

Assumptions

This budget supports and demonstrates the continuation of start-up, operating, and growth expenses for UCF-Health at the Quadrangle and Gateway buildings. The Quadrangle is a 22,000 square-foot facility located on University Boulevard, and Gateway is a 75,000 square-foot facility at Lake Nona, of which UCF Health occupies 25,000 square feet.

Clinical faculty salaries and benefits are funded in the college's operating budget. Excess revenues generated from practice operations will be returned to the college as they become available to support clinical faculty salaries.

Attachment B



Five-year Budget Summary

Accounts	Actual	Actual	Approved	Projected	Budget				
	2016	2017	2018	Actual*	2019	2020	2021	2022	2023
Total Revenue	\$ 3,119,557	\$ 3,964,691	\$ 7,975,281	\$ 5,663,395	\$ 7,624,165	\$ 12,196,232	\$ 15,074,297	\$ 16,993,908	\$ 18,405,154
Expense									
Non-Faculty Salary and Benefits	\$ 3,255,342	\$ 4,179,320	\$ 5,309,642	\$ 4,491,287	\$ 6,467,918	\$ 7,007,303	\$ 7,277,031	\$ 7,458,954	\$ 7,646,437
Operating Expenses	1,198,590	2,546,052	3,377,644	2,919,449	3,444,847	4,213,556	4,350,205	4,553,701	4,697,362
Total Expense	4,453,932	6,725,372	8,687,286	7,410,736	9,912,765	11,220,859	11,627,236	12,012,656	12,343,799
Operating Income (Loss)	(1,334,375)	(2,760,681)	(712,005)	(1,747,341)	(2,288,600)	975,374	3,447,061	4,981,252	6,061,355
Faculty Salaries and Benefits	2,711,030	3,046,416	5,614,619	4,729,974	6,753,631	7,579,131	7,875,787	8,073,070	8,275,304
COM Support	4,045,405	5,807,097	6,326,625	6,477,315	9,042,231	6,603,757	4,428,726	3,091,818	2,213,950
Net Cash Flow	\$0	\$0	\$0	\$0	\$0	(\$0)	\$0	\$0	\$0

* Based on ten months Actual. The projected 2017-18 expenses do not include approximately \$440,000 of start-up costs for the expansion of the Gateway location.

ITEM: EP-1

EDUCATIONAL PROGRAMS COMMITTEE
University of Central Florida

SUBJECT: 2018 Tenure with Hire

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approval of tenure with hire.

BACKGROUND INFORMATION

New faculty members are hired each year with tenure. Normally, such faculty members have earned tenure at their previous institution and meet UCF's requirements for tenure. For others, tenure is part of the hiring package when senior faculty members are hired for administrative positions. Department faculty members and the university's administrative officers have approved granting tenure to these faculty members.

Supporting documentation: Attachment A: Tenure with Hire Justification

Prepared by: Jana L. Jasinski, Vice Provost for Faculty Excellence and Pegasus Professor of Sociology

Submitted by: Elizabeth A. Dooley, Interim Provost and Vice Provost for Teaching and Learning, Dean, College of Undergraduate Studies and Professor, College of Education and Human Performance

Attachment A

**Tenure with Hire Justification
Board of Trustees Meeting
July 19, 2018**

**Roger Azevedo, Professor
College of Education and Human Performance, Department of Educational and
Human Sciences**

Dr. Roger Azevedo received his Ph.D. in educational psychology from McGill University. This was followed by a fellowship in psychology at Carnegie Mellon University. Prior to joining UCF, he was a tenured professor in the Department of Psychology at North Carolina State University, where he also was affiliated with the Department of Computer Science and held an appointment as Faculty Fellow at the Center for Geospatial Analytics. He previously held academic positions at the University of Maryland, the University of Memphis and McGill University, including Endowed Senior Canada Research Chair at the latter. Dr. Azevedo is recognized internationally as editor-in-chief of the *Metacognition and Learning* journal and co-editor of the *International Handbook of Metacognition and Learning Technologies*. He has collaborated on one book, 19 book chapters and 69 journal articles and has received over \$20 million in funding over his career. He has over \$9 million in current funding and over eight grant submissions under review totaling over \$22M. He has graduated over 20 Ph.D. students and supervised four post-docs. At UCF, Dr. Azevedo will be senior researcher in the Learning Sciences Cluster. The Department of Educational and Human Sciences and the College of Education and Human Performance support the recommendation for tenure with hire.

**Dr. Parag Banerjee, Associate Professor
College of Engineering and Computer Science, Department of Materials Science and
Engineering**

Dr. Parag Banerjee received his Ph.D. in materials science and engineering from the University of Maryland. He comes to UCF from Washington University in St. Louis, where he was an assistant professor in the Department of Mechanical Engineering and Materials Science. Dr. Banerjee's research interests span the science and engineering of Atomic Layer Deposition, a process where material is deposited one atomic layer at a time. He has published over 40 articles in peer-reviewed journals and holds eight U.S. and international patents. He has garnered \$1.76 million of extramural research funding from National Science Foundation, Army Research Office and corporations such as Boeing Defense and Merck. He has graduated four Ph.D. students and three master's students, and has mentored two postdoctoral scientists. Dr. Banerjee played a key leadership role in building Washington University's "Cleanroom," a shared user facility for synthesizing nanomaterials. He also led the initiative for a new University consortium – "Solar Energy – Energy Storage," a network of eight international universities developing a common hardware platform for renewable energy reliability assessment. At UCF,

he will be an integral member of the Energy Conversion and Propulsion Cluster. The Department of Materials Science and Engineering and the College of Engineering and Computer Science support the recommendation for tenure with hire.

Mr. David Bjella, Professor
College of Arts and Humanities, School of Performing Arts

Mr. David Bjella received his Master of Music in cello performance from the Peabody Conservatory of Music. He comes to UCF from Stetson University, where he was a tenured professor of music. He has taught worldwide at festivals and his students have performed widely. He was principal cellist with the Orquestra De Pernambuco and co-principal cellist with the IRIS Orchestra, The Quartz Mountain Music Festival and the Interlochen Faculty Orchestra. He was a principal cellist with the Orlando Philharmonic, and has also played with the Cincinnati Symphony Orchestra, the Florida Symphony and the Bellingham Festival Orchestra. Mr. Bjella has extensive experience with chamber ensembles, is an avid recruiter and a widely respected musician. He has several recordings, one of which was on the *New York Times* top ten list. He has extensive experience as a scholar and has an excellent service record. He has been a guest faculty member for the past year and has proven invaluable to the UCF string program. The School of Performing Arts and the College of Arts and Humanities support the recommendation for tenure with hire.

Christa L. Cook, Associate Professor
College of Nursing, Department of Nursing Systems

Dr. Christa L. Cook earned her Ph.D. in nursing sciences at the University of Florida, with a minor in public health. She comes to UCF from the University of Florida College of Nursing, where she was an assistant professor. At UCF, she will fill the newly created population health position and will assume the lead role in the epidemiology course. Dr. Cook's major area of research is HIV prevention and management. She works collaboratively across disciplines and with practitioners from the Florida Department of Health on this research. She has published in highly respected nursing and inter-professional journals and has presented numerous peer-reviewed and invited papers, both nationally and regionally. She brings external NIH funding as a co-investigator on the Southern HIV/AIDS Alcohol Research Consortium, and plans to expand this research to a site in Orlando. Dr. Cook is nationally recognized as a leader in the American Public Health Association, where she chairs the research committee of the Public Health Nursing section. She is a board member and past chair of the regional Ryan White Care Consortium, and a representative to the State of Florida HIV Prevention Planning Group. The Department of Nursing Systems and the College of Nursing support the recommendation for tenure with hire.

Dr. Tyler Fisher, Associate Professor
College of Arts and Humanities, Department of Modern Languages and Literatures

Dr. Tyler Fisher earned his doctoral degree (D.Phil.) in medieval and modern languages from the University of Oxford. He comes to UCF from the University College London, where he has been a tenured lecturer in Peninsular Spanish literary studies. Dr. Fisher has been teaching at the university level since Fall 2005 at University of Oxford and University College London. He has

published widely in the field of early modern Spanish literature (primarily poetry) and has a monograph forthcoming with Oxford University Press. He has extensive teaching experience, and has supervised the research of undergraduate and graduate students. It is anticipated that his strongest impact on the department will be through his developing role in UCF's internationalization efforts and the Honors College. The Department of Modern Languages and Literatures and the College of Arts and Humanities support the recommendation for tenure with hire.

**Timothy A. Gilbertson, Professor of Medicine
College of Medicine, Department of Internal Medicine**

Dr. Timothy Gilbertson earned his Ph.D. in zoology: neurobiology at the University of California, Davis. This was followed by postdoctoral training in anatomy and neurobiology at Colorado State University. He comes to UCF from Utah State University, where he was a tenured professor of biology. Dr. Gilbertson is a neurobiologist with expertise in molecular biology, cellular biology and behavior analysis. A major focus of his research is the study of chemosensation for taste and its role in the neurobiology of appetite, food intake, satiety, obesity and nutrition. He has extensive publications in top tier journals and presentations at high impact scientific meetings, as well as continuous funding from National Institutes of Health (NIH) since 1991. His extramural funding has amounted to approximately \$7 million, including National Science Foundation support. He has an active NIH R01 award through 2019. He has served on numerous NIH study sections, including the role of chair. Dr. Gilbertson has extensive teaching experience at the undergraduate, master's and doctorate levels. He has been a highly successful mentor for graduate students, as supported by their subsequent successes, and is the recipient of the Outstanding Graduate Mentor award at Utah State University. The Department of Internal Medicine and the College of Medicine support the recommendation for tenure with hire.

**Jascinth L .M. Lindo, Associate Professor
College of Nursing, Department of Nursing Systems**

Dr. Jascinth L. M. Lindo earned her Ph.D. in public health and Master of Science in nursing education at the University of the West Indies, Jamaica. She comes to UCF from Barry University in Miami, where she was a tenured associate professor. Dr. Lindo focuses on two major areas of scholarship: Caribbean, primarily Jamaican, health problems and care systems; and nursing pedagogy and work place issues. She has served as a research consultant to the Jamaican Ministry of Health, and has achieved university funding and external funding from the Pan American Health Organization and the Jamaican National Health Fund. Dr. Lindo has authored 29 publications in U.S. and international journals and books, with two more under review. She has regularly presented peer-reviewed and invited papers and posters at international, national and regional conferences for a total of 69 presentations. Dr. Lindo has taught undergraduate and graduate nursing students, and has served on and chaired numerous Ph.D. and master's committees. She has a strong record of public service in Jamaica and Broward County, and an excellent record of college and university service. The Department of Nursing Systems and the College of Nursing support the recommendation for tenure with hire.

**Dr. Christo Pirinsky, Associate Professor
College of Business Administration, Department of Finance**

Dr. Christo Pirinsky received his Ph.D. in finance from The Ohio State University. Prior to joining UCF, he was a financial economist at the U.S. Securities and Exchange Commission. He previously was Senior Economist at Cornerstone Research and held academic appointments at Texas A&M University, California State University, Fullerton and George Washington University. Dr. Pirinsky has a very strong record of academic research publications, with five premium publications in the very top journals of the discipline and seven publications in the highly respected next tier of academic journals in the discipline. He has a rich pipeline of ongoing research and three of his working papers have been invited for resubmission at top-tier academic journals in the areas of economics, finance and law. He has taught undergraduate and graduate courses and received a doctoral program teaching award at George Washington University. He has served on nine Ph.D. dissertation committees. Dr. Pirinsky will be a tremendous asset for the Department's FinTech initiative, as well as its doctoral program. The Department of Finance and the College of Business Administration support the recommendation for tenure with hire.

**Gary D. Rhodes, Associate Professor
College of Arts and Humanities, School of Visual Arts & Design**

Dr. Gary D. Rhodes earned his doctorate (D.Phil.) in film studies at The Queen's University of Belfast. He comes to UCF from The Queen's University of Belfast, where he was a tenured lecturer and head of film studies, as well as postgraduate director of film studies. Dr. Rhodes has authored twenty books, edited various anthologies, and published many academic essays. He has been involved with professional filmmaking since 1991. He works in both fiction and nonfiction modes, making films, television programs, and commercials. In 2016, *The Guardian's* league tables (the equivalent of *US News and World Report's* college rankings) ranked Dr. Rhodes' program as the number one filmmaking department in the United Kingdom. He has been involved with successful internal and external funding for his department. Dr. Rhodes would bring high levels of scholarship and creative activity to the film program, along with administrative experience and expertise to support faculty and undergraduate students while growing the graduate program. The School of Visual Arts and Design and the College of Arts and Humanities support the recommendation for tenure with hire.

**Luis Santiago, Associate Professor
College of Health and Public Affairs, School of Public Administration**

Dr. Luis Santiago received his Ph.D. in city and regional planning from Cornell University. Prior to joining UCF, he was a tenured professor at the University of Puerto Rico. He is an expert in environmental conservation and urban policy and has an established record of scholarly work. Dr. Santiago has published in interdisciplinary and planning journals and presented at national and international conferences. He has had substantial involvement in funded research projects, including awards from the National Science Foundation and National Aeronautics and Space Administration. His interdisciplinary work will support university-wide initiatives at UCF, such as smart cities and urban resilience. His background in working with diverse

communities on a variety of salient urban planning and policy issues through service learning and applied planning projects provides the foundation for new course development. His experience in program management, including curriculum review and advancement, student mentorship, engaging program stakeholders and alumni, and representing his program on college and university level committees will be an asset for the school. The School of Public Administration and the College of Health and Public Affairs support the recommendation for tenure with hire.

Yan Solihin, Professor
College of Engineering and Computer Science, Computer Science

Dr. Yan Solihin earned his Ph.D. in computer science from the University of Illinois. He comes to UCF from North Carolina State University, where he was a tenured professor in the Department of Electrical and Computer Engineering. Since 2016, Dr. Solihin has been on assignment at the National Science Foundation (NSF) in the Division of Computer and Network Systems, where he serves as one of the primary program directors for Secure and Trustworthy Cyberspace. He was inducted into the High Performance Computer Architecture Hall of Fame and is a senior member of the Institute of Electrical and Electronics Engineers. Dr. Solihin is the recipient of over \$4.2 million in funding, including awards from NSF and corporations such as Samsung, Intel and IBM. He has published more than 90 papers in computer architecture and systems and has authored more than 40 patents. His H-index is 31 with over 4,800 citations of his work. He has presented numerous peer-reviewed and invited papers worldwide. He has graduated 13 Ph.D. students and 8 master's students who have collectively gone on to work at well-known institutions. At UCF, he will lead the Cyber Security and Privacy Cluster. The Department of Computer Science and the College of Engineering and Computer Science support the recommendation for tenure with hire.

Nora Warshawsky, Professor
College of Nursing, Department of Nursing Systems

Dr. Nora Warshawsky received her Ph.D. in nursing and health systems from the University of North Carolina at Chapel Hill. She comes to UCF from the University of Kentucky, where she was a tenured associate professor. Dr. Warshawsky has secured external funding in her chosen areas of research, nurse manager work environment and nursing workforce development, from both the Health Resources and Services Administration and private foundations. She has published 22 peer-reviewed or invited manuscripts in well-respected nursing administration journals, and more than 40 regional, national, international or invited presentations. She is a fellow in the American Academy of Nursing. Dr. Warshawsky is a national leader in high-level nursing organizations such as the American Nurses Credentialing Center, American Organization of Nurse Executives, and the Council on Graduate Education for Administration in Nursing, where she is currently president-elect. Her academic experience will add to the cadre of professors who specialize in graduate education of nurse leaders, and move UCF further toward the goal of increased enrollment in these programs. Her demonstrated ability to achieve external funding in a highly competitive nursing specialty will enhance our goal for higher levels of funded research. The Department of Nursing Systems and the College of Nursing support the recommendation for tenure with hire.

Peter D. Weishar, Professor
College of Arts and Humanities, Department of Theatre

Mr. Peter D. Weishar received his B.A. with Honors in Studio Art from Union College. He comes to UCF from Florida State University, where he was a tenured professor in the Jim Moran School of Entrepreneurship, previously serving as Dean of the College of Fine Arts. Prior to that, he was Dean of Film, Digital Media and Performing Arts at the Savannah College of Art and Design. Mr. Weishar started his professional career as one of the first artists in the field of digital art and 3D computer animation. He has published three successful books on digital art and animation. He is recognized throughout the industry as the expert in tying education into the profession of themed entertainment. During his tenure at the Savannah College of Art and Design, Mr. Weishar initiated a groundbreaking program in themed entertainment with a partnership and collaboration with Walt Disney Imagineering. He taught the first academic class where Disney allowed their name and facilities to be used by an outside institution. Last year, Mr. Weishar established, and served as director of, the Themed Experience Institute at Florida State University. Recently, he was elected to serve a two-year term as a member of the Themed Entertainment Association Eastern Division Board. The Department of Theatre and the College of Arts and Humanities support the recommendation for tenure with hire.

Cyrus Ali Zargar, Associate Professor
College of Arts and Humanities, Department of Philosophy

Dr. Cyrus Ali Zargar received his Ph.D. in Near Eastern Studies from the University of California, Berkeley. He comes to UCF from Augustana College in Rock Island, Illinois, where he was a tenured associate professor of religion, co-director of the Honors Program and director of the Interreligious Leadership Program. Dr. Zargar's research focuses on Classical Sufism and Islamic Philosophy. He has published two books (with another forthcoming), six journal articles (with one forthcoming), four book chapters and one encyclopedia article, and has presented at numerous invited lectures and conferences. He is book review editor for *The Journal of the Muhyiddin Ibn 'Arabi Society* and past editor-in-chief for *The Journal of Associated Graduates in Near Eastern Studies*. Dr. Zargar has extensive teaching experience, has served on doctoral examination and doctoral dissertation committees, and has served as an undergraduate advisor. He will engage in teaching, service, and scholarly activities relating to Islamic Studies and he will continue the development of a program of excellence in Islamic Studies. The Department of Philosophy and College of Arts and Humanities support the recommendation for tenure with hire.

ITEM: EP-2

EDUCATIONAL PROGRAMS COMMITTEE
University of Central Florida

SUBJECT: Academic Degree Program Termination

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approval to terminate Academic Degree Program: Master of Science in Conservation Biology

BACKGROUND INFORMATION

Each University Board of Trustees has the responsibility and authority to approve termination of degree programs at the bachelor, masters, advanced masters, and specialist level in accordance with regulation 8.012. Upon termination of a degree program, the university will notify the Board of Governors, Office of Academic and Student Affairs within four weeks of the University Board of Trustees decision.

Prepared by: M. Paige Borden, Associate Provost for Academic Program Quality and Associate Vice President for Institutional Knowledge Management

Submitted by: Elizabeth A. Dooley, Interim Provost, Vice Provost for Teaching and Learning, Dean, College of Undergraduate Studies and Professor, College of Education and Human Performance

Attachment A

Revised 12/2016

Board of Governors, State University System of Florida
ACADEMIC DEGREE PROGRAM TERMINATION FORM
In Accordance with BOG Regulation 8.012

UNIVERSITY: University of Central Florida

PROGRAM NAME: Master of Science in Conservation Biology

DEGREE LEVEL(S): M **CIP CODE:** 26.1307
(B., M., Ph.D., Ed.D., etc.) (Classification of Instructional Programs)

ANTICIPATED TERMINATION TERM: F2017
(First term when no new students will be accepted into the program)

ANTICIPATED PHASE-OUT TERM: F2019
(First term when no student data will be reported for this program)

Please use this form for academic program termination. The form should be approved by the University Board of Trustees (UBOT) prior to submission to the Board of Governors, State University System of Florida for consideration. Please fill out this form completely for each program to be terminated in order for your request to be processed as quickly as possible. Attach additional pages as necessary to provide a complete response. In the case of baccalaureate or master's degree programs, the UBOT may approve termination in accordance with BOG Regulation 8.012, with notification sent to the Board of Governors, Office of Academic and Student Affairs. For doctoral level programs please submit this form with all the appropriate signatures for Board of Governors' consideration. The issues outlined below should be examined by the UBOT when approving program terminations.

1. Provide a narrative rationale for the request to terminate the program.

The Department of Biology, the original home of the program, is not interested in supporting this program at any administrative level (e.g., admission, advising, assessment). The College of Graduate Studies does not have the staff or expertise to support and administer the program.

Revised 12/2016

- 2. Indicate on which campus(es) the program is being offered and the extent to which the proposed termination has had or will have an impact on enrollment, enrollment planning, and/or the reallocation of resources.**

The program is offered on the main campus. Termination should have very little impact on enrollment, enrollment planning, or reallocation of resources. Although the program was extremely popular, it has not been well supported recently, so fewer students have inquired about it. In addition, the College of Graduate Studies has developed a Conservation Biology track through its Interdisciplinary Studies MS program, allowing students to continue to work towards a degree focusing on issues in conservation biology.

- 3. Explain how the university intends to accommodate any students or faculty who are currently active in the program scheduled to be terminated. State what steps have been taken to inform students and faculty of the intent to terminate the program. Please provide the date when the teach-out plan was submitted to SACSCOC, if applicable.**

Students have been informed that we will support them through completion of their program. The teach-out plan was created in mid-August 2017 and was probably submitted to SACSCOC soon after.

- 4. Provide data (and cite sources) on the gender and racial distribution of students in and faculty affiliated with the program. For faculty, also list the rank and tenure status of all affected individuals.**

Current students are all white, with 2/3 female (active students report, GradInfo). Since courses are taught through the departments of Biology, Public Administration, Business, Communications, and elsewhere, no faculty are affected by this termination. They will continue to teach courses within their own disciplines.

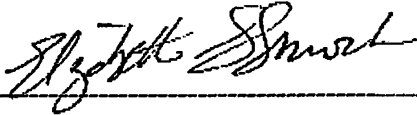
- 5. Identify any potential negative impact of the proposed action on the current representation of females, minorities, faculty, and students in the program.**

None anticipated.

- 6. If this is a baccalaureate program, please explain how and when the Florida College System (FCS) institutions have been notified of its termination so that students can be notified accordingly.**

N/A


Revised 12/2016



Signature of Requestor/Initiator

6/15/2018

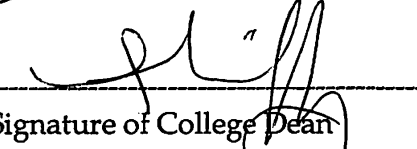
Date



Signature of Campus EO Officer

6/19/18

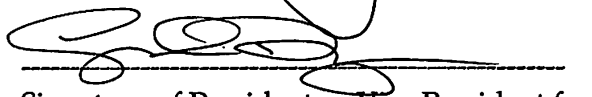
Date



Signature of College Dean

6/19/18

Date



Signature of President or Vice President for Academic Affairs

6/22/18

Date

Date Approved by the Board of Trustees

Date

Signature of the Chair of the Board of Trustees

Date

ITEM: EP-3

EDUCATIONAL PROGRAMS COMMITTEE
University of Central Florida

SUBJECT: Conferral of Degrees

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approval of Conferral of degrees: Summer 2018 commencement ceremonies.

BACKGROUND INFORMATION

UCF expects to award the following degrees at the Summer 2018 commencement ceremonies on August 4, 2018:

3,169	baccalaureate degrees
541	master's degrees
<u>110</u>	doctoral and specialist degrees
3,820	Total

Supporting documentation: Attachment A: Registrar's Graduation Count

Prepared by: Brian Boyd, University Registrar, Registrar's Office

Submitted by: Elizabeth A. Dooley, Interim Provost, Vice Provost for Teaching and Learning, Dean College of Undergraduate Studies and Professor, College of Education and Human Performance

Attachment A

UCF Summer 2018 Commencement

Note: Procession of graduates begins 20 minutes prior to each ceremony.

*Projected Attending (Baccalaureate only) is an estimate based on 77% attending rate.

College	Baccalaureate				Master's				Doctorate			
	Intent to graduate	Projected* attending	Picked-up cap and gown	Head-count	Intent to graduate	Indicated attending	Picked-up cap and gown	Head-count	Intent to graduate	Indicated attending	Picked-up cap and gown	Head-count
Saturday, 8/4, 9:00 a.m.												
College of Arts and Humanities	215	166			16	16			3	3		
College of Business Administration	427	329			55	55			3	3		
College of Education and Human Performance	194	149			101	101			31	31		
* Education Specialists	0	0	0	0	2	2			0	0	0	0
College of Graduate Studies	0	0	0	0	5	5			0	0	0	0
College of Undergraduate Studies	196	151			0	0	0	0	0	0	0	0
College of Nursing	253	195			32	32			2	2		
Rosen College of Hospitality Management	243	187			16	16			2	2		
College Totals:	1,528	1,177	0	0	227	227	0	0	41	41	0	0
Total Students Anticipated in Attendance:	1,445											
Saturday, 8/4, 2:30 p.m.												
College of Engineering and Computer Science	263	203			44	44			40	40		
College of Health & Public Affairs	623	480			197	197			3	3		
College of Medicine	83	64			18	18			2	2		
College of Optics and Photonics	2	2			9	9			2	2		
College of Sciences	670	516			46	46			22	22		
College Totals:	1,641	1,264	0	0	314	314	0	0	69	69	0	0
Total Students Anticipated in Attendance:	1,647											
Degree level ITG totals:	3,169				541				110			
Combined ITG submissions:	3,820											
All ceremony projected* attending:	3,091	80.9% of all ITG's										
Anticipated attendance - cap/gown pickup:	0	0.0% of all ITG's										
Headcount totals:	0	0.0% of all ITG's										

ITEM: FF-6

**University of Central Florida
Board of Trustees**

SUBJECT: 2018-19 College of Medicine Self-insurance Program Budget

DATE: July 19, 2018

PROPOSED BOARD ACTION

Recommend approval of the 2018-19 Self-insurance Program budget presented by the College of Medicine.

BACKGROUND INFORMATION

With approval of the Finance Committee and Board of Trustees, the UCF College of Medicine Self-insurance Program was established July 1, 2009, to provide comprehensive professional and general liability protection in connection with delivery of health care services. The Self-insurance Program is operated by the UCF College of Medicine Self-insurance Program Council in accordance with section 10.001(1)(c)(4) of the Florida Board of Governors Regulations. To enhance economies of scale and expertise, the program is administered by the University of Florida Self-insurance Program.

Since 2009, the UCF Self-insurance Program has provided liability protection for clinical activities of the College of Medicine's faculty, students, and residents. In 2010, the Council approved the inclusion of health care providers from the Colleges of Nursing, College of Health and Public Affairs, and UCF Student Health. July 2014 saw the addition of Counseling and Psychology Services included in the program.

Supporting documentation: Attachment A: 2018-19 Operating Budget
Attachment B: Three-year Historical Trend

Prepared by: Deborah C. German, Vice President for Medical Affairs and
Dean of the College of Medicine
Steven Omli, Assistant Dean of Medical School Finances

Submitted by: William F. Merck II, Vice President for Administration and Finance
and Chief Financial Officer

Attachment A

University of Central Florida College of Medicine Self-insurance Program <u>Proposed</u> Operating Budget	
	<u>2018-19</u>
OPERATING REVENUE	
Assessments	\$2,203,565
Total operating revenue	2,203,565
OPERATING EXPENSES	
Annual premium contribution expense	\$1,576,417
Excess coverage premium expense	75,727
Clarity claims reporting system	5,833
Total premium and loss expenses	1,657,977
Contracted services expense (UF Self-insurance Program)	545,588
Total operating expenses	2,203,565
Net Income (Loss) from Operations	\$0

Note: The Self-insurance Program was capitalized in the amount of \$1,000,000 in 2010-11, 2011-12, and 2012-13 for a total of \$3,000,000.

Terms Used

Assessments represents liability premiums funded from the respective covered colleges and health care providers out of their annual operating budgets. These assessments fund contributions for allocated liability risk, expense for excess coverage premiums, and contracted services expenses for management services provided by the University of Florida's Self-insurance Program.

Annual premium contribution expense represents the liability premiums paid into the UCF Self-insurance Program.

Excess coverage premium expense represents the additional coverage provided through the University of Florida's captive insurance company.

Contracted services expense represents services provided by the University of Florida's Self-insurance Program, including administration, training, risk management, and claims review and management.

Attachment B

	Actual		Estimated
	2016-17	2017-18	2018-19
Total Covered FTE:	346.00	822.43	975.25
Contributions			
Annual Premium	\$ 492,525	\$ 1,404,196	\$ 1,576,417
Excess Coverage Premium	37,000	48,044	75,727
Clarity Claims Reporting System	5,833	5,833	5,833
Contracted Services (SIP Administration)	235,245	464,934	545,588
Total Contributions:	\$ 770,603	\$ 1,923,007	\$ 2,203,565
Contribution per Covered FTE	\$ 2,227	\$ 2,338	\$ 2,259

ITEM: NG-1

**University of Central Florida
Board of Trustees**

SUBJECT: Appointment of Board Members to the UCF Foundation

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve the appointment of new board member candidates to the UCF Foundation Board of Directors.

BACKGROUND INFORMATION

Florida Statute 1004.28(3) now requires that the university board of trustees approve all board appointments to direct support organizations.

Supporting documentation: Attachment A: New Board Member Candidate Bios

Prepared by: Scott Cole, Vice President and General Counsel

Submitted by: Scott Cole, Vice President and General Counsel

Attachment A

Advancement | UCF Foundation, Inc.

Sara Wellens Bernard '00
UCF Foundation Board Candidate



Sara Wellens Bernard is a current Partner at Broad and Cassel, Attorneys at Law in Orlando, FL. Bernard has handled a wide range of transactions as counsel for developers, builders, institutional lenders, and public and private entities. She has extensive experience in negotiating, drafting and successfully closing complex commercial and residential purchase/sale transactions, and has handled all aspects of the development (including infrastructure development and the formation of community development districts), management and operation of, all types of real estate including retail shopping centers, office buildings, industrial parks, medical and technology clusters, senior-living centers, hospitals, golf courses, large scale mixed-use developments, residential subdivisions, apartments, and condominiums.

Bernard is an AV Preeminent®-rated attorney by Martindale-Hubbell, achieving the rating agency's highest marks for both competency and ethics. She has been recognized by Woodward and White's top legal guide "The Best Lawyers in America" in the 2014- 2017 editions and "Chambers USA: A Guide to America's Leading Business Lawyers" for Real Estate in 2014 and 2015.

She was named to *Orlando Business Journal's* 2014 "40 Under 40" list, honoring Central Florida's brightest young business people.

Advancement | UCF Foundation, Inc.

Clint Bullock '95 **UCF Foundation Board Candidate**



Clint Bullock is Chief Executive Officer and General Manager of the Orlando Utilities Commission (OUC). In this role, Bullock heads OUC's department responsible for delivery of power and water. Clint served as Vice President of the Energy Delivery unit and Vice President of Strategic Planning prior to this role.

Clint received his bachelor's degree in Marketing from the University of Central Florida in 1995.

Clint is married to fellow UCF graduate Deborah Slone Bullock. Deborah graduated from UCF in 1994 and is a Marketing Executive at Martin Federal Credit Union. The couple has 3 children together. They have been football and basketball season ticket holders since 2006 and attend many alumni events. Clint has served as a board member for Ronald McDonald House of Central Florida and the UCF Alumni Board.

Advancement | UCF Foundation, Inc.

Brian Butler **UCF Foundation Board Candidate**



Brian Butler is the President and CEO of JCB Construction, Inc. the leading minority firm in Central Florida for site development and construction management services.

Butler joined the family business in 1999 as director of operations. He stepped into the president's job in 2006. In his first eight years at JCB, Butler steered the company into doubling its work force to about 100 employees and more than quadrupled its sales, pulling \$24 million in 2005 and \$28 million in 2006.

Although JCB has done a wide range of residential, commercial and government projects, including multimillion-dollar contracts at Sand Lake Hospital, Universal Studios, Orange County Public Schools and Walt Disney World, it perhaps best known for its work – commercial and charitable – in the struggling, historically black neighborhoods on Orlando's west side. Other clients include: Hughes Supply, Orlando Science Center, Orange County Convention Center, Orange County Courthouse, Stanton Energy Plant, Orlando

Executive Airport, Frito Lay Distribution Center, FAMU Law School, Thornton Park and Celebration Master Community.

Prior to joining the family business, Butler was a district sales manager for Johnson & Johnson.

Advancement | UCF Foundation, Inc.

Chris Tomasso '93 **UCF Foundation Board Candidate**



A 20-year veteran of the restaurant industry, **Chris Tomasso** manages the marketing, culinary and operations of the First Watch brand. Chris led First Watch's complete re-branding effort, which included a new brand positioning platform, new restaurant prototype and new company logo and tagline. Chris previously served as Vice President of Marketing for Cracker Barrel Old Country Store, Inc., where he handled the company's brand development, advertising, marketing and public relations.

Chris also spent more than 10 years with Hard Rock Café International, one of the world's most recognizable brands. There, he served as Vice President of Worldwide Marketing. Chris holds a degree in Journalism with a specialty in advertising and public relations from the University of Central Florida.

He was named a Top Private Company CMO in 2012 by ExecRank and currently serves on the Marketing Advisory Board for Share Our Strength's Dine Out for No Kid Hungry and the Board of Directors for the National Restaurant Association's Marketing Executive Group. He has also served on the Board of Directors for the University of Central Florida's Alumni Association.

ITEM: NG-2

**University of Central Florida
Board of Trustees**

SUBJECT: Appointment of Board Members to the UCF Research Foundation

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve the appointment of new board member candidates to the UCF Research Foundation Board of Directors.

BACKGROUND INFORMATION

Florida Statute 1004.28(3) now requires that the university board of trustees approve all board appointments to direct support organizations.

Supporting documentation: Attachment A: New Board Member Candidate Bios

Prepared by: Scott Cole, Vice President and General Counsel

Submitted by: Scott Cole, Vice President and General Counsel

Ed Alexander

As the founder of Alexander Abramson, PLLC (formerly Entrepreneurship Law Firm), in Orlando, Florida, Ed has represented closely held businesses and professionals in corporate, business, and commercial law, securities, technology and intellectual property licensing, and corporate finance. Since becoming a lawyer in 1993, he has been primary counsel to clients for business acquisitions and sales, financing transactions, technology licensing and intellectual property assets, creation of partnership agreements, LLC operating agreements, shareholder agreements, employment agreements, and stock-option plans. Ed is also a Florida licensed business broker and a shareholder of Fitzgibbon Alexander, Inc., a Central Florida consulting, business valuation, and business brokerage firm. Prior to attending law school, Ed held technical and business positions with technology companies, including with a pacemaker manufacturer, custom integrated circuit manufacturer and laser bar code manufacturer. He has been part of teams that coded software and designed hardware for the first generation of defibrillator pacemakers, as well as custom analog and digital integrated circuits used in, among other applications, automobiles and hearing aids. Ed is the 2018 Chair of the Small Business Resource Network of the University of Central Florida Small Business Development Center, has taught New Venture Finance as an Adjunct Professor for the University of Central Florida (School of Business), and was 2007 Chairman of the East Orlando Chamber of Commerce.

Waymon Armstrong

Waymon Armstrong is founder and chief Executive officer of Engineering & Computer Simulations Inc. (ECS) – an Orlando-based firm that defines innovation in the leading-edge field of modeling, simulation and training. Armstrong's company specializes in advanced training solutions that improve the performance of military personnel, first responders and corporate employees. So he spends much of his day thinking about simulating disasters that will make emergency response teams better and faster, or ensure soldiers have medical skills that save lives on the battlefield. Armstrong has more than 100 employees to help, but 20 years ago he started ECS with a vision, a lot of passion and his personal life savings. After three years, the company was not generating enough revenue to pay him even a small salary. Armstrong had remortgaged his home, invested the last of the life savings, and incurred \$300,000 in credit card debt. His accountant encouraged filing for bankruptcy, but Armstrong continued and ultimately landed ECS's first large assignment for the U.S. military. Additional contracts followed and ECS built its reputation as a leading supplier of combat simulations training. ECS developed the first online virtual hospital for the U.S. Department of Veterans Affairs (VA) and is designing an online simulations learning center that will train VA doctors and staff across the globe. Armstrong was selected CEO of the Year in 2014 (Orlando Business Journal), Entrepreneur of the Year in 2013 (I4 Business) and National and State Small Business Person of the Year in 2010 (national and state Small Business Administration). Waymon was a three time finalist for E&Y Florida's Entrepreneur of the year award. Armstrong has served on numerous boards. He currently chairs Orange County Mayor Teresa Jacobs' Modeling and Simulation Blue Ribbon Commission and is past chair of Orlando Inc. He is a frequent speaker at national and regional conferences and was the keynote speaker at the 2015 Interservice/Industry Training Simulation and Education Conference. He was Leadership Orlando past Chair Class of 92.

Terri Finkel

Terri Finkel, M.D., Ph.D. is a pediatric rheumatologist and immunologist. She serves as the Chair of Pediatrics, Chief Scientific Officer, and Acting Medical Officer at Nemours Children's Hospital. Dr. Finkel is also a tenured Professor of Pediatrics in UCF's College of Medicine. She earned her B.S. in Biology, her M.D., and her Ph.D. in Biochemistry/Biophysics at Stanford. She also earned an honorary M.A. from the University of Pennsylvania. She is known for her research into auto-immunity, AIDS, juvenile rheumatoid arthritis, lupus, and cancer. Her work has been recognized in more than 100 publications. She has received honors from several organizations for her work, including the American College of Rheumatology, Arthritis Foundation, Henry Kunkel Society, the Lupus Foundation of America, and the Pediatric AIDS Foundation, and was inducted into the Colorado Women's Hall of Fame in 1996 for her research into t-cells.

Benjamin Patz

Benjamin Patz is a Founding Partner and Managing Director at the FAN Fund, an early stage investment fund focused on finding and supporting technology startups in the state of Florida. The FAN Fund has been in operation since October 2015. Prior to starting the FAN Fund, Mr. Patz was Chief Operating Officer for Presidio Networked Solutions, a multi-billion-dollar Information Technology solutions provider. He joined Presidio through the acquisition of Coleman Technologies, Inc. in 2009, the firm he co-founded and ran as CEO. At CTI, he grew sales to \$250M while staying active in technical pursuits such as leading the UCF/CTI team to the finals of the DARPA Urban Challenge, an autonomous vehicle competition. Mr. Patz has also been principal investigator on several SBIR grants relating to the application of Fuzzy Logic and Neural Networks to control systems. He has a BSEE from Rensselaer Polytechnic Institute and MSEE degree from the University of Central Florida. Mr. Patz has been actively involved on the UCF College of Engineering and Computer Science Dean's Advisor Board for almost 20 years. He was Ernst & Young's Entrepreneur of the Year award for Florida in 2002 and received UCF's Professional Achievement Award in 2006 and 2016.

ITEM: NG-3

**University of Central Florida
Board of Trustees**

SUBJECT: Appointment of Board Member to Limbitless Solutions

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve the appointment of a new board member candidate to the Limbitless Solutions Board of Directors.

BACKGROUND INFORMATION

Florida Statute 1004.28(3) now requires that the university board of trustees approve all board appointments to direct support organizations.

Supporting documentation: Attachment A: New Board Member Candidate Bio

Prepared by: Scott Cole, Vice President and General Counsel

Submitted by: Scott Cole, Vice President and General Counsel

Attachment A

Dr. Elizabeth A. Klonoff is the Vice President for Research and Dean of the College of Graduate Studies at the University of Central Florida. She joined UCF in 2016 from a joint appointment with San Diego State University and the University of California, San Diego, where she served as the co-director of the joint doctoral program in clinical psychology.

A clinical and health psychologist, Dr. Klonoff received her Ph.D. in clinical psychology from the University of Oregon. She was an Assistant Professor in the Departments of Psychiatry and Obstetrics and Gynecology at Duke University School of Medicine and then an Assistant Professor in the Departments of Psychiatry and Neurology at Case Western Reserve University School of Medicine and Director of the Behavior Therapy/Behavioral Medicine Clinic at University Hospitals of Cleveland.

She serves as Senior Associate Editor for Training and Education in Professional Psychology and Associate Editor for the American Psychologist and has conducted research projects on tobacco control, sexism, racism, and physical and mental health. She has published widely on culture and gender diversity in clinical psychology, behavioral medicine, and preventive medicine and is a Fellow of the American Psychological Association in multiple divisions.

In her position at UCF she is charged with advancing UCF's reputation and impact as a 21st-century metropolitan research university by growing graduate enrollment, specifically for research-focused degrees, and elevating the scale and quality of its research.

ITEM: NG-4

**University of Central Florida
Board of Trustees**

SUBJECT: Appointment of Board Member to UCF Academic Health

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve the appointment of a new board member candidate to the UCF Academic Health Board of Directors.

BACKGROUND INFORMATION

Florida Statute 1004.28(3) now requires that the university board of trustees approve all board appointments to direct support organizations.

Supporting documentation: Attachment A: New Board Member Candidate Bio

Prepared by: Scott Cole, Vice President and General Counsel

Submitted by: Scott Cole, Vice President and General Counsel

Attachment A

Phyllis A Klock is the retired President and Chief Operating Officer of CompBenefits Corporation. A dental and vision benefits company serving five million members in the US South and Midwest, CompBenefits grew to over \$350 million in revenues by the time of its sale to Humana in 2006.

A Charter Member of the Board of Trustees of the University of Central Florida, Phyllis served the university in this capacity from 2001 to 2012 and was named as a Trustee Emerita in 2012. In 2014 she was honored as Doctor of Commercial Sciences. Phyllis continues to be very involved with UCF as the immediate Past Chair of the UCF Foundation Board and current Chair of its Governance Committee, Board Member and Member of the Executive Committee of the UCF Athletics Association, Past President of the Town & Gown Council, and Past Chair of the Central Florida Wesley Foundation. She also serves as Board Member – Bridgewater State University Foundation, Board Member and Secretary of the Laity Council of Asbury United Methodist Church, Board Member for Agua Viva Serves, member of the Board of Higher Education and Campus Ministry of the Florida Conference of the United Methodist Church, member of the Board of Directors of the Florida United Methodist Foundation, volunteer at Hungerford Elementary School in Eatonville, and Reading Pals volunteer at Three Points Elementary School.

Phyllis received her Bachelor of Science degree from Bridgewater State University in 1967 and pursued graduate studies at the University of Illinois and Virginia Tech. Prior to joining CompBenefits she coordinated business graduate programs at UCF and Texas Tech University and held various positions in insurance company administration. Her professional designations include that of Fellow of the Life Management Institute (FLMI).

ITEM: NG-5

**University of Central Florida
Board of Trustees**

SUBJECT: Amendments to University Regulation UCF-3.0031

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve amendments to University of Central Florida Regulation UCF-3.0031 Tuition Waiver Benefit Program.

BACKGROUND INFORMATION

Florida Board of Governors Regulation 1.001 provides that “Each Board of Trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedure adopted by the Board of Governors.”

Regulation UCF-3.0031 clarifies employee eligibility for the tuition waiver benefit program.

Supporting documentation: Attachment A: Proposed Amended Regulation UCF-3.0031 (redline)

Prepared by: Youndy Cook, Deputy General Counsel

Submitted by: Scott Cole, Vice President and General Counsel

Attachment A

UCF-3.0031 Tuition Waiver Benefit Programs

(1) The University offers an employee benefit program to provide limited tuition waivers to eligible employees to enroll in up to six (6) credit hours in eligible courses on a space available basis. For purposes of the tuition waiver benefit program, “eligible employee” is defined as an employee of the University of Central Florida (UCF) employed full-time in an eligible position and paid through UCF Payroll Services. Eligible positions include all full-time positions in the Faculty, Administrative and Professional (A&P), and University Support Personnel System (USPS) pay plans. ~~Post-Doctoral scholars/associates, OPS non-students, adjunct faculty and medical residents are not eligible for the tuition waiver benefit. Those~~ employees in an otherwise eligible position remain eligible for the tuition waiver benefit program while, ~~including those~~ employees on sabbatical, professional development, grants-in-aid, and medical leave. “Full Time” is defined as working 30 or more hours per week.

(2) Contingent Waiver Program for Qualifying Spouses or Dependent Children of Eligible Employees.

(a) Many eligible University employees cannot or do not make use of the available employee tuition waiver benefit. The University finds that creating a contingent tuition waiver program for eligible employees’ spouses and dependent children under the age of 26 would support and enhance the mission of the University, including through supporting recruitment and retention efforts. Therefore, subject to all admissions and other academic requirements and subject to the limitations outlined in this regulation, the University hereby authorizes a contingent waiver program for the benefit of an eligible employee’s spouse or dependent child(ren) under the age 26. Specifically, if an eligible employee does not make use of the employee tuition waiver benefit program or does not make use of the full six credit hour benefit, then the qualifying spouse and/or dependent child(ren) of the eligible employee may receive a tuition waiver for that number of credit hours, up to six credit hours, not used by the employee for the purpose of enrolling in eligible courses on a space available basis per semester. This contingent waiver may be used by up to two individuals during any given semester.

(b) For purposes of this contingent waiver, a qualifying spouse or dependent child of an eligible employee must meet all of the eligibility requirements outlined below and must follow all University requirements regarding admissions, enrollment,

and documentation. For purposes of this contingent waiver, “dependent child of an eligible employee” is defined as any natural, adopted or step child of the employee, or any other child for whom the employee is a legal guardian, who is under the age of 26 at the time of enrollment.

(3) Space in a course shall be considered to be available only when:

- (a) The direct cost to the University of the course does not increase for each student enrolled therein (as would be the case for such courses as Thesis, Dissertation, Directed Independent Study, Directed Research, etc.).
- (b) The course is not based on educational experiences outside the University that are dependent upon the coordination with and commitment of University partners (as would be the case for Internship, Practicum, Study Abroad, Clinical Training courses, etc.).
- (c) The enrollment does not result in a class size in excess of the maximum established by room capacity or educational requirements for the particular course sought.

(4) Eligibility.

- (a) Academic Requirement: Any UCF employee or qualifying spouse or dependent child of an eligible employee who intends to enroll for the first time at UCF for tuition waiver courses under the waivers outlined in this regulation must possess a high school diploma or its equivalent (e.g., GED) and meet the University’s admission requirements.
- (b) Administrative Approvals: Any UCF employee who intends to enroll for tuition waiver courses at UCF is required to comply with administrative prerequisites for tuition waiver enrollment.

(5) Registration. In order to receive the tuition waivers outlined in this regulation, the eligible UCF employee or qualifying spouse or dependent child must register at the time and date published in the UCF class schedule for such registration for the semester in which the courses are to be taken. University employees using the employee tuition waiver and contingent waiver recipients under this regulation shall be allowed to register two hours ahead of state employees.

(6) Limitations on Tuition Waiver Benefit Program.

- (a) If all administrative approvals have been received, the eligible employee or qualifying spouse or dependent child may enroll for up to six (6) credit hours each

semester at UCF as a regular student using the tuition waiver benefits outlined in this regulation.

- (b) The tuition waivers outlined in this regulation cannot be used in conjunction with any other tuition waiver or exemption that would cover the same courses.
- (c) The University has the authority to designate which UCF courses are classified as eligible for the tuition waivers outlined in this regulation.
- (d) Courses ineligible for the tuition waivers outlined in this regulation include, but are not limited to: courses offered through other State Universities, State Colleges; Continuing Education classes or courses; Graduate Medical Education programs; Cost Recovery programs; Market Rate programs; independent study; supervised research; supervised teaching labs; thesis hours; dissertation; internships; co-ops; or applied, individualized instruction in Music, Art or Dance. Penalty Fees, including excess hour fees and repeat course fees, are not covered by the tuition waivers outlined in this regulation.
- (e) Tuition waivers may be subject to income taxation. Please refer to the Eligibility Guidelines and Procedures for more information, available at <http://hr.ucf.edu/current-employees/tuition-waiver-program/>.

Authority: BOG Regulation 7.008. History—New 4-30-81, Formerly 6C7-3.031, Amended 1-6-93, 3-16-03; Formerly 6C7-3.0031, Amended 6-18-09, 10-10-16, _____-18.

ITEM: NG-6

**University of Central Florida
Board of Trustees**

SUBJECT: Amendments to Chapter 4 University Regulations

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve amendments to University Regulations relating to the use of university facilities. The regulations to be amended are: University Regulations UCF-4.029 (Use of University Facilities; Definitions; Priority of Use; Restrictions of Use), UCF-4.0292 (Potentially Hazardous Events); UCF-4.0293 (Use of University Facilities by the Campus Community; Campus Demonstrations and Other Outdoor Events; Limitations on Use of University Facilities by Non-University Organizations and Persons); and UCF-4.0294 (Use of University Facilities; General Requirements).

BACKGROUND INFORMATION

Florida Board of Governors Regulation 1.001 provides that “Each Board of Trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedure adopted by the Board of Governors.”

Supporting documentation: Attachment A: Proposed Amended Regulation UCF-4.029 (redline)
Attachment B: Proposed Amended Regulation UCF-4.0292 (redline)
Attachment C: Proposed Amended Regulation UCF-4.0293 (redline)
Attachment D: Proposed Amended Regulation UCF-4.0294 (redline)

Prepared by: Youndy Cook, Deputy General Counsel

Submitted by: Scott Cole, Vice President and General Counsel

Attachment A

UCF-4.029 Use of University Facilities; Definitions; Priority of Use; Restrictions on Use

(1) Definitions. For the purposes of University Regulations UCF-4.010 and UCF-4.029 through UCF-4.0293, the following definitions apply:

- (a) “University” means the University of Central Florida.
- (b) “University campus” or “campus” means all grounds and buildings of the University of Central Florida ~~those lands located in Orange County, Florida, or located in the City of Orlando, Florida,~~ occupied or controlled by the University or under the guidance, supervision, regulation, or control of the University of Central Florida, ~~along with any other educational or residential facilities controlled by the University within the seven county service area of the University.~~ “University campus” or “campus” does not include those facilities occupied by the University in leased or shared-use facilities; instead, events at those facilities must comply with policies and procedures proscribed by the owner of the facility. (E.g., Seminole State College establishes guidelines for events at Seminole State College, including in those areas used by the University of Central Florida.) “University campus” or “campus” also does not include Research Park or affiliated housing.
- (c) “University facilities” means all buildings ~~(inclusive of building curtilage)~~ and grounds, including athletic and recreational fields, on the University campus.
- (d) “Instructional space” means all University facilities used primarily for the conduct of scheduled classes and other academic activities, including but not limited to classrooms, laboratories, studios, theaters, auditoriums, and lecture halls.
- (e) An “event” is a gathering or activity, typically involving multiple persons. A gathering or activity does not have to be scheduled in advance to constitute an event.
- (f) A “potentially hazardous event” is a gathering or activity that, due to the size of the gathering or the nature of the activity, could reasonably be expected to create a risk of harm to persons or damage to property. Potentially hazardous events are also subject to the requirements of University Regulation UCF-4.0292.

- (g) “March” means an organized walk, run, or procession by a group of people for a specific cause or issue where the organizer does or could reasonably expect at least 50 people to participate.
- (h) “Parade” means a public procession, ~~usually-sometimes~~ including a marching band or float(s) and often of a celebratory nature, held in honor of an anniversary, event, person, cause, etc.
- (i) “University organizations” are defined for purposes of use of University facilities as colleges, schools, divisions, departments, institutes, or centers of the University; the Student Government Association; and certain corporate organizational units that operate for the benefit of the University (including but not limited to all University direct support organizations,).
- (j) “University-related organizations” are defined for purposes of use of University facilities as registered student organizations; honor societies officially recognized by the University; and those organizations that, although not officially recognized or registered by or affiliated with the University or otherwise failing to meet the definition in paragraph (i) above, are related to the University because they promote the interests of the University or perform other service to the University, such as nationally or regionally organized academic professional associations or professional fraternal societies supported by an academic unit. For purposes of this and other regulations governing the use of University facilities, other public educational institutions and other governmental agencies of and within the State of Florida may be treated as “University-related organizations” at the discretion of the University, ~~the UCF Federal Credit Union, charitable community organizations, other public educational institutions, and governmental entities.~~
- (k) “Non-university organizations” are defined for purposes of use of University facilities as persons or organizations that do not meet the definitions in paragraphs (i) and (j), immediately above. “Non-university organizations” include unregistered student groups; candidates for election to public office; organizations supporting such candidates; charitable organizations; organizations that exist primarily for the purpose of carrying on commercial activity for profit; and those persons whose activities are primarily for private gain or benefit.

(l) “Organization” means any group of persons or individuals, whether incorporated or not and whether organized by means of bylaws or not, acting in coordinated fashion. Included in the term “organization” are groups commonly thought of as clubs.

(m) “Non-common outdoor areas” means those outdoor areas of the University campus which are not generally accessible for common use by the University community. These areas include, but are not limited to: grounds within the curtilage of or at the entrances to University residential facilities; grounds associated with the Burnett House; athletic and recreational fields or areas, including any operated by the Recreation and Wellness Center or the UCF Athletics Association; grounds immediately adjacent to University buildings where use could impair entrance to or exit from the building or interfere with activities within the buildings; and grounds associated with the Creative School for Children. Many of these outdoor areas may be crossed or walked upon for purposes of accessing a facility but are not available for events or activities by members of the University community.

(2) Priority of Use and Restrictions on Use. Use of University buildings, indoor facilities, and athletic or recreational facilities must be scheduled in advance. Except in regard to purely expressive activities on occasions where there is not a prior reservation or scheduled event or activity, Use of certain outdoor areas must be scheduled in advance: this includes Memory Mall, Lake Claire, the Reflecting Pond, the Arboretum, and Ferrell Commons courtyard. Recreation and Wellness Center recreational facilities fields and areas are not generally accessible for common access by the university community, but may be available for reservations under procedures established by the Recreation and Wellness Center.

(3) Even where advance scheduling is not required, persons and organizations are encouraged to schedule events and activities in advance, because scheduled events and activities will be given priority over unscheduled ~~activities~~ ones, except in the event of an emergency or the need to conduct ~~instructional~~ educational or administrative activities of the University. In general, the conduct of educational and administrative ~~functions and~~ activities of the university will take precedence over functions and activities of organizations and persons. Certain facilities on

campus which are funded by student activity and service fees may give priority to student activities over university business, according to policies set by those facilities.

(4) The University reserves the right to relocate scheduled activities as necessary to accommodate University ~~programs and instructional~~ educational and administrative activities.

(5) The University shall not discriminate on the basis of the viewpoint expressed by any person or organization making authorized use of University facilities.

(6) Requests for scheduling events in University facilities should be directed to the authority controlling the facility, unless otherwise specified.

(7) Use of University facilities, including athletic and recreational facilities, may be subject to rental fees and/or service charges as determined by the authority or official controlling the facility.

(8) A condition for the use of University facilities may be that the sponsoring person or organization obtain adequate insurance coverage and/or that adequate security can be provided by the University Police. The costs of such insurance or security shall be borne by the event sponsor. See Regulation UCF-4.0292 for further information regarding insurance requirements.

(9) The above provisions relate to non-commercial speech and activity. Any use of University facilities for commercial purposes or commercial speech must be scheduled and approved in advance. The University shall review such requests in light of the University's contractual and other legal requirements, the relationship of the activity to the University's mission, and the benefit of the activity to the University and the State of Florida. Commercial use of University facilities is governed generally by University Regulation UCF-4.010, which is implemented by the Department of Business Services. However, a limited number of facilities on campus, such as the Student Union and the Recreation and Wellness Center, may rent out space in their facilities to members of the public pursuant to specific policies and procedures they establish for that purpose.

(10) All scheduled and unscheduled use of University facilities is subject to change, relocation, or cancellation in the event of an emergency.

(11) The possession or use of firearms, explosives, or munitions on campus is generally prohibited. Law enforcement personnel may carry firearms or munitions and may use them in the course of law enforcement activities. The university also reserves the right to permit the use of firearms or munitions by military personnel or trainees.

| *Authority: BOG Regulation 1.001. History–New 10-8-75, Amended 10-20-81, 5-5-83, Formerly 6C7-4.29, Amended 10-19-86, 4-27-03, 8-15-07, 06-09-08, Formerly 6C7-4.029, Amended 1-15-2010, _____-18.*

Attachment B

UCF-4.0292 Potentially Hazardous Events.

(1) Scope.

(a) This regulation applies to the planning and holding of potentially hazardous events in or on ~~university-controlled property~~ University facilities. Excepted from this regulation are official events which are scheduled annually in university publications (classes, orientation, registration, etc.).

(b) The purpose of this regulation is to ensure that events held in or on University facilities are safe and non-disruptive to campus operations. Given the safety considerations at issue with potentially hazardous events, it is imperative that event organizers carefully review this regulation and strictly comply with its requirements.

~~(bc)~~ The provisions of this regulation are in addition to the provisions of other University regulations and university policies related to campus events. Related regulations include University Regulations UCF-4.029, 4.0293, and 4.0294. Definitions of key terms used in this regulation may be found in University Regulation UCF-4.029.

~~(de)~~ A potentially hazardous event is defined as any activity that could reasonably be expected to create a risk of harm to persons or of defacement or damage to public or private property. Examples of potentially hazardous events include, but are not limited to: bonfires; lighting of fireworks; events involving helicopters or other aircraft; motor vehicle races; gatherings in excess of 400 persons, including unregistered campus athletic events; marches (including any organized walks or runs); parades; outdoor events involving animals; any event involving the distribution of alcohol; and any event on Memory Mall.

(2) Required Approvals.

(a) Except as ~~otherwise~~ provided in paragraph (1)(a) above, any person or organization, University-related or otherwise, ~~university department, employee, or student~~ must apply for and secure approval in advance before conducting or publicly announcing intent to conduct a potentially hazardous event on campus. In the case of a university employee, signature of the individual's supervisor is required in advance.

- (b) Applications for approval of a proposed potentially hazardous event shall be made in writing to the Office of Student Involvement using the Safety Action for Event Approval Form (SAFE Form). There are a range of possible events that meet the definition of “potentially hazardous events”. For events that can be reasonably anticipated to present a low risk of injury or damage, this application must be submitted; at least 15 calendar days in advance of the proposed event. For events that are anticipated to require additional time for departmental review (such as events where additional security ~~will be required~~ is anticipated, where attendance is expected to be very large, where campus streets will need to be closed, or where special arrangements will need to be made to protect university facilities), the ~~university may require the~~ applicant ~~must to~~ initiate the SAFE Form approval process ~~sooner~~ at least 45 days in advance of the planned event. The event organizer is in the best position to know the details of the event they are planning, and therefore the University expects the event organization to consider those plans and submit the SAFE Form sufficiently in advance to permit a thorough review by the University of the proposed event. University staff will not cease or curtail other operations to expedite any SAFE Form event application. Failure to comply with the SAFE Form submittal deadlines or failure to provide the University with sufficient time to review the plans for the proposed event is grounds for the university to deny approval for the proposed event. Time limits can be shortened by ~~any University official required to approve the event (see below)~~ the University where the application is complete and where the University feels that it does not need the full time period for review. The Environmental Health and Safety Office (EH&S), the Office of Student Involvement (OSI), or the UCF Police Department will, upon request, furnish the applicant with blank copies of ~~this~~ the SAFE Form. The SAFE Form is ~~also~~ available at <http://www.safe.sdes.ucf.edu>.
- (c) Each application shall be accompanied by proof of insurance as specified in subsection (6) below.
- (d) The applicant must deliver to the Office of Student Involvement a completed SAFE Form signed by (1) the faculty/staff advisor (if a student organization), an

authorized department representative (if a university department or unit), the individual (if an individual), or the representative (if an organization other than a student organization); (2) Fraternity & Sorority Life (if a greek student organization); and (3) the facility/building coordinator (a person who has authority to approve an event at the event location as identified on the application). It is the applicant's responsibility to monitor the progress of the form by contacting OSI staff prior to the event. OSI staff will circulate applications to the following University officials for their information and approval:

1. UCF Police Department
2. UCF Landscape & Natural Resources
3. Facilities Operations
4. Environmental Health and Safety/Insurance
5. Office of Student Involvement

After the application has ~~been~~-circulated ~~among~~-through the above University officials, the application will be returned to the Office of Student Involvement. The Office of Student Involvement or a designee will advise the applicant of the University's approval or disapproval of the event, and, if applicable, any charges or conditions to be imposed by the University on the event.

(3) Cancellations and Terminations.

- (a) Application for or approval ~~offor conducting~~ a potentially hazardous event may be cancelled by either the applicant or the university upon giving written notice to the other party.
- (b) Any event may be terminated at any stage by the University Police Department or any university official whose approval is required for the event if it is determined that the event is not being conducted strictly in accordance with the terms of the approved application, the event organizer has not provided relevant information about the event to the University, the event is or has become disruptive or unsafe, there are emergency circumstances, or the event is interfering with other events or

with university operations. Additionally, an event may be terminated for failure to provide and maintain appropriate insurance, as outlined in paragraph (6).

(4) Applicant's Responsibility. In addition to securing university approval (on the SAFE Form) to conduct the event, applicants shall be responsible for ensuring:

- (a) The event is conducted as described in the approved application including any requirements thereon for clean-up, extra security, etc.
- (b) All restrictions placed on the event by the university are followed.
- (c) The event does not become disruptive or unsafe.
- (d) The event does not interfere with other events or university operations.
- (e) All other procedures applicable to campus events are followed (i.e., no damage to property, displays of proper size, etc.).

(5) University Assistance. If facilities and personnel are available, the University may be able to assist applicants by providing security, clean-up crews, etc., at cost. However, there is no assurance that such assistance will be available for any specific event.

(6) Insurance Requirements.

- (a) All potentially hazardous events must be covered by liability insurance. The University may also require that the applicant make security arrangements for the event. The costs of such insurance ~~or~~ and security shall be the responsibility of the applicant.
- (b) University organizations acting as applicants shall contact the University's insurance officer to determine if the current UCF liability coverage provides the required protection or if a special rider must be obtained. Cost of such rider shall be charged to the applying department's account.
- (c) ~~All other applicants must furnish at their own cost appropriate proof of adequate insurance from a company licensed to do business in the State of Florida by the Florida Department of Insurance.~~
- ~~(d)~~ Insurance Requirements. University-related and Non-University organizations must provide with their application a certificate of insurance provided by a company licensed to do business in the State of Florida, indemnifying and holding harmless the University, the Board of Trustees, and the Florida Board of Governors, and their officers and employees, from any and all liability, whatever

its nature or description, caused by or resulting from the use or proposed use of the University facilities, in an amount not less than \$1,000,000 per occurrence. The applicant must provide with the application a certificate of insurance showing the Board of Trustees as an additional insured.

Authority: BOG Regulation 1.001. History–New 5-28-85, Formerly 6C7-4.292, Amended 12-22-86, 7-27-92, 4-27-03, 11-20-06, 6-4-07, 06-09-08, Formerly 6C7-4.0292, Amended 1-15-2010, 2-5-15, 6-22-15, _____-18.

Attachment C

UCF-4.0293 Use of University ~~Facilities-Grounds~~ by the Campus Community; Campus Demonstrations and ~~Other Outdoor Events; Limitations on Use of University Facilities by Non-University Organizations and Persons.~~

(1) Except as limited by this or related regulations or as limited by applicable laws or University policies, ~~University grounds~~outdoor areas of the University campus may be used for demonstrations and other exercises of free speech and assembly ~~by University and University related organizations and persons.~~ Such use must not interfere with the conduct of classes or other University activities or otherwise be disruptive, and such use must not infringe on the rights of others. No person or organization may use University facilities or grounds for unlawful purposes or in a manner that violates the law. All definitions and general requirements for use of University buildings and ~~grounds-outdoor areas of campus~~ set forth in University Regulations UCF-4.029, UCF-4.0292, and UCF-4.0294 apply to uses of ~~University grounds~~outdoor areas of the University campus under this Regulation.

(2) It is the policy and practice of the University to limit use of University ~~facilities-buildings, other indoor facilities, and restricted-access outdoor areas~~ by non-University organizations and persons. ~~Provisions in this Regulation outline the limited use that non-University organizations and persons may make of University facilities.~~ The rationale for this policy and practice is that the University, while it supports and encourages the exposure of its students and employees to a diverse and varied marketplace of ideas, is dedicated first and foremost to University's mission and to the State of Florida's directive to educate its students and engage in research and other scholarly activities. ~~The University is a responsible steward of its public funding—as such, the University must limit the use of University facilities when those uses do not support the mission of the University.~~

(3) No campus buildings, other indoor facilities, or athletic or recreational facilities may be used by anyone for demonstrations, assemblies, events, or other functions unless specifically permitted in writing by the campus authority specifically responsible for the building or facility sought to be used.

Certain University facilities may be available for rent, in which case the user will be required to enter into a facility use agreement or other formal arrangements with the University. The University reserves the right to charge fees on a differential basis depending on a number of factors, including but not limited to: nature of the use, size of expected crowd, presence of potentially hazardous items or activities, whether the user is directly associated with the University, whether the user is also an educational or governmental entity, and whether additional security or utilities will be required. See also University Regulation UCF-4.0294 ~~for guidelines and restrictions on use of University facilities.~~

(4) University and University-related organizations and persons may organize, conduct, or participate in demonstrations and other exercises of free speech and assembly on the University campus grounds, except for non-common outdoor areas. :

~~(a) Grounds immediately adjacent to University residential facilities;~~

~~(b) Grounds associated with the Burnett House;~~

~~(c) Athletic and recreational fields, including any facilities operated by the Recreation and Wellness Center;~~

~~(d) Grounds immediately adjacent to University buildings where such use could impair entrance to or exit from the building or interfere with activities within the buildings;~~

~~(e) Grounds within 200 feet of the Creative School for Children;~~

~~(f) Walkways and sidewalks on the Orlando campus within the boundaries of Gemini Boulevard (except to the extent approved for use as part of a parade or march reviewed through the SAFE process—see Regulation UCF 4.0292).~~

(5) Non-university organizations and persons may organize or conduct spontaneous expressive activities, conduct demonstrations and other exercises of free speech and assembly, on outdoor areas of the University campus that are otherwise accessible to the campus community for common use, but must abide by the reasonable time, place, and manner restrictions set forth in this and related

~~University regulations (see also University Regulations UCF-4.029, 4.0292, and 4.0294), including that such use be lawful and non-disruptive, only as specifically permitted in this regulation and related regulations and policies. Non-university organizations and persons are limited to the locations identified in section (12) below for purposes of organizing and conducting demonstrations and other exercises of free speech and assembly on campus. A person making use of the outdoor areas of the University's campus for expressive activities does not have the right to limit access to those outdoor areas or to conduct commercial activities in conjunction with the person's expressive activities.~~

(5) Non-university organizations and persons may use University indoor facilities for events ~~(other than those identified in section (12) below,~~ if specifically sponsored by a University organization or a University-related organization. Such sponsorship requires the University organization or University-related organization to serve as a sponsor and to be a participant in the activity-event of the non-University organization or persons, including being physically present throughout the ~~activity or~~ event.

(6) All organizations and persons that ~~organize or conduct demonstrations and other exercises of free speech and assembly~~ engage in expressive activities in outdoor areas of the University campus on University grounds, or otherwise conduct activities or events in University facilities, must abide by the general requirement that no such uses may interfere with, disrupt, or impede the normal operations of the University or otherwise interfere with or infringe on the rights of others. In order that ~~demonstrations and other exercises of free speech and assembly~~ expressive activities not interfere with the operation of the University or the rights of others, any person or organization organizing, conducting, leading, or participating in ~~a demonstration, assembly, or activity~~ an expressive activity using University grounds or other facilities shall not:

- (a) obstruct vehicular, bicycle, pedestrian, or other traffic;

- (b) obstruct entrances or exits to buildings or driveways or impede entry to or exit from any building or parking lot or vehicular path;
- (c) interfere with educational or administrative activities inside or outside any building;
- (d) violate a law, rule, regulation, or ordinance;
- (e) make threatening utterances or gestures directed to a person or persons, which an objectively reasonable person would interpret as a serious expression of an intent to cause a present or future harm or to intimidate;
- (f) use fighting words, which are those words that by their mere utterance inflict violence or would tend to incite a reasonable person to violence or other breach of the peace;
- (g) obstruct, disrupt, or attempt to physically force the cancellation or continuance of a speaker;
- (h) create an objectively hostile environment for students or employees based on a protected category (race, color, national origin, sex, religion (including non-religion), age, disability, gender identity or expression, or sexual orientation) through speech or conduct that is so severe and pervasive that it objectively interferes with a student's or employee's abilities to benefit from or participate in educational or employment activities, benefits, or privileges;
- (i) interfere with or disrupt scheduled University ceremonies or events;
- (j) interfere with or disrupt University operations;
- (k) damage property, including grass, shrubs, trees, or other landscaping; or
- (l) utilize sound amplification, including bullhorns, except as set forth in paragraph (7) below.

(7) ~~The University does not permit the use of A~~amplified sound, including use of bullhorns, as part of ~~expressive activities conducted in outdoor areas of the University campus demonstrations and other~~

~~exercises of free speech and assembly on University grounds~~ or in University facilities ~~is not permitted~~, except as approved in advance by the official responsible for the particular grounds or facility being used or as set forth in this paragraph. Where amplified sound is permitted, it is permitted at limits specified in this paragraph or as specified by the official or by the procedures for the particular facility in question. Absent specific ~~restrictions-instructions~~ provided by University officials, the approved use of amplified sound may not exceed a limit of 70 decibels. Even where use of amplified sound is pre-approved, the University reserves the right to impose ~~different~~specific volume restrictions on the use after consideration of the potential impact of the use on the operations of the University. ~~With regard to the free assembly areas identified in paragraph (12) below:~~

~~(a) the University does not permit amplified sound in the areas identified in (12)(b) and (12)(i); and
(b) the University permits amplified sound in the areas identified in (12)(a), (12)(c) (h) as explained and limited in paragraph (7).~~

(8) If an event, demonstration, assembly, or other activity is disrupting, interfering with, or impeding University operations or infringing on the rights of other individuals (“disruptive action”) contrary to the requirements of this and related regulations, the President or one of his/her representative(s) may:

- (a) identify him/herself to the disrupters, giving name and official position;
- (b) inform the disrupters that they are in violation of the University policy and/or in violation of the law and specify the nature of the violation;
- (c) request that the violation cease (which could include relocation of the activity to avoid the disruptive action); and
- (d) in the event of non-compliance with this request, enlist the assistance of the University Police in restoring order and enforcing the law.

(9) In the event of disruptive action, the University Police have a responsibility to:

- (a) declare the activity, event, demonstration, or assembly to be disruptive, disorderly, or in violation of law and request all participants to cease and desist and to disperse and clear the area or be subject to arrest and/or University disciplinary action;
- (b) arrest any participants observed to be in violation of the law; and
- (c) enlist the assistance of outside law enforcement agencies, if necessary.

(10) In the event of disruptive action, University employees and students involved in the demonstration, event, assembly or activity shall identify themselves by presenting appropriate documents such as ID cards when requested to do so by the police or by the President or his/her designated representative. When requesting that persons identify themselves, the University representative making the request will identify him/herself verbally. Disrupters not officially related to the University will be directed to leave the campus immediately or be subject to arrest for a violation of the law forbidding the disruption or interference with the administration or functions of an educational institution.

(11) The areas designated in paragraph (12) below may be ~~used-reserved~~ by University students and employees, University organizations, and University-related organizations (the “campus community”), ~~or non-university organizations and persons~~ on a space-available basis, for the exclusive use of the reserving individual or organization.

(12) ~~Subject to requirements otherwise outlined in this regulation and in Regulations UCF 4.029, 4.0292, and 4.0294; and subject to requirements of the University regarding the assembly of large numbers of people, the use of sound amplification equipment, and maintenance of access to University facilities,~~ The nine areas listed below shall be deemed “Free Assembly-reservable a Areas for the campus community” ~~for the conduct of political activity and other exercises of free speech.~~ Contact the Office of Student Involvement for further information and to make reservations for all or part of a reservable area on main campus; contact Event Services at Rosen College to make

reservations for all or part of a reservable area at the Rosen campus. Sidewalks and paved walkways are not included as part of any reservable area ~~“Free assembly area”~~ and users may not extend their use of a ~~free assembly~~reservable area to sidewalks or paved walkways that form the border of a ~~free assembly~~reservable area. The Office of Student Involvement will maintain a map which highlights each of the ~~free assembly~~reservable areas on the main campus. ~~Additional information regarding the Office of Student Involvement and the free assembly areas can be found through the “Use Your Voice” online resource at <http://osi.ucf.edu/useyourvoice/>.~~

- (a) The open grass area between the kiosk near Millican Hall and the Mathematical Sciences Building as bounded by Apollo Circle and the paved walkways leading to the southwest entrance of the Mathematical Sciences Building.
- (b) The northwest portion of the grass area between the Student Union brick mall and the John T. Washington Center as bounded by Pegasus Circle to the northeast, the sidewalk of Aquarius Agora Dr. to the north, and the paved walkway leading to the covered patio of the Chick-fil-A.
- (c) The grass area bounded by the paved walkway bordering the northeast side of Howard Phillips Hall, the next paved walkway immediately northeast, and the paved walkway bisecting diagonally the grass area between the John T. Washington Center and Howard Phillips Hall, and the paved walkway bordering the southeast edge of this grass area.
- (d) The area south of the Health and Public Affairs 2 building bordered by the paved walkways and Pegasus Drive.
- (e) A portion of the rectangular grass area on the east side of Memory Mall bordered by Parking Surface Lot D, Mercury Circle, the east paved walkway of Memory Mall, and Memory Mall lamppost marker MM 23.

- (f) The grass area between the exits of the Student Union boardwalks (north and east) as bordered by Pegasus Circle on one side and a retention pond on the other side.
- (g) The open area southwest of the Convocation Center entrance bound by the West Plaza Drive sidewalk on the west and the Gemini Boulevard sidewalk to the south.
- (h) At the Rosen College of Hospitality Management, the grass area north of, and adjacent to, the Rosen College Library bounded by the paved walkways on the north, east, and west, and by the Library on the south.
- (i) At the Rosen College of Hospitality Management, a portion of the great lawn directly adjacent to the UCF Rosen College shuttle stop bounded on two sides by the paved walkway of the shuttle stop and the paved walkway running north/south from the campus entrance gate.

~~(13) Non-university organizations and persons who intend to use the areas identified in paragraph (12) above must notify the university at least twenty four hours in advance of the proposed use. Notification must be provided in writing to the Office of Student Involvement. Notification must include: name of the non-university organization or person, contact information for the person or for a representative of the organization, date and time of intended use of university assembly area, general nature of use, and expected attendance at event. If the proposed use of University campus grounds or any other University facility qualifies as a potentially hazardous event, as defined in Regulation UCF-4.0292, the user must provide the information and documents identified in that regulation to allow for University review of the event. documents provided to meet the requirements of Regulation UCF 4.0292 will suffice to notify the university of intent to use the identified assembly area, assuming the documents properly identify the assembly area intended for use. Please note that it is the responsibility of the event organization to submit forms and information for potentially hazardous events must be submitted sufficiently at least 15 calendar days in advance of the proposed~~

~~event to allow for University review and for appropriate plans to be made to make the event secure. See Regulation UCF-4.0292 for more information about potentially hazardous events. It is the responsibility of the event organizer to submit all required information sufficiently in advance of the event to allow for University review.~~

(14) Campus demonstrations or organized activities that will take the form of or involve a parade or a march and during which the participants will use or cross lanes of vehicular or pedestrian traffic must follow the requirements of University Regulation UCF-4.0292, "Potentially Hazardous Events." This is required so that necessary safety precautions can be taken.

Authority: BOG Regulation 1.001. History—New 10-19-86, Amended 3-16-03, 8-15-07, 06-09-08, Formerly 6C7-4.0293; Amended 1-15-2010, 7-20-17, _____-18.

Attachment D

UCF-4.0294 Use of University Facilities; General Requirements.

(1) University facilities are reserved and used primarily for the official and regular conduct of the University's business by the University and ~~its authorized agents~~the campus community.

(2) University organizations and University-related organizations may request non-commercial use of University buildings, and particular facilities may be assigned in response to such requests on a noninterference basis and subject to the requirements of the University. Use of University grounds, including reserving grounds for use, is governed by University Regulation UCF-4.0293. Commercial use of University facilities is governed by University Regulation UCF-4.010, University policies and procedures, and procedures of the specific facilities in which space may be reserved for commercial purposes.

(3) No outside food service shall be permitted on or in University facilities during, or in conjunction with, any meeting, event or function without the specific approval of the University.

(4) The general public shall be deemed to have ~~physical access~~license to ~~all walkways, the streets, libraries, book stores, and parking lots on the campus solely for the purposes of conducting legitimate business with the University and participating in University-related activities that are open to the public.~~ ~~The campus is not a public forum.~~ Unless invited by someone with authority to do so, the general public shall not have access to lecture halls, classroom buildings, classrooms, laboratories, studios, residential facilities, research areas, administrative buildings, faculty or staff offices, or other buildings and areas reserved for University housing, teaching, research, administration, recreation, creative activity, or athletic activity.

(5) University facilities shall not be used for any purpose that will impair or interfere with the orderly processes and functions of the University, or that pose an unreasonable and immediate threat to the safety of University students and personnel or property, or are otherwise contrary to law. For purposes of determining interference and disruption, University officials will look to the standards of University Regulation UCF-4.0293.

(6) University athletic and recreational facilities may be scheduled for recreation purposes provided such use is authorized by the athletics association or department controlling the athletic or recreational facility in question.

(7) Facilities must be returned to their original condition following use by any person or organization. Users will be billed for the costs of cleanup that they do not adequately complete themselves.

(8) Displays, whether as part of an event or not, must adhere to the following guidelines:

- (a) Outdoor displays are allowed only in conjunction with an event or program.
- (b) Displays must be self-supporting and are restricted to a size of eight feet by four feet. Screens for projection purposes may be larger.
- (c) Displays must be assembled and disassembled each day.
- (d) Displays must be staffed at all times by the person or organization sponsoring the display.
- (e) There is a five-day maximum on displays.
- (f) The same display cannot be sponsored by the same or different organizations successively merely to extend the five-day maximum.
- (g) The size and construction of any display must be reviewed and approved by a University building code official or safety officer. A sketch drawing of the display indicating the size and construction materials must be submitted with the SAFE Form.

(9) All events, activities, and expressive activities ~~and activities~~ using University facilities must comply with the following requirements:

- (a) Events may last no more than five days in succession. The same or different organizations may not sponsor the same event in succession in order to extend this maximum limitation.
- (b) No organization may reserve or make use University facilities and then permit the facilities to be used by any other person or organization. Where a University facility may be reserved, Reservations are made in the name of a specific person or organization, ~~which and that person or organization~~ must be present and actively utilizing the space so reserved. The

University may shut down an event (or revoke the reservation) if the person or organization reserving the facility is not present and/or not actively utilizing the space so reserved.

- (c) Events, activities, and expressive activities generally are limited to the hours of 8:00 a.m. to 10:00 p.m. Sunday through Thursday and 8:00 a.m. to 12:00 midnight Friday and Saturday. Events, activities, and expressive activities outside of these hours must be specifically approved by the University at least fifteen calendar days in advance, so that the University can make custodial and security arrangements.
- (d) Sound amplification, including bullhorns, is not permitted, except as specifically authorized by the official in charge of the specific location where sound amplification is proposed to be used. See also Regulation UCF-4.0293(7) regarding amplified sound.
- (e) Any damage to University or personal property in the course of use of University facilities is prohibited. Care should be taken to ensure that University and personal property is not damaged or destroyed. This includes campus lawns, grassy areas, shrubs, plants, and trees. The University will charge the users of University facilities for necessary repairs or replacement.

~~(10) Non-University organizations must apply to schedule use of University facilities in advance and may be charged for such use, except that use of the designated outdoor facilities listed in University Regulation UCF 4.0293 is governed by that regulation.~~

~~——(11)——~~ All potentially hazardous events, regardless of who is the sponsor, must follow the requirements (including insurance requirements) of Regulation UCF-4.0292.

~~(12)~~ Use of University facilities may be subject to usage fees and/or service charges as determined by the authority or official controlling the facility to defray the costs of allowing use of the facilities. These charges may vary depending on whether the person or organization is University, University-related, or non-University, as those terms are defined in University Regulation UCF-4.029. Charges will not be imposed for the conduct of expressive activities in outdoor areas of campus as set forth in section 1004.097, F.S. However, if a non-University person or organization wishes to reserve an

outdoor area of the University campus for exclusive, prescheduled use and the outdoor area in question is available for such rental, then the speaker will be expected to pay usage fees and/or service charges otherwise charged to members of the public.

(13) A limited number of facilities on campus - such as the Student Union, the Memory Mall, Ferrell Commons, the Live Oak Event Center, the Fairwinds Alumni Center, the UCF Arena, and ~~most-various~~ outdoor recreation facilities – are available for rental by the general public at rates set by the facility and on a space-available basis. Rental of these facilities may be for personal purposes (such as a reception) or commercial purposes (such as a test preparation service), subject to the policies and procedures of the University and the procedures of the specific facility.

Authority: BOG Regulation 1.001. History – New 8-15-07, Formerly 6C7-4.0294, Amended 1-15-2010, _____-18.

ITEM: NG-7

**University of Central Florida
Board of Trustees**

SUBJECT: Amendments to Chapter 5 University Regulations

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve amendments to University Regulations relating to student conduct rules, review proceedings for violations of the conduct rules by students or student organizations, student conduct appeals, and student academic behavior standards. The regulations to be amended are: University Regulations UCF-5.006 (Student Rights and Responsibilities), UCF-5.007 (Office of Student Conduct; Scope; Student Conduct Records); UCF-5.008 (Rules of Conduct), UCF-5.009 (Student Conduct Review Process; Sanctions), UCF-5.012 (Organizational Rules of Conduct); UCF-5.013 (Organizational Conduct Review Process; Sanctions; Appeals), and UCF-5.015 (Student Academic Behavior Standards).

BACKGROUND INFORMATION

Florida Board of Governors Regulation 1.001 provides that “Each Board of Trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedure adopted by the Board of Governors.”

Supporting documentation: Attachment A: Proposed Amended Regulation UCF-5.006 (redline)
Attachment B: Proposed Amended Regulation UCF-5.007 (redline)
Attachment C: Proposed Amended Regulation UCF-5.008 (redline)
Attachment D: Proposed Amended Regulation UCF-5.009 (redline)
Attachment E: Proposed Amended Regulation UCF-5.012 (redline)
Attachment F: Proposed Amended Regulation UCF-5.013 (redline)
Attachment G: Proposed Amended Regulation UCF-5.015 (redline)

Prepared by: Youndy Cook, Deputy General Counsel

Submitted by: Scott Cole, Vice President and General Counsel

Attachment A

UCF-5.006 Student Rights and Responsibilities

(1) Student Rights. Upon enrollment, students are entitled to the following freedoms and rights, provided the exercise thereof is accomplished in accordance with University procedures and does not result in disruption or disturbance as elsewhere described in the Regulations.

- (a) Participation in Student Government Association and its elective process.
- (b) Membership in Registered Student Organizations.
- (c) Freedom of expression. The basic freedoms of students to hear, write, distribute, and act upon a variety of thoughts and beliefs are guaranteed. Freedom of expression carries with it the responsibility for seeing that the essential order of the University is preserved.
- (d) Freedom to hold public forums. The University desires to create a spirit of free inquiry and to promote the timely discussion of a wide variety of issues, provided the views expressed are stated openly and are subject to critical evaluation. Restraints on free inquiry are held to a minimum and are consistent with preserving an organized society in which peaceful, democratic means for change are available. Guest lecturers or off-campus speakers sponsored by student groups may appear on the UCF campus following arrangements with the designated University authority for such appearances.
- (e) Freedom to hear, write, distribute, and act upon a variety of thoughts and beliefs. This freedom is subject to the following:
 - 1. Written materials identified by authorship and sponsorship may be sold or distributed on campus within the guidelines of propriety and responsible journalism. The distribution of such material, as is arranged by the Director of Office of Student Involvement, is permissible for registered student organizations provided steps have been taken to preserve the orderliness of the campus.
 - 2. Solicitation, whether printed materials or otherwise, on campus is prohibited except as provided in University Regulation UCF-4.010.
 - 3. The distribution of materials or circulation of petitions to captive audiences such as those in classrooms, at registration, in study areas or in residential units is not allowed without prior permission. Such permission may be requested from the appropriate university official.

- (f) Peaceful assembly. Student gatherings must neither disrupt or interfere with the orderly educational operation of the institution, nor violate state or local laws, or University regulations.
- (g) Fair and impartial proceeding. These matters shall include, but not be limited to:
 - 1. Disciplinary proceedings involving an alleged violation of academic and nonacademic rules.
 - 2. Refunds and charges. The status of a student charged with a violation of University rules shall not be affected pending final disposition of the charges except in the case of administrative action (also known as an interim action). For specific procedures and rights of students during the Student Conduct Review Process, see later section entitled “Student Conduct Review Process.”
- (h) Confidentiality of student records. Each University office and agency which generates, collects, and disseminates information on students must follow the guidelines for confidentiality of those records in their possession. For further information see “Student Record Guidelines.”

(2) Student Responsibilities. A student at the University is deemed to have given his or her consent to the policies of the University and the Florida Board of Governors and to the laws of the State of Florida. Each student is responsible for reviewing the rules and regulations of the University and for abiding by them.

(3) Definitions.

- (a) The term “Academic Integrity Panel” is comprised of one faculty and one staff/faculty member and two students selected from the Student Conduct Board. Members of this panel will receive annual training on how to conduct an investigation related to academic misconduct.
- (b) The term “Advisor” or “Support Person” refers to any individual who provides support, guidance or advice to a party involved in a Title IX investigation or Student Conduct Review Process. The Advisor or Support Person of the involved party’s choice may assist and/or accompany the party throughout the investigative process and Student Conduct Review Process. This person shall not speak for, or present the information on behalf of the party who requested the Advisor or Support Person’s attendance.

- (c) The term “Clery Act” refers to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Clery Act is a federal law that requires institutions of higher education to provide current and prospective students and employees, the public, and the federal government with crime statistics and information about campus crime prevention programs and policies. Among other crimes, the Clery Act requires that colleges and universities report forcible sex offenses including sexual assault and rape. The Clery Act was amended by the Violence Against Women Reauthorization Act of 2013.
- (d) The term “Community ReEngagement and Educational Development (CREED) Program” is a committee composed of an equal number of faculty/staff and students appointed by the Director of the Office of Student Conduct to review the disciplinary probation status of a student.
- (e) The term “Complainant” refers to anyone who discloses having been subjected to sex discrimination, which includes sexual assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, retaliation, or complicity in the commission of any act prohibited by the Rules of Conduct section UCF-5.008(5) or the Organizational Rules of Conduct section UCF-5.012(5), regardless of whether that person makes a report or seeks action under that policy.
- (f) The term “Continuously Enrolled” is defined as being enrolled in classes without a break of two or more consecutive regular semesters/terms (i.e., Fall and Spring, or Spring, Summer, and Fall).
- (g) The term "Deputy Title IX Coordinator" is defined as a university employee who is responsible for assisting with the coordination of the University’s efforts to comply with and carry out its responsibilities under Title IX. UCF’s Deputy Title IX Coordinators are Dana Juntunen, Brandi Stuart, and Abigail Malick.
- (h) The term “Director of the OSC” refers to the Director of the Office of Student Conduct.
- (i) The term “Executive Director of the OSRR” refers to the Executive Director of the Office of Student Rights and Responsibilities.

- (j) The term “Hold” refers to a service indicator placed on a student’s record that includes but is not limited to: prevent modification to registration; access to transcripts; and re-enrollment following a separation from the University
- (k) The term “mandated assessment” refers to a process which is used to evaluate the student’s risk of harm to self or others, and to take appropriate actions to ensure the safety of the student or others if risk is present, completed by a licensed mental health professional or other appropriate licensed medical provider.
- (l) The term “Off Campus” refers to any location not defined as University premises.
- (m) The term “Overlay” refers to a notification on a student’s university transcript that states the student is not in good standing.
- (n) The term “Preponderance of Evidence” means that evidence, considered as a whole, shows that the fact sought to be proved is more probable than not. This is the standard used in adjudicating all disciplinary cases within the Student Conduct Review Process.
- (o) The term “Record Sealing” refers to when a student’s disciplinary record cannot be examined except by a court order or designated officials.
- (p) The term “Relevant Information” means information that has been shown to directly support the position of a party throughout the University’s investigative process or Student Conduct Review Process.
- (q) The term “Respondent” refers to any student or registered student organization who has been accused of sex discrimination, which includes sexual assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, retaliation, or complicity as defined in Rules of Conduct section UCF-5.008(5) or the Organizational Rules of Conduct section UCF-5.012(5).
- (r) The term “Responsible Employee” is defined as any employee, and Direct Support Organization non-student employee, who is not a confidential employee as defined in the University’s *Prohibition of Discrimination, Harassment and Related Interpersonal Violence Policy*. Responsible Employees include (but are not necessarily limited to) Faculty (full-time and part-time), Staff (full-time and part-time), Resident Assistants, and graduate students with classroom responsibilities. Responsible employees also include those employees identified

as Campus Security Authorities (CSAs). The University reserves the right to designate other individuals involved in university-sponsored/related activities as Responsible Employees on a case-by-case basis.

- (s) The term “Sanction” refers to outcome(s) imposed on students and registered student organizations found in violation of any Rules of Conduct or Organizational Rules of Conduct.
- (t) The term “Sex Discrimination” refers to any unlawful distinction, preference or detriment to an individual that is based upon an individual’s sex that: (1) excludes an individual from participation in; (2) denies the individual the benefits of; (3) treats the individual differently with regards to; or (4) otherwise adversely affects a term or condition of an individual’s employment, education, living environment, or participation in a university program or activity. Sex discrimination includes sexual assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, retaliation, or complicity.
- (u) The term “Student” means any person enrolled in one or more classes at the University, either full time or part time, study abroad student, online students, continuing education students, students pursuing undergraduate, graduate or professional studies, either degree seeking or non-degree seeking. Persons who withdraw after allegedly violating the Rules of Conduct, or who are not officially enrolled for a particular academic term but who have a continuing relationship with the University are also “students.” Individuals who have been accepted for admission and have paid an enrollment deposit are considered “students” for limited purposes (including the Student Conduct Review Process).
- (v) The term “Student Conduct Board” means any person or persons authorized by the Director of the OSC or designee to gather information and make proposed findings regarding whether a student or registered student organization has violated the Rules of Conduct or Organizational Rules of Conduct and to propose sanctions that may be imposed.
- (w) The term “Title IX” refers to the Title IX of the Education Amendments of 1972 which is a federal law that protects people from discrimination based on sex in education programs or activities which receive Federal financial assistance. Title IX states that: “No person in the United States shall, on the basis of sex, be

excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance”. Title IX’s sex discrimination prohibition protects against sexual harassment and sexual violence and extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity, pregnancy or parental status.

- (x) The “Title IX Coordinator” is defined as a university employee who is responsible for coordinating the University’s efforts to comply with and carry out its responsibilities under Title IX. UCF’s Title IX Coordinator is ~~Matt Ricke~~[Dawn Welkie](#).
- (y) The term “University” means the University of Central Florida.
- (z) The term “University Community” refers, collectively and individually, to students, University officials, Trustees, and all visitors, contractors, and guests to the University or any of its campuses, facilities or events.
- (aa) The term “University Official” includes any person employed by the University (i.e. faculty, staff, administration, and residence hall staff) acting within the scope of their job duties.
- (bb) The term “University Premises” includes all land, buildings, facilities, and other properties in the possession of or owned, used, controlled by the University, or its direct support organizations.
- (cc) The term “VAWA” refers to the Violence Against Women Reauthorization Act of 2013, which amended the Violence Against Women Act and the Clery Act to provide new requirements for schools to prevent and respond to sexual violence, relationship violence and stalking. Some of these requirements include providing primary prevention education and awareness programs for all incoming students and employees; collecting statistics on relationship violence and stalking, in addition to current requirements to collect sexual assault statistics; issuing Complainants a written notice of their rights; and adopting grievance policies that are prompt, fair, and impartial as well as administered by trained officials.
- (dd) The term “VP of SDES” refers to the Vice President of Student Development and Enrollment Services.

(ee) The term “Witness” refers to any person who directly observed an incident or has direct or indirect knowledge related to an incident

(4) Smoking. While on UCF property, students will uphold the smoke-free campus policy (<http://smokefree.sdes.ucf.edu/>) to ensure a healthy and clean environment for everyone. Smoking of any kind is prohibited in all facilities and areas of the UCF campus.

(5) Medical Emergencies. The University of Central Florida highly encourages students and registered student organizations to call for medical assistance whenever an individual experiences severe intoxication/impairment or serious injury after consuming alcohol and/or drugs. Students and registered student organizations may be reluctant to call for help for themselves or others due to potential involvement from the UCF Police Department or the Office of Student Conduct. Due to the serious or life-threatening nature of these medical emergencies, the University of Central Florida urges students to contact emergency medical services or the UCF Police Department if alcohol-related and/or drug-related medical emergencies arise. The university’s primary goal is to create a safe environment for its students. Procedures and expectations regarding these incidents have been outlined in the Office of Student Conduct Rules of Conduct Controlled Substance and Drug Violations and Alcoholic Beverages section and the Organizational Rules of Conduct section.

(6) Student Care Services. In order to provide comprehensive and consistent care for students experiencing academic, financial or personal challenges, Student Care Services (SCS), under Student Rights and Responsibilities provides support to students identified as needing additional on-campus or off-campus resources. Care Managers for Student Care Services review referrals from students, faculty, staff and/or other parties who are concerned about behavior exhibited by a student. The goal of Student Care Services is to intervene and support the student before a situation reaches crisis level.

(a) Care Managers will reach out to the student to assess what resources would be beneficial and collaboratively develop an action plan to reduce obstacles affecting success at UCF. Care Managers will assist the student in coordinating with campus resources currently being utilized and will work with the student to monitor progress. Depending upon the circumstances, the referring person may receive feedback about the student’s action plan.

(b) In order to support student success, Care Managers may utilize additional campus resources to assist the student. This may include collaboration with the Student of

Concern Team (SOCT), a multidisciplinary group that reviews potential concerns presented by the UCF community regarding student behavior. The SOCT offers additional knowledge of university resources and procedures and may make further recommendations regarding action plan items for student success.

Students of concern are presented to the team at the discretion of the Office of Student Rights and Responsibilities and/or Student Care Services. The team may enlist the services of various campus units on an as needed basis.

- (c) Care Managers have additional campus support systems in place to assess students engaging in behavior that may pose a risk to themselves or others. This includes but is not limited to the University Crisis Team, Mandated Assessment Procedure, and Involuntary Withdrawal Procedure.

(7) University Crisis Team. The University may refer students who are viewed to be engaging in behavior(s) that pose risks to themselves or others to the University Crisis Team for possible action. Such behaviors include, but are not limited to: suicidal behavior, self-injury, threats to harm others, disruptive behavior, disordered eating, and endangerment to the community.

- (a) The Executive Director of OSRR or designee will convene the team members in order to review each case and decide on the best course of action. The team is comprised of the following persons and/or their designee(s): Student Health Services Executive Director, Counseling and Psychological Services Director, UCF Police Department Chief, Office of Student Rights and Responsibilities Executive Director, Student Care Services Associate Director, Office of Student Conduct Director, Associate Dean for Academic Services, Housing and Residence Life Director, Deputy General Counsel, and Student Development and Enrollment Services Associate VP and Dean of Students.
- (b) Various campus units may enlist the services of the team. These include but are not limited to Student Accessibility Services, Recreation and Wellness Center, Wellness and Health Promotion Services, Office of Fraternity and Sorority Life, Athletics, Alcohol and Other Drug Intervention Services, Undergraduate Studies, and Graduate Studies.
- (c) The role of the Student Health Services Executive Director and the Counseling and Psychological Services Director on the Crisis Team will be consultative in nature. When possible, the Student Health Services Executive Director and the

Counseling and Psychological Services Director will not confer on a case for which they are (or have been) serving in a direct provider relationship with the involved student. When the involved student has been a client at UCF Counseling and Psychological Services, the Counseling and Psychological Services Director or designee will maintain the confidentiality of the student's clinical information and will make recommendations for action based solely upon the information provided in the meeting or as guided by clinical and licensure best practices.

(8) Mandated Assessment Procedure. This University procedure is established for behaviors or actions that result in hospitalization from imminent danger to self or others via the Baker Act (F.S. 394.463) or Marchman Act (Chapter 397, Florida Statutes), significant acts or threats of violence to others, chronic eating disorders, dramatic and/or expansive displays of self-mutilation, behaviors that are significantly disruptive to the UCF community and /or diminish the ability of a student to care for oneself. Whenever the UCF Police provide transportation of a UCF student to the hospital for involuntary examination, the police will file a report with the OSRR. In addition, anyone may also file reports about students of concern with Student Care Services.

- (a) Once a report is received regarding a UCF student hospitalization via the Baker Act or the Marchman Act, Student Care Services may notify and consult with designated representatives of UCF Counseling and Psychological Services or Student Health Services and/or the University Crisis Team to review the severity of the student's behavior for potential of continued risk to the campus community. A determination will be made whether a mandated assessment and/or physical assessment is needed to help the student in their specific situation or whether some other more stringent, protective action is appropriate to protect both the welfare of the student and the community. The mandated assessment session(s) may be used to evaluate the student's risk of harm to self or others, and to take appropriate actions to ensure the safety of the student or others if risk is present. In addition, the mandated assessment session(s) are designed to assist students in developing a safety and/or well-being plan and provide students with educational resources. A member of Student Care Services will contact the student in a timely manner and require an initial meeting between a Student Care Services

representative and the student to inform the student of their rights and responsibilities regarding the incident.

- (b) All students identified as threatening self-harm or having attempted suicide must complete a mandated assessment with a licensed mental health professional and/or a physical assessment with a licensed medical provider. Examples of a licensed mental health professional include a Student Health Services psychiatrist, a Counseling and Psychological Services clinician, or a community based licensed mental health professional or licensed psychiatrist of the student's choice. Before the mandated assessment is conducted, Student Care Services or designee will first attempt to obtain an *Authorization to Release/Exchange Confidential Information form* from the student to provide the licensed mental health professional and/or licensed psychiatrist conducting the assessment with background information relevant to the reason for the mandated assessment. Student Care Services will require proof of participation for the mandated assessment with a licensed mental health professional and/or proof of a physical assessment with an appropriate medical provider. The student must meet with Student Care Services within ten (10) business days following release to complete a follow up appointment. Student must provide proof of assessment within twenty (20) business days following release or prior to return to the university (in the event a student withdraws for the remainder of the semester or is placed on Medical Withdrawal). Failure to comply may result in disciplinary action or the convening of the University Crisis Team.
- (c) In cases where more protective action is needed based on more severe behavior/conduct (e.g., behavior endangering others, threats to harm others, behavior significantly disruptive to the UCF community), the Executive Director of OSRR or designee may initiate one or both of the following:
 - 1. Interim Suspension followed by initiating the Student Conduct Review Process;
 - 2. Convening of the University Crisis Team to consider the initiation of the Involuntary Withdrawal Procedure.

(9) Involuntary Withdrawal Procedure.

(a) Introduction.

1. The University of Central Florida is committed to ensuring equality of educational opportunity while cultivating an environment that is safe for the campus community and supportive of student learning. The University will seek to intervene where a student's behavior interferes with the rights of others within the University community or where the student presents a significant risk of harm to the health, safety, well-being and/or property rights of others. In such situations, safety and security concerns are paramount, and the University must react as promptly as feasible under the circumstances. University officials may consider a number of reasonable security and health and safety measures, including, but not limited to, requesting emergency assistance and seeking psychiatric evaluation, hospitalization, and treatment for mental illness as appropriate under the law. Additionally, the University may determine that it is necessary for the student to be involuntarily withdrawn from the University for the protection of others. This section outlines the procedures to be used by the University in making an involuntary withdrawal decision.
2. This involuntary Withdrawal Procedure will be applied in a nondiscriminatory manner, and decisions will be based on consideration of the student's conduct, actions, and statements and not on knowledge or belief that the student has a disability.
3. The purpose of the Involuntary Withdrawal Procedure is for the University to be able to take urgent action when circumstances present a Significant Risk based on reasonably available information at the time. It will be necessary for the University to act promptly and for the benefit of the community as a whole, even if that means that, in consideration of later-presented information, the procedure ultimately concludes in favor of the student's continued enrollment (with or without conditions). Where the involuntary withdrawal procedure is invoked but the student is permitted to continue enrollment with no conditions, the University will take reasonable steps to assist the student in resuming their academic endeavors with as little disruption as feasible under the circumstances.

(b) Direct Threat. When a student’s behavior is deemed to pose a direct threat risk to the health and safety of the community, the Associate Vice President and Dean of Students (“Dean of Students”) or their designee may initiate an involuntary withdrawal of the student on behalf of the university. The Dean of Students or designee will consult with the University Crisis Team before a final decision is made on the involuntary withdrawal of the student. A student poses a Direct Threat when the student’s behavior poses a “Significant Risk” to the health or safety of the student or others, or of significant property damage, or of substantial disruption to the lawful activities of others or the educational process or orderly operation of the University, and reasonable modifications of policies, practices, or procedures will not sufficiently mitigate the risk. Significant Risk is defined as the high probability of harm or threats of harm and not just a slightly increased, speculative, or remote risk of such harm. Significant Risk is identified based on information that is reasonably available at the time of consideration. Information may be provided to the University through different means, including an incident report to Office of Student Rights and Responsibilities (OSRR), a police report, information provided following a hospitalization, or any other reliable source.

(c) Interim Involuntary Withdrawal.

1. A student may be involuntarily withdrawn from the University on an interim basis (“Interim Involuntary Withdrawal”) if the Executive Director of OSRR or designee determines, based upon information reasonably available at the time, that the student poses a Direct Threat as defined above. A student will remain on Interim Involuntary Withdrawal pending the outcome of the Interim Involuntary Withdrawal Review. An Interim Involuntary Withdrawal may be imposed prior to a meeting of the University Crisis Team.
2. A student will be notified of Interim Involuntary Withdrawal through a written notice outlining the Interim Involuntary Withdrawal procedure, including the time, date, and location of the Interim Involuntary Withdrawal Review.
3. A student under Interim Involuntary Withdrawal shall be given an opportunity to present information to the University Crisis Team within

three (3) business days from the effective date of the Interim Involuntary Withdrawal, in order to review the following issues only:

- a. The reliability of the information concerning the student's behavior and,
- b. Whether or not the student's behavior poses a Direct Threat, as defined above.

4. If upon conclusion of the Interim Involuntary Withdrawal review, the University Crisis Team determines the student will remain on Interim Involuntary Withdrawal based on the above defined issues, the University Crisis Team will proceed with the Involuntary Withdrawal procedures as outlined below.

(d) Involuntary Withdrawal – Notice to Student.

~~A student who poses a serious danger of imminent or serious physical harm at the University may be involuntarily withdrawn from the University by the Executive Director of OSRR or designee upon appropriate notification and consultation from the University Crisis Team and the Associate Vice President & Dean of Students of SDES or designee.~~

~~(a) This notification is received in the form of an incident report to the Office of Student Rights & Responsibilities, or a psychiatric evaluation filed with the UCF Police Department. The student will be withdrawn if the Executive Director of OSRR or designee concludes, on the basis of preponderance of evidence that the student engages or threatens to engage in behavior that may:~~

- ~~1. Pose a significant danger of causing harm;~~
- ~~2. Cause significant property damage or interferes with the educational environment of others at the university; or~~
- ~~3. Demonstrates an inability to care for his/her daily physical or mental wellbeing without assistance and has failed to secure such assistance.~~

~~(b) The Executive Director of OSRR or designee reserves the right to impose an immediate and interim withdrawal (the equivalent of an interim suspension), prior to the review of all information, if the Executive Director of OSRR or designee concludes that the student poses a threat to the welfare of any individual, the student body, or any part of the University or its community. In such cases, there will be a scheduling of a hearing within three (3) business days to determine the~~

~~status of interim withdrawal. At this hearing, the student shall be offered an opportunity to provide documentation from an appropriate healthcare provider of their choice who has conducted a proper assessment.~~

~~(c) — The Executive Director of OSRR or designee will call a meeting of the University Crisis Team at the earliest possible date. The student may be present at this meeting and may present information in support of his/her case. Following the student's presentation, the team shall convene in executive session. At the conclusion of this meeting, the team shall make a recommendation to the Executive Director of OSRR or designee whether to withdraw the student, reinstate the student, or reinstate the student with conditions.~~

~~(d) — The Executive Director of OSRR or designee will make a final decision regarding the student's enrollment status and notify the student in writing within 24 hours of the Crisis Team's recommendation.~~

~~(e) — A student subject to Involuntary Withdrawal is entitled to the following:~~

- ~~1. Notice of intent to remove the student pursuant to this policy stating the reasons for the proposed action.~~
- ~~2. The opportunity to examine the psychiatric or other evaluations provided to the University Crisis Team and to discuss them.~~
- ~~3. The opportunity to present relevant information for consideration of his/her case personally, or by a licensed mental health professional working with that student, if the student is not capable of self-representation.~~
- ~~4. The opportunity to have an advisor of the student's own choice accompany the student to any meetings or proceedings described in this procedure. The advisor may not present on behalf of the student or otherwise participate in the meeting or proceeding.~~
- ~~5. The right to appeal.~~

~~(e) Involuntary Withdrawal – Meeting of the University Crisis Team. The Executive Director of OSRR or designee will call a meeting of the University Crisis Team no earlier than five (5) business days after notifying the student of the proposed Involuntary Withdrawal. The student will be notified of the time, date, and location of the University Crisis Team meeting. The student may be present at~~

this meeting and may present information in support of him/herself. Following the student's presentation, the team shall meet in a confidential deliberation. At the conclusion of this confidential deliberation, the team shall make a recommendation to the Dean of Students or designee, based upon the Team's review of all available information at the time of the meeting, as to whether the University should:

1. involuntary withdraw the student due to Direct Threat;
2. make no changes to the student's status;
3. allow continued enrollment with conditions; or
4. if the student is on Interim Involuntary Withdrawal at the time, reinstate the student with or without conditions.

(f) Involuntary Withdrawal – Notifying Student of Recommendation and Decision.

The Dean of Students or designee will make a final decision regarding the student's enrollment status based on the totality of information available to the University and considering both the University Crisis Team's recommendation and any information presented by the student. The Dean of Students or designee will notify the student in writing within two business days of the final decision regarding the student's enrollment status.

(g) Involuntary Withdrawal – Appeal. In the event a student disagrees with the decision of the ~~Executive Director of OSRR~~Dean of Students or designee, the student may appeal the decision. The appeal must be made in writing to the Vice President for SDES, or designee, within three (3) business days after the date of the notification to the student of the decision. A student may appeal the decision based on one or more of the following criteria:

1. Irregularities in fairness and stated procedures that could have affected the outcome of the decision.
2. Discovery of new and significant information that could have affected the outcome and that was not known or could not reasonably have been discovered and/or presented at the time of the meeting.
3. The outcome is extraordinarily disproportionate to the reported behavior.

The Vice President of SDES or designee, shall, within three (3) business days, sustain the initial decision or ~~return~~remand the case to the University Crisis Team

for re-consideration. The Vice President's decision to sustain the initial decision is final action. If the matter is returned for re-consideration, the process will resume at the step outlined in subsection (e), above.~~will be considered final agency action.~~

- (hg) Upon being involuntarily withdrawn, the student may no longer enroll in classes, may not be an active member of a registered student organization, may no longer use University facilities, must vacate University owned housing, may no longer be permitted on University property, and may not be employed by UCF. Additionally, an involuntarily withdrawn student ~~and~~ may be entitled to whatever refunds of tuition, fees, and room and board charges as would be appropriate given the timing of the withdrawal.
- (ih) Students who are involuntarily withdrawn from the University shall have a hold placed on their records, which will prevent them from being readmitted or reenrolled at the institution except as stated in this paragraph. A student may request readmission or reenrollment at the University and provide the ~~Executive Director of OSRR~~Dean or Students or designee with documentation from an appropriate healthcare provider of their choice who has conducted a proper assessment of the student and concluded that the student is ready and able to safely return to the University and does not pose a Direct Threat as defined above. does not pose a serious threat to others. In cases where the ~~Executive Director of OSRR~~Dean of Students or designee has imposed other conditions for readmission, it is the responsibility of the student to provide documentation of compliance with such conditions.
- (ji) A student who is considered for but ultimately not subject to Involutarily ~~w~~Withdrawal may be subject to conditions on~~to~~ continued enrollment at the University. In such cases, the student will be provided with a written summary of any such conditions and must meet all conditions in order to maintain student status. A student who fails to meet such conditions may be later subject to involuntary withdrawal by the ~~Executive Director of the Office of Student Rights & Responsibilities~~Dean of Students or designee, or may be subject to charges through the University's Student Conduct Review Process for failure to comply.

- (kj) The current voluntary medical withdrawal process should not be used to handle withdrawals ~~related to mental health issues~~ where ~~an imminent threat to the community~~ a Direct Threat is evident or where a violation of the Rules of Conduct has allegedly occurred. ~~However, a student could choose to pursue a medical withdrawal within six (6) months of the end of the semester.~~ Information for students seeking a medical withdrawal is available in the Catalog.
- (l) As a general principle, the University prefers to use the regular Student Conduct Review Process ~~and its policies and practices are preferred~~ in ~~serious~~ instances of misconduct, without regard to whether the student has a physical or mental condition that might be contributing to the misconduct.~~there might be mental health issues present.~~ The ~~procedures and specifications given in this regulation~~ Involuntary Withdrawal Procedure is ~~are~~ to be employed in those ~~extraordinary~~ situations in which, ~~in the judgment of the appropriate administrative officers,~~ the regular Student Conduct Review Process is not applicable or, due to safety concerns, cannot be applied in a sufficiently timely fashion.

(10) Title IX Policy and Procedure.

- (a) Federal law, specifically Title IX of the Education Amendments of 1972 (Title IX), prohibits discrimination on the basis of sex in education programs or activities. Title IX prohibits sex discrimination against students, staff and faculty— which includes acts of sexual misconduct, stalking and relationship violence. Title IX also prohibits retaliation for making a good faith report of sex discrimination or participating in or being a party to any proceeding involving sexual misconduct and/or interpersonal violence. A closely related federal law, Section 304 of the Violence Against Women Act (“Campus SaVE Act”), requires universities to increase transparency about the scope of sex-related violence on campus, guarantee victims enhanced rights, provide for standards in institutional conduct proceedings, and provide campus wide prevention education and awareness programming.
- (b) The University of Central Florida is committed to fostering an environment in which all members of our campus community are safe, secure, and free from sex discrimination, including sexual misconduct, stalking, and relationship violence,

listed and defined in the Rules of Conduct (UCF-5.008) and Organizational Rules of Conduct (UCF-5.012). Our community expects that all interpersonal relationships and interactions – especially those of an intimate nature – be grounded upon mutual respect and open communication. When learning of conduct or behavior that may not meet these standards, community members are expected take an active role in promoting the inherent dignity of all individuals.

- (c) The university encourages any faculty, staff, student or non-student who thinks that he or she has been subjected to sex discrimination or retaliation by another student, member of the faculty or staff, or third party affiliated with the University to immediately report the incident to the Office of Institutional Equity.
- (d) The University strives to promote the safety and well-being of all students and employees. This information is applicable to students and employees regardless of their sexual orientation, gender identity, or gender expression.
- (e) Rights of the Complainant and the Respondent. Any individual (“Complainant”) who discloses having been subjected to sex discrimination, including sexual assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, retaliation, or complicity, and any individual or registered student organization (“Respondent”) who has been accused of sex discrimination, including sexual assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, retaliation, or complicity, are afforded the following rights throughout the university’s investigative process and the student conduct review process. These rights provide a fair process for both parties while also ensuring Complainant’s protections under Title IX and the Campus SaVE Act. These rights are in addition to the rights afforded in the student conduct review procedures outlined in UCF-5.009 (students) and UCF-5.013 (student organizations). Complainant and Respondent rights include the following.
 - 1. Both the Complainant and Respondent are permitted to have an advisor or support person accompany them throughout the university’s investigative process and student conduct review process. This person will not represent the Complainant or Respondent, address witnesses, investigator(s), the hearing body, any other party, or otherwise directly

participate throughout the university's investigative process and/or student conduct review process. In addition, if the selected person is a witness, the person cannot be an advisor or support person.

2. Both the Complainant and the Respondent have the right to remedial and protective measures and shall be notified of available assistance at the University.
3. Both the Complainant and Respondent will have equal opportunity to present relevant witnesses and other information during the investigative process and during a formal hearing. Prior to the initiation of the student conduct review process, the investigator has the discretion to determine the relevance of any proffered evidence and to include or exclude certain types of evidence. In general, the investigator will not consider statements of personal opinion, rather than direct observations or reasonable inference from the facts, or statements as to any party's general reputation for any character trait.
4. If the investigative process results in a recommendation to initiate the student conduct review process, both the Complainant and Respondent will receive notice to attend a preliminary conference meeting with the Office of Student Conduct and be informed of the available resolution options in the student conduct review process.
5. During the Student Conduct Review Process, both the Complainant and Respondent shall be informed of the Administrative Hearing Officer assigned to the case and shall have the opportunity to challenge the impartiality of the individual within three (3) business days of notification.
6. Both the Complainant and Respondent will be afforded similar and timely access to any information made available through the investigative process and/or that will be used during the student conduct review process.
7. If the matter proceeds to a formal hearing, both the Complainant and Respondent may submit a list of proposed questions related to the alleged incident to be asked during the formal hearing. The relevancy of proposed questions will be determined by the conduct officer or hearing body.

During a formal hearing, all questions shall be asked through the hearing body. Both Complainant and Respondent should not be questioned directly by one another.

8. Both the Complainant and Respondent will have equal opportunity to present relevant witnesses and other information during the investigative process and a formal hearing. Relevancy and timeliness will be determined by the investigator(s), conduct officer or formal hearing body.
9. Both the Complainant and Respondent may not have irrelevant past conduct, including sexual history, discussed during the formal hearing. The issue of relevancy shall be determined by the investigator, conduct officer or the hearing body.
10. Both the Complainant and the Respondent will be provided access to participate, during the entire formal hearing in person, via videoconference, by telephone, or by other means available.
11. At least three (3) business days before the formal hearing, the Complainant may submit a written statement describing the impact of the Prohibited Conduct on the Complainant and expressing a preference about the sanction(s) to be imposed. At least three (3) business days before the formal hearing, the Respondent may submit a written statement explaining any factors that the Respondent believes should mitigate or otherwise be considered in determining the sanction(s) imposed. The Office of Student Conduct will ensure that the Complainant and the Respondent each have an opportunity to review any statement submitted by the other party before the formal hearing. The purpose of the statement(s) is to assist the hearing body in proposing a sanction. Therefore, the statement(s) will be given to the hearing body for consideration only if the hearing body makes a proposed finding of in violation on one or more allegations of sexual misconduct and/or interpersonal violence addressed in the formal hearing.
12. Both the Complainant and Respondent will be informed, concurrently and in writing, of the outcome of the investigative process, the Student Conduct Review Process, and the outcome of the appeal process, in accordance with federal guidelines.

13. Both the Complainant and the Respondent have the right to appeal the outcome of the Student Conduct Review Process on the basis outlined in the applicable Student Conduct Appeals section UCF-5.010 (individual student UCF-5.013 (registered student organizations).
 14. Both the Complainant and Respondent will be given periodic status updates throughout the investigative process and the Student Conduct Review Process.
- (g) Administrative hearing officers and panel members who hear cases of sex discrimination (including sexual harassment, sexual misconduct, stalking, and/or relationship violence) receive annual training on how to conduct fair and impartial hearings for these types of cases.

Authority: BOG Regulations 1.001 and 6.0105. History - Formerly 6C7-5.003, New 6-18-09, Amended 7-19-12, 9-5-13, 11-24-14, 10-29-15, 7-28-16, 7-20-17, 1-18-18, _____-18.

Attachment B

UCF-5.007 Office of Student Conduct; Scope; Student Conduct Records

(1) Scope

- (a) The Rules of Conduct shall apply to all undergraduate students, graduate students and students pursuing professional studies, including those attending its regional campuses and/or off campus instructional sites. The Rules of Conduct shall be deemed a part of the terms and conditions of admission and enrollment of all students. The right of all students to seek knowledge, debate ideas, form opinions, and freely express their ideas is fully recognized by the University of Central Florida. The Rules of Conduct apply to student conduct and will not be used to impose discipline for the lawful expression of ideas. Specific restrictions on time and place of meetings and assemblies are found in other University regulations or policies.
- (b) These Rules of Conduct apply to all student conduct that occurs on University premises or online, or at activities officially approved by the University of Central Florida or which are sponsored or conducted by University groups and organizations, regardless of location.
- (c) Off-Campus Conduct. The University may take action against a student for off-campus conduct if the conduct is specifically prohibited by law or the Rules of Conduct; or if the conduct poses (or demonstrates that the student's continued presence on University premises poses) a danger to the health, safety or welfare of the University community; or if the conduct is disruptive to the orderly processes and functions of the University.
- (d) Failure to comply with duly established laws or University regulations may subject violator(s) to appropriate civil authorities.

(2) Authority

- (a) The Florida Board of Governors Regulation 6.0105 requires each university to establish a Student Disciplinary System, including a code of conduct, to apply to student disciplinary proceedings.
- (b) These regulations are designed to ensure fairness and due process in student disciplinary proceedings.

- (c) Generally, authority necessary to enforce the student conduct regulations is vested in the Vice President for Student Development and Enrollment Services or designee. Selected functions of this authority are shared with faculty, staff and students. Some functions of student conduct administration are assisted through review boards or committees.

(3) **Violations of Law and Rule of Conduct Violations.** A student who commits offenses against the laws of municipalities, states, or the United States, is subject to prosecution by those authorities and may be subject to disciplinary action under University rules when the conduct violates institutional standards. Student shall not be forced to present self-incriminating evidence; however, the University is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal case. The student conduct review process is not a criminal or judicial proceeding and is designed to address student behavior; therefore, alleged violations of the Rules of Conduct will be addressed independently of any penalty imposed by the courts for the criminal offense.

(4) **Student Conduct Records**

- (a) **Maintenance of Records.** A student's conduct case record will be maintained in the Office of Student Conduct and if applicable, the Office of Institutional Equity. The case record of a student found responsible for charge(s) against them, with sanctions less than disciplinary suspension, dismissal and/or expulsion, will generally be maintained in the Office of Student Conduct (and, if applicable, the Office of Institutional Equity) for seven years from the calendar year of record, after which they are destroyed. The case record of a student who has been placed on disciplinary suspension, dismissal and/or expulsion will be permanently maintained as official records by the Office of Student Conduct.
- (b) **Release of Records.** The release of student disciplinary records will be governed by applicable federal and state laws regarding the privacy of educational records.
- (c) **Sealing of Records:** For information regarding sealing of records, please see UCF-5.010(4).

(5) **Evaluation of Student Conduct Review Process.** The Student Conduct Review Process will be evaluated periodically by the Golden Rule Review Committee. All proposed changes shall be evaluated for approval by the appropriate administrative body.

(6) Medical Emergencies. The University of Central Florida highly encourages students to call for medical assistance whenever an individual experiences severe intoxication or serious injury after consuming alcohol and/or drugs. Students may be reluctant to call for help for themselves or others due to potential involvement from the UCF Police Department or the Office of Student Conduct. Due to the serious or life-threatening nature of these medical emergencies, the University of Central Florida urges students to contact emergency medical services or the UCF police department if alcohol-related and/or drug-related medical emergencies arise. The university's primary goal is to create a safe environment for its students. Procedures and expectations regarding these incidents have been outlined in the Office of Student Conduct Rules of Conduct Controlled Substance and Drug Violations and Alcoholic Beverages section.

Authority: BOG Regulations 1.001 and 6.0105. History - Formerly 6C7-5.0041, New 6-18-09. Amended 9-5-13, 11-20-14, 10-29-15, 7-28-16, 7-20-17, _____-18.

Attachment C

UCF-5.008 Rules of Conduct

The following defined and described actions include, but are not limited to, conduct for which disciplinary action may be taken at the University of Central Florida. Students are responsible for the observation of all University policies and regulations. Each student is expected to abide by these rules of conduct, and administrators are expected to enforce them. These Rules of Conduct should be read broadly and are not designed to define prohibited conduct in exhaustive terms. Additional rules and regulations may be revised during the year; announcements will be made on adoption of the changes or additions. The right of all students to seek knowledge, debate ideas, form opinions, and freely express their ideas is fully recognized by the University of Central Florida. The Rules of Conduct apply to student conduct and will not be used to impose discipline for the lawful expression of ideas. Students are prohibited from engaging in:

(1) Academic Misconduct

- (a) Unauthorized assistance: Using or attempting to use unauthorized materials, information or study aids in any academic exercise unless specifically authorized by the instructor of record. The unauthorized possession of examination or course related material also constitutes cheating.
- (b) Communication to another through written, visual, electronic, or oral means. The presentation of material which has not been studied or learned, but rather was obtained through someone else's efforts and used as part of an examination, course assignment or project.
- (c) Commercial Use of Academic Material: Selling of course material to another person, student, and/or uploading course material to a third party vendor without authorization or without the express written permission of the University and the Instructor. Course materials include but not limited to class notes, Instructor's power points, ~~course syllabi~~, tests, quizzes, labs, instruction sheets, homework, study guides, and handouts.
- (d) Falsifying or misrepresenting the student's own academic work.
- (e) Plagiarism: Whereby another's work is used or appropriated without any indication of the source, thereby attempting to convey the impression that such work is the student's own.
- (f) Multiple Submissions: Submitting the same academic work for credit more than once without the express written permission of the instructor.

- (g) Any student who knowingly helps another violate academic behavior standards is also in violation of the standards.

(2) Possessing and/or Providing False and Misleading Information and/or Falsification of University Records

- (a) Withholding related information, or furnishing false or misleading information (oral or written) to University officials, university and non-university law enforcement officers, faculty or staff.
- (b) Possession, use or attempted use of any form of fraudulent identification.
- (c) Forgery, alteration or misuse of any University document, material, file, record or instrument of identification.
- (d) Deliberately and purposefully providing false or misleading verbal or written information about another person.
- (e) Falsification, distortion, or misrepresentation of information during an investigation, the Student Conduct Review Process, including knowingly initiating a false complaint.

(3) Disruptive Conduct

- (a) Any act that impairs, interferes with, or obstructs the orderly conduct, processes, and functions of the University or any part thereof or the rights of one or more individuals.
- (b) Any act which deliberately impedes or interferes with the normal flow of pedestrian and vehicular traffic.
- (c) Any act which intentionally interferes with the election processes of any University registered student organization or group..
- (d) Misuse of any University safety equipment, firefighting equipment, or fire alarms.
- (e) A false report of an explosive or incendiary device, which constitutes a threat or bomb scare.
- (f) Breach of peace: an act, which aids, abets, or procures another person to breach the peace on the University premises or at University sponsored/related functions.
- (g) Failure to comply with oral or written instruction from duly authorized University officials (i.e. faculty, staff, administration, residence hall staff) acting within the scope of their job duties or law enforcement officers acting in the performance of their duties, including failure to identify oneself to these persons when requested to do so.

- (h) Failure to produce identification upon request by a University official (i.e. faculty, staff, administration, residence hall staff), acting within the scope of their job duties or law enforcement officers acting in the performance of their duties.
- (i) Hindering or interfering with the student conduct review process by failing to obey the notice from a university official to appear for a student conduct meeting or hearing; and/or attempting to discourage an individual's proper participating in, or use of, the student conduct review process.

(4) Harmful Behavior

- (a) Physical harm or threat of physical harm to any person. This harmful behavior policy may not apply in those instances where it is found that a student is acting in self-defense.
- (b) Verbal, digital, or written abuse, threats, intimidation, coercion and/or other conduct that endangers the health, safety, or wellbeing of others, or which would place a reasonable person in fear of bodily injury or death. This definition, however, shall not be interpreted to abridge the rights of the University community to freedom of expression protected by the First Amendment of the United States Constitution and any other applicable law.
- (c) Discriminatory Harassment: defined as verbal, physical, electronic, or other conduct based on a protected category (such as race, color, religion, national origin, gender equity, et al), which, due to the severity and pervasiveness of the conduct and its targeted nature on the basis of a protected category, (i) has the purpose or effect of creating an objectively intimidating, hostile or offensive educational or work environment; and (ii) has the purpose or effect of unreasonably interfering with an individual's employment, schooling, or business with the University. Harassment under this provision is conduct that would constitute harassment under federal or state civil rights laws or under University Regulation (UCF-3.001) and Prohibition of Discrimination, Harassment, and Related Interpersonal Violence Policy.
- (d) Bullying: Defined as behavior of any sort (including communicative behavior) directed at another, that is severe, pervasive, or persistent, and is of a nature that would cause a reasonable person or group in the target's position substantial emotional distress and undermine his or her ability to work, study, or participate in University

life or regular activities, or which would place a reasonable person in fear of injury or death.

- (e) Stalking: defined as repeated, unwanted conduct toward or contact with another person that creates fear for the person's safety or the safety of others, or causes an individual to suffer emotional distress. Such conduct is direct, indirect, or through a third party using any type of action, method, or means. Cyber stalking is also included in this definition.

- (f) ~~Failure to respect the privacy of other individuals.~~ Invasion of Privacy and Unauthorized Recording.

1. Making, using, disclosing or distributing a recording of a person in a location or situation in which that person has a reasonable expectation of privacy and is unaware of the recording or does not consent to it; and any other conduct that constitutes an invasion of the privacy of another person under applicable laws and regulations. Such conduct includes, without limitation, unauthorized recording of personal conversations, images, meetings or activities.

2. Unauthorized recording of a class or of organizational or University meetings, where there exists a legal expectation of privacy, and any use, disclosure, or distribution of any such recording.

3. Engaging in acts of voyeurism, including but not limited to peeping or surreptitiously recording another in a bathroom.

4. Any notice, consent or other requirement under applicable laws and regulations must be fulfilled in connection with authorizing, making, using, disclosing or distributing any recording, where there is a legal expectation of privacy.

- (g) Retaliation against or harassment of complainant(s), other person(s) alleging misconduct, or anyone who participates in an investigation.
- (h) Condoning or encouraging acts of harmful behavior as defined above or failing to intervene during an act of harmful behavior while it is occurring.

(5) Sexual Misconduct and/or Interpersonal Violence

- (a) Nonconsensual Sexual Assault: Any nonconsensual sexual contact which occurs on or off the UCF campus.

1. Consent is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be obtained by force, threat, coercion, manipulation, reasonable fear of injury, intimidation, use of position of influence, or through the use of one's mental or physical helplessness or incapacity. The lack of a negative response, lack of protest or resistance, silence and passivity are not consent. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Past consent to sexual activity does not imply ongoing future consent.
 - a. Responsibilities - It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement.
 - b. Standard - A determination of whether consent exists will be based on the information the initiator of the sexual act knew or should have known as a sober, reasonable person. Being impaired by alcohol or other drugs does not relieve an initiator of a sexual act from obtaining consent.
 - c. Incapacitation – Incapacitation is a state where an individual cannot make rational, reasonable decisions because of age, mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated due to the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. A person who is incapacitated lacks the capacity to give consent because they cannot understand the facts, nature, or extent of the sexual interaction.
 - d. Duration of Consent - Consent must be ongoing throughout sexual activity, for each sexual act, and can be withdrawn at any time.
 - i. Within each sexual encounter, there may be separate individual sexual acts involved. Consent to one act by itself does not constitute consent to another act. If verbal consent is not given, ongoing active participation is required for consent.

- ii. The existence of a dating or sexual relationship between the persons involved, or the fact of past sexual relations have occurred between the parties, is not an indicator of consent for any current or future sexual encounter.
 - iii. An individual who seeks to withdraw consent must communicate, through clear words or actions, a decision to cease the sexual activity. Once consent is withdrawn, the sexual activity must cease immediately.
 - e. Scope of Consent - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
 - 2. Sexual Contact – includes but is not limited to the following behaviors:
 - a. Touching, kissing, fondling (whether over or under clothing) of an individual for the purpose of sexual gratification; and/or
 - b. contact, however slight, between the mouth, anus or sex organ of one individual with either the anus or sex organ of another individual; and/or
 - c. contact, however slight, between the anus or sex organ of one individual and any other object.
- (b) Sex Harassment: Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions for Discriminatory Harassment as defined in 5.008(4)(c), are present. This is conduct that would constitute sexual harassment under federal or state civil rights laws or under University Regulation UCF-3.001 Sexual Harassment may include inappropriate touching, acts of sexual violence, suggestive comments and public display of pornographic or suggestive calendars, posters, or signs where such images are not connected to any academic purpose. A single incident of nonconsensual sexual contact (as defined above) may be sufficiently severe to constitute sexual harassment.
- (c) Gender-Based Harassment: Discriminatory harassment that is based on gender, sexual orientation, gender identity, or gender expression, which may include acts of

aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions for Discriminatory Harassment as defined in UCF-5.008(4)(c) are present.

- (d) **Obscene or Indecent Behavior:** Exposure of one's body in such a manner that another party reasonably could be offended or to display sexual behavior which another person reasonably finds offensive.
- (e) **Voyeurism:** Trespass, spying, or eavesdropping for the purpose of sexual gratification.
- (f) **Solicitation of a Minor:** soliciting sexual acts from a minor by oral, written, or electronic means.
- (g) **Child Pornography:** possessing, producing or the dissemination of child pornography
- (h) **Relationship Violence:** Relationship Violence includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Relationship Violence may include sexual assault, stalking, and physical assault. Relationship Violence may involve a pattern of behavior used to establish power and control over another person through fear and intimidation or may involve one-time conduct. A pattern of behavior is typically determined based on the repeated use of words and/or actions and inactions in order to demean, intimidate, and/or control another person. This behavior can be verbal, emotional, and/or physical and may be directed towards the former partner, their property, or other individuals. Examples of Relationship Violence may include, but are not limited to: slapping; pulling hair; punching; damaging another person's property; driving recklessly to scare someone; name calling; humiliating another person in public; harassment directed toward a current or former partner or spouse; and/or threats of abuse, such as threatening to hit, harm, or use a weapon on another (whether Complainant or acquaintance, friend, or family member of the Complainant), or other forms of verbal threats.
- (i) **Stalking:** Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for the person's safety or the safety of others, or to experience substantial emotional distress. A "course of conduct" is two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method,

device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property. Stalking includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact. Stalking may include, but is not limited to: non-consensual communications (face to face, telephone, e-mail); threatening or obscene gestures; surveillance/following/pursuit; showing up outside the targeted individual's classroom or workplace; sending gifts and/or notes (romantic, bizarre, sinister, or perverted); and/or making threats.

- (j) Sexual Exploitation: Sexual Exploitation is purposely or knowingly doing or attempting to do any of the following:
 - 1. Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
 - 2. Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
 - 3. Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
 - 4. Subjecting another person to human trafficking; or
 - 5. Exposing another person to a sexually transmitted infection or virus without the other's knowledge.
- (k) Complicity: Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act prohibited by the Rules of Conduct Section UCF-5.008(5).
- (l) Any attempted acts of sexual misconduct and/or interpersonal violence defined above are also violations of this policy.

(6) Larceny/Property Damage

- (a) Unauthorized use, possession, or theft of property or service. Such property may be personal or public.
- (b) Damage or defacing of University property or the property of another person whether or not it is on University premises.

(7) Hazing

- (a) Any action or situation which recklessly or intentionally endangers the mental or physical health and/or safety of a student for the purpose of initiation or admission into, or affiliation with, any organization operating under registration with the University. Hazing may result in felony charges.
- (b) Brutality of a physical nature such as whipping, beating, branding, forced calisthenics, exposure to the elements; forced consumption of any food, liquid, liquor, drug, or other substances; or other forced elements; or other forced activity which could adversely affect the mental or physical health or safety of the individual.
- (c) Any activity which could subject the individual to mental stress such as sleep deprivation, forced exclusion from social contact, forced contact which could result in embarrassment, or any other activity which could adversely affect the mental health or dignity of the individual.
- (d) Forcing or requiring the violation of University policies, federal, state, or local law.
- (e) Any activity, as described above, upon which the initiation or admission into or affiliation with a University of Central Florida organization may be directly or indirectly conditioned, shall be presumed to be a “forced” activity, the willingness of an individual to participate in such an activity notwithstanding.

(8) Misuse or Unauthorized Use of Facilities and Grounds

- (a) Misuse or unauthorized use of classroom or laboratory facilities.
- (b) Abusing grounds or building structures including, but not limited to ramps, rails, stair sets and entryways by means of recreational cycling, skating, scootering, or other recreational activities or devices as outlined in Regulation UCF-4.036.
- (c) Unauthorized entry or attempted entry to any University facility.
- (d) Unauthorized possession, duplication or use of keys to any University premises.

(9) Misconduct at University Sponsored/Related Activities

- (a) Violation of UCF rules of conduct at UCF sponsored related activities shall also be a violation of the golden rule.
- (b) Violations of a regulation(s) of a host institution sponsored/related activity shall be a violation of the golden rule.

(10) Controlled Substance and Drug Violations

- (a) Possessing, consuming, or attempting to possess cannabis in any amount.
- (b) Cultivating, manufacturing, or attempting to obtain cannabis in any amount.
- (c) Possessing, consuming, cultivating, manufacturing, or attempting to possess any controlled substances other than cannabis, except as expressly permitted by law.
- (d) Selling or distributing cannabis or any other controlled substances other than alcohol.
- (e) Possessing or attempting to possess any drug related paraphernalia.
- (f) Misconduct under the influence of controlled substance(s) and/or drugs other than alcohol.
- (g) Drug Emergencies - University Expectations for Individuals
 1. University of Central Florida students who receive medical attention due to drug-related emergencies may be exempt from disciplinary action as part of the conditions for drug emergencies after review by the Director of the Office of Student Conduct. Students eligible for exemption will be referred for assessment and follow-up services in lieu of the student conduct review process.
 2. Students who receive medical assistance for drug-related emergencies may receive exemption for violations of the Rules of Conduct Section 10(a)- 10(f) ; however, exemption for other Rules of Conduct violations may not be granted. The Director of the Office of Student Conduct reserves the right to review each incident individually to determine whether the student will be exempt from disciplinary action. The Director of the Office of Student Conduct maintains the right to recommend additional requirements for students who are referred for assessment and fail to meet the requirements of their assessment. For subsequent incidents, appropriate interventions will be handled on a case by case basis.
 3. Students who seek medical assistance on behalf of another impaired student may be exempt from disciplinary action for violations of the Rules of Conduct Section 10(a)-10(f)-. However, exemption for other Rule of Conduct violations may not be granted.

4. For parental notification regarding medical transports for drug-related incidents, refer to the Parental Notification Policy on the Office of Student Conduct website <http://osc.sdes.ucf.edu/notification>.
5. ~~For information regarding alcohol emergencies please refer to 5.008(11)(d) below.~~ Additional information regarding alcohol and/or drug related emergencies can be found on the Office of Student Conduct website: <http://osc.sdes.ucf.edu/drugsmedicalemergencies>.

(11) Alcoholic Beverages Violation

- (a) Possessing or consuming alcoholic beverages, or possessing or using alcohol-related paraphernalia, except as expressly permitted by the law and University Regulations and/or Policies.
- (b) Selling or distributing alcoholic beverages or alcohol-related paraphernalia, except as expressly permitted by law and University Regulations and/or Policies
- (c) Misconduct under the influence of alcohol
- (d) Alcohol Emergencies- University Expectations for Individuals.
 1. University of Central Florida students who receive medical attention due to alcohol-related emergencies may be exempt from disciplinary action as part of the conditions for alcohol emergencies after review by the Director of the Office of Student Conduct. Students eligible for exemption will be referred for assessment and follow-up services in lieu of the student conduct review process.
 2. Students who receive medical assistance for alcohol emergencies may receive exemption for violations of the Rules of Conduct Section 11(a)-11(c) ; however, exemption for other Rules of Conduct violations may not be granted. The Director of the Office of Student Conduct reserves the right to review each incident individually to determine whether the student will be exempt from disciplinary action. The Director of the Office of Student Conduct maintains the right to recommend additional requirements for students who are referred for assessment and fail to meet the requirements of their assessment. For subsequent incidents, appropriate interventions will be handled on a case by case basis.

3. Students who seek medical assistance on behalf of another intoxicated student may be exempt from disciplinary action for violations of the Rules of Conduct Section 11(a)- 11(c) . However, exemption for other Rule of Conduct violations may not be granted.
4. For parental notification regarding medical transports for alcohol-related incidents, refer to the Parental Notification Policy in the on the Office of Student Conduct website: <http://osc.sdes.ucf.edu/notification>.
5. Additional information regarding alcohol and/or drug related emergencies can be found on the Office of Student Conduct website [http://osc.sdes.ucf.edu/~~aleohol~~medicalemergencies](http://osc.sdes.ucf.edu/aleoholmedicalemergencies).

(12) Possession of Weapons and/or Dangerous Material

- (a) The possession, use, or storage of weapons on property owned or controlled by the University or at events sponsored and/or supported by the University is prohibited, except as specifically outlined in University Policy 3-119.1 (Weapons on University Property and at University Events).
- (b) Possession or use of fireworks of any description, explosives, or chemicals which are disruptive, explosive, or corrosive are prohibited on University premises or at University sponsored/related activities.

(13) Instigation or Participation in Group Disturbances during Demonstrations, Parades, or Picketing

- (a) Participation in a demonstration(s), parade(s), or picketing which invades the rights of others, which interferes with the educational function of the University, or which jeopardizes public order and safety.
- (b) Leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area.

(14) Misuse of Computing and Telecommunications Resources

- (a) Theft or other abuse of computer facilities and resources
- (b) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- (c) Unauthorized transfer of a file.
- (d) Use of another individual's identification and/or password.

- (e) Use of computing facilities and telecommunications resources to interfere with the work of another student, faculty member or University Official.
- (f) Use of computing facilities and telecommunications resources to send obscene or abusive messages.
- (g) Use of computing facilities and telecommunications resources to interfere with normal operation of the University computing system.
- (h) Use of computing facilities and telecommunications resources in violation of copyright laws.
- (i) Any violation of the University of Central Florida Use of Information Technology and Resources Policy.
- (j) Any violation of the University of Central Florida ResNet Acceptable Use Policy.

(15) Gambling

- (a) Play in an unlawful game of chance for money or for anything of value on University premises or at any affair sponsored by a student or student organization.
- (b) Unlawfully sell, barter or dispose of a voucher or any item for participation in a scheme of chance by whatever name on University premises or at any affair sponsored by a student or registered student organization.
- (c) Wager on a University team or organization in a competition, with a direct influence in the success of the competition.

(16) University Student Residence Violations. Violation(s) of any Department of Housing and residence Life policy, rule or regulation published in hard copy or available electronically via Department of Housing and Residence Life website.

(17) University Wordmark Violations. Unauthorized use of the official University wordmark, Pegasus, monogram, seal, or other graphic identity symbol.

(18) Violation of Local, State, and/or Federal Laws. Violation of any local, state and/or federal law that may result in a felony or misdemeanor.

Authority: BOG Regulations 1.001 and 6.0105. History – Formerly 6C7-5.0042, New 6-18-09, Amended 7-19-12, 9-5-13, 11-20-14, 10-29-15, 7-28-16, 7-20-17, 1-18-18, ____-18.

Attachment D

UCF-5.009 Student Conduct Review Process; Sanctions

(1) Violation Reports. Alleged violations of the UCF Rules of Conduct shall be reported in writing to the Director of the OSC or designee. Upon receiving an alleged violation of misconduct, the Director of the OSC or designee may review relevant information and consult with relevant parties regarding the incident in question. Where deemed necessary to protect the safety and well-being of others, of the university, or of property, the Director of the OSC or designee, upon notifying the VP of SDES or designee, may take immediate action to resolve the safety and/or well-being concern by placing the student on interim suspension. Interim suspension is not a sanction. An interim suspension is subject to review at a hearing within three (3) business days by the VP of SDES or designee to determine the status of the interim suspension. The outcome of an interim suspension hearing shall remain in effect until the final disposition of formal charges resulting from the circumstances of the case, unless the VP of SDES or designee shall decide otherwise.

- (a) The Director of the OSC will refer all information warranting disciplinary action and assign the case to the appropriate staff member. The Office of Student Conduct will send written notification to the charged student indicating the nature of the activity in question and what university rules were allegedly violated.
- (b) Upon receipt of an incident report the Office of Student Conduct has six months to charge a student with a violation of the Rules of Conduct. The Office of Student Conduct may exercise discretion when applying the time provision to account for circumstances that warrant a waiver of the six month time limit from the date of discovery. For Title IX related cases see UCF-5.006(10).
- (c) Students charged with alleged violations of the Rules of Conduct will receive notice to attend a required preliminary conference with the Office of Student Conduct to discuss the charges. If the student fails to attend that conference, a hold may be placed on the student's record, preventing them from registering for future classes until the matter is resolved. Students who leave the university or withdraw from a class before a disciplinary matter is resolved may be prohibited from future enrollment until such time as the matter is resolved. The student will receive information regarding the Student Conduct Review Process, including the student's rights during the process, an opportunity to inspect and/or review the information known at the time charges are prepared, and notice on how to contact the Student Government Association Judicial Advisor. At the conclusion of the meeting, the

Office of Student Conduct recommends an option for resolution of the disciplinary charges.

(2) Options for Resolution of Disciplinary Charges

- (a) Case Dismissal: The Director of the OSC or designee may dismiss a case if it is found to not have sufficient facts or information to substantiate the claim of misconduct, the accused person is not a student, or the action claimed as misconduct is not a violation of the ~~R~~rules of ~~C~~onduct.
- (b) Mediation: Depending on the nature and severity of the alleged violation, the Office of Student Conduct may recommend formal mediation through the Office of Student Rights and Responsibilities as an alternative to disciplinary action. The involved parties must each agree to mediation. Mediation is confidential. In mediation, the parties voluntarily meet with an impartial mediator to communicate their concerns and needs to each other and to reach their own agreement on the resolution of the case. The participants in mediation are responsible for keeping their agreement or renegotiating it, if necessary. In the event that the participants do not agree to mediate or mediate but do not reach a full and final resolution, the case will be referred back for disciplinary action through an informal or a formal hearing. Breach of a mediated agreement may result in a follow up mediation session or the matter may be referred back through the conduct process at the discretion of the Office of Student Conduct. Mediation will not be a resolution option for cases involving allegations of incidents of sexual misconduct and/or interpersonal violence.
- (c) Informal Hearing: At the discretion of the Office of Student Conduct, violations found not to warrant a formal hearing may be referred to an informal hearing. At the informal hearing the charged student has the opportunity to meet with an Office of Student Conduct staff member or designee and accept responsibility for the charges of violation of the Rules of Conduct. At the informal level the matter will be settled by the following outcomes: punitive sanction (~~D~~isciplinary ~~W~~arning, ~~d~~isciplinary ~~p~~robation~~D~~isciplinary Probation, or ~~D~~isciplinary ~~D~~eferred ~~S~~suspension) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not resolved informally, the case will be resolved through a formal hearing. The outcomes from an informal hearing process (decision of responsibility and recommended sanctions) are final and are not eligible to be appealed (UCF-5.010).

- (d) Formal Hearing: If an alleged violation of the Rules of Conduct is not dismissed or otherwise resolved, then the Office of Student Conduct shall present in writing formal charges to the student. The charged student may request either a panel or administrative hearing. The charged student's hearing shall be open only to the charged student, his/her advisor, the hearing body, witnesses (when called upon), and a representative from the Office of Student Conduct. For cases of sexual misconduct and/or interpersonal violence, the hearing shall also be open to the complainant and advisor. In cases of alleged Academic Misconduct, the student is required to have an academic integrity panel hearing as stated in UCF-5.015.

Formal notification shall include:

1. The student's name and address.
2. Date, time and location of the formal hearing.
3. The rule(s) of conduct allegedly violated as known at the time formal charges are prepared.
4. Names of potential witnesses known at the time formal charges are prepared.
5. A description of any physical or written documentation known at the time charges are prepared.

(3) Formal Hearings.

There are two types of formal hearings – panel hearings and administrative hearings.

(a) Panel Hearings.

1. A panel to consider an individual case shall be randomly selected by the Office of Student Conduct from the Student Conduct Board and shall consist of two (2) faculty and administrative staff members combined, and two (2) student members. One panel member shall be selected by the Office of Student Conduct to chair the hearing and report the proposed finding(s) and recommended sanctions, if any, to the Director of the OSC or designee.
2. At hearings conducted by a panel, an Office of Student Conduct staff member shall act as an advisor to the panel. The Director of the OSC or designee shall receive the panel's proposed finding(s) as to "in violation" or "not in violation" of the Rules of Conduct, and consider any sanctions proposed by the panel.

3. The Director of the OSC or designee may accept the proposed finding(s) of “in violation” or “not in violation” or remand the case for rehearing. If the Director of the OSC or designee accepts the proposed finding(s) of “in violation,” they may approve, mitigate or increase the sanctions proposed by the panel.
4. Any decision by the Director of the OSC or designee to alter proposed sanctions or remand a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

(b) Administrative Hearings

1. Administrative hearings shall be conducted by one faculty or staff member selected by the Office of Student Conduct from the Student Conduct Board. The charged student shall be informed of the hearing officer assigned to the case and shall have the opportunity to challenge the impartiality of the individual within three (3) business days of notification. The student shall state in writing the basis for such challenge. A hearing officer so challenged will be excused; however, indiscriminate challenges shall not be permitted. In the event that a student has opted not to challenge the impartiality of a hearing officer prior to the allotted three (3) business days, the assigned hearing officer shall remain as scheduled.
2. At hearings conducted by an administrative hearing officer, an Office of Student Conduct staff member shall act as an advisor to the administrative hearing officer. The Director of the OSC or designee shall receive the administrative hearing officer’s proposed finding(s) as to “in violation” or “not in violation” of the Rules of Conduct, and consider any sanctions proposed by the administrative hearing officer.
3. The Director of the OSC or designee may accept the proposed finding(s) of “in violation” or “not in violation” or remand the case for rehearing. If the Director of the OSC or designee accepts the proposed finding(s) of “in violation,” they may approve, mitigate or increase the sanctions proposed by the administrative hearing officer.

4. Any decision by the Director of the OSC or designee to alter sanctions or remand a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
- (c) Conduct of Formal Hearings - The following is furnished as a guide to the sequence of events in a formal hearing. Please note that all formal hearing proceedings are recorded. The recording is part of the official record of the formal hearing and no other recordings are permitted.
1. Reading of charges.
 2. Student response of “in violation” or “not in violation.”
 3. Presentation of information in support of the charges.
 4. Opening statement by the charged student.
 5. Questioning of the charged student.
 6. Presentation and questioning of all other parties.
 7. Final questions of the charged student by the hearing body.
 8. Closing remarks by the charged student.
 9. Hearing is brought to a close.
 10. The student is invited to await announcement of the proposed finding(s) and recommended sanction(s), if any.
- (d) Deliberations by the hearing body are not part of the hearing and are confidential. Deliberations occur after the closure of the hearing and are not recorded. Following deliberations, the hearing body will prepare a written statement of its proposed finding(s) and, if applicable, recommend sanctions.
- (e) Case Record for Formal Hearing - The case record shall consist of the following items:
1. A copy of the formal charges in writing.
 2. A recording of the formal hearing.
 3. A recording of the announcement of the proposed finding(s) and proposed sanctions, if any.
 4. All staff memoranda submitted.
 5. All items of physical or written documentation submitted, provided such items are not returned to a rightful owner. In that case, photographs or other facsimiles shall be made before return.

6. The proposed finding(s) and sanction(s) by the hearing panel or administrator, if any.
 7. The Director of the OSC's or designee's decision.
- (f) Student Conduct Board members for panel and administrative formal hearings are selected through an annual application and interview process with the exception of the justices from the Student Government Association Judicial Branch. All Student Conduct Board members, including justices, receive annual training from the Office of Student Conduct. Student Conduct Board members who serve on hearings related to allegations of sex discrimination, including but not limited to relationship violence, sexual assault, sex harassment, and stalking receive additional training annually.

(4) Student Rights in the Student Conduct Review Process.

The following rights shall be explained to each charged student prior to the commencement of any formal disciplinary hearing:

- (a) The charged student shall be afforded reasonable written notice, at least five (5) business days prior to the formal hearing, unless waived in writing. Written notice sent to the charged student's electronic and/or physical address listed in the Registrar's records shall constitute full and adequate notice. Written notice shall include:
 1. The student's name and address.
 2. Date, time and location and nature of the proceeding of the formal hearing.
 3. The rule(s) of conduct allegedly violated as known at the time formal charges are prepared.
 4. Names of potential witnesses known at the time formal charges are prepared.
 5. A description of any written or physical documentation known at the time charges are prepared.
- (b) The student may have, at his or her own expense and initiative, an advisor present at the hearing. It is the student's responsibility to make appropriate arrangements for the advisor to attend the hearing, and the hearing shall not be delayed due to scheduling conflicts of the chosen advisor. The advisor may be present to advise the student but shall not speak for or present the case for the student or otherwise participate directly in the proceeding. -The student may consult with their advisor

at any time during the hearing. This consultation must take place in a manner that does not disrupt the proceedings. -In addition, an advisor may not serve as a witness. If the advisor does not adhere to their defined role in the student conduct review process, they may be removed from the hearing.

- (c) All hearings shall be conducted on the basis that the charged student is not in violation until the preponderance of evidence proves otherwise. At a hearing, the technical rules of evidence applicable to civil and criminal cases shall not apply. The burden of proof in a student conduct hearing is not on the student charged with a violation of the Rules of Conduct.
- (d) The student may inspect any information presented in support of the charges at least three (3) business days before the formal hearing. The University also has the right to review any information the student intends to use at least three (3) business days before the formal hearing. Only such information that is determined “Relevant Information” will be made part of the hearing record.
- (e) The university cannot compel any person to attend a formal hearing. -However, all parties may arrange for witnesses to voluntarily present Relevant Information during the proceeding. —The student may hear and question adverse parties who testify at the hearing.
- (f) The student shall not be forced to present self-incriminating information; however, the University is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal case. The University’s formal hearing is not a criminal or judicial proceeding and is designed to address student behavior; therefore, alleged violations of the UCF Rules of Conduct will be addressed independently of any outcome imposed by the courts for a criminal offense.
- (g) The proposed finding, as well as the Director of the OSC’s or designee’s determination, of “in violation” or “not in violation” on the charges shall be based solely on the information presented at the formal hearing.
- (h) Only if the proposed finding of the hearing body is that the student is in violation, will prior conduct history will then be reviewed and potentially affect proposed sanctioning.
- (i) The results of any formal hearing shall be made available to the charged student within seven (7) business days following the hearing. Should the OSC need

additional time, the deadline can be extended by the Director of the OSC or designee by notifying the charged student. For academic integrity cases, the results of any formal hearing shall be made available to the charged student within fourteen (14) business days following the hearing.

- (j) The student's enrollment status shall remain unchanged pending the University's final agency action in the matter, except in cases where the VP of SDES or designee determines that the safety, health, or general welfare of the student, any individual, or any part of the University may be involved.

(5) Additional Procedures in Cases of Sexual Misconduct and/or Interpersonal Violence. Where a student is charged with sexual misconduct and/or interpersonal violence, the procedures outlined in UCF-5.006(10) will apply in addition to the procedures of the Student Conduct Review Process outlined above.

(6) Sanctions.

- (a) Disciplinary Warning - An official warning that the student's behavior is in violation of the UCF Rules of Conduct, and that if the student is subsequently found in violation of a rule while on ~~D~~isciplinary ~~W~~arning, subsequent action may be more severe.
- (b) Disciplinary Probation - Disciplinary ~~P~~robation status shall be for a specific length of time in which any further violation of the ~~R~~ules of ~~C~~onduct puts the student's status with the University in jeopardy. If the student is found "in-violation" for another violation of the ~~R~~ules of ~~C~~onduct, while on ~~D~~isciplinary ~~P~~robation, more severe sanctions may be imposed such as ~~D~~isciplinary ~~S~~suspension or ~~D~~isciplinary ~~E~~xpulsion. Restrictive conditions may be imposed and vary according to the severity of the offense. While on ~~D~~isciplinary ~~P~~robation, restrictive conditions may include, but may not be limited to the following: loss of good standing, which may become a matter of record; denial of the privilege to occupy a position of leadership or responsibility in any University registered student organization, publication, or activity, or ability to represent the University in an official capacity or position; trespass of University facilities or other areas of campus or contact with another specified person(s). Under ~~D~~isciplinary ~~P~~robation, the student may continue to attend classes and is given a chance to show capability and willingness to live in accordance with University rules. ~~However, if the student is subsequently~~

~~found in violation of a rule while on disciplinary probation, the University may suspend or expel the student from the University.~~ While on Disciplinary Probation, a hold will be placed on a student's record for record keeping purposes.

- (c) Deferred Disciplinary Suspension - Deferred Disciplinary ~~s~~Suspension is used for offenses found serious enough to warrant ~~d~~Disciplinary ~~s~~Suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. Deferred Disciplinary ~~s~~Suspension is a designated period of time during which a student is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Rules of Conduct. During a ~~d~~Deferred Disciplinary ~~s~~Suspension, the student will be officially suspended from the university, but the suspension will be deferred, meaning that the student may continue to attend classes. The suspension will be enforced for failure to complete any assigned educational sanctions by the deadline(s) and/or for any subsequent violation of the Rules of Conduct, unless the Director of the OSC determines otherwise in exceptional circumstances. If the student is found in violation for any subsequent violation(s) of the Rules of Conduct while on ~~D~~Deferred Disciplinary ~~S~~suspension, including failure to complete any assigned educational sanctions by the deadline(s), the student will be suspended for a minimum of ~~two one~~ (12) semesters, in addition to the educational sanctions imposed for the subsequent violation. Students placed on ~~d~~Deferred Disciplinary ~~S~~suspension will have a conduct overlay placed on their transcripts for the period of time that the ~~d~~Deferred Disciplinary ~~S~~suspension is in effect. The conduct overlay is a notation indicating that the student is not in good standing. Deferred ~~D~~Disciplinary ~~s~~Suspension may include the denial of specific university privileges, including but not limited to loss of good standing, which may become a matter of record; denial of the privilege to occupy a position of leadership or responsibility in an University registered student organization, publication, or activity, or ability to represent the University in an official capacity or position; trespass of University facilities or other areas of campus or contact with another specified person(s). The duration of any ~~d~~Deferred Disciplinary ~~S~~suspension period and the specific restrictions imposed will be determined by the OSC on a case-by-case basis.

- (d) Disciplinary Suspension - A student involved in an offense warranting consideration of action more serious than ~~de~~ferred Disciplinary ssuspension or one involved in repeated misconduct may face ~~de~~disciplinary ssuspension. During the period of ~~de~~disciplinary ssuspension, a student may not be enrolled in classes, participate in University related activities, whether they occur on or off campus. A student under ~~de~~disciplinary ssuspension may not otherwise be present on University premises unless authorized in writing in advance under conditions approved by the Director of the OSC. Upon being withdrawn, the student may no longer enroll in classes, may not be an active member of a Registered Student Organization, may no longer use university facilities, must vacate university owned housing, may no longer be permitted on university property, may not be employed by the University, and may be entitled to whatever refunds of tuition, fees, and room and board charges as would be appropriate given the timing of the withdrawal. In determining if and to what extent suspended students shall be authorized to be on University premises, the Director of the OSC or designee shall consider whether the suspension creates an undue hardship on the disciplinary suspended student in regard to considerations that include, but are not limited to, the medical needs of the student. ~~Students placed on Disciplinary Suspension will have a conduct overlay. An overlay will be placed on their transcript a student's record for during the period of time that the Disciplinary Suspension is in effect. disciplinary suspension. The conduct overlay is a notation indicating that the student is not in good standing.~~ Further, while on ~~de~~disciplinary ssuspension, a hold will be placed on a student's record for record keeping purposes. All assigned educational sanctions must be completed prior to the conclusion of ~~de~~disciplinary ssuspension; otherwise the ~~de~~disciplinary ssuspension will remain in effect.
- (e) Disciplinary Dismissal – Disciplinary Dismissal is a sanction which removes the student from the individual's academic program and separates the student from the University for a period of at least two years and up to seven years. A dismissed student has none of the rights or privileges of a student of the University. Following Dedisciplinary Dedismissal, the individual must apply for readmission to the University. Readmission is possible but not guaranteed and will only be considered after the two to seven year time allotted from the effective date of the Dedismissal,

based on meeting all readmission criteria and obtaining clearance from the Associate Vice President and Dean of Students or designee. This may include restricted access to campus and/or other specified activities. Students placed on Disciplinary Dismissal will have a conduct overlay placed on their transcript for the period of time that the Disciplinary Dismissal is in effect. The conduct overlay is a notation indicating that the student is not in good standing. Further, while on Disciplinary Dismissal, a hold will be placed on a student's record for record keeping purposes. All assigned educational sanctions must be completed prior to the conclusion of Disciplinary Dismissal; otherwise the Disciplinary Dismissal will remain in effect.

- (f) Disciplinary Expulsion – Disciplinary Expulsion is a sanction which removes the student from the individual's academic program and permanently separates a student from the University without opportunity to graduate or re-enroll at the university in the future. An overlay will be permanently placed on the student's record. Further, a hold will be permanently placed on a student's record for record keeping purposes.
- (g) Recommendation for Degree Revocation – The University of Central Florida reserves the right to revoke any UCF degree awarded to any student. Reasons for degree revocation may include academic dishonesty, grade change, administrative error, disciplinary misconduct, or student request (see UCF Policy 4-406).
- (h) Educational Sanctions - In conjunction with a sanction listed above, a student found to have been in violation of any of the Rules of Conduct will be assigned educational requirements such as, but not limited to, reflective/research papers, classes/seminars, community service, interviews, etc. Educational sanctions are intended to provide a student with opportunities to repair the harm of their actions and to engage in meaningful developmental experiences that will help the student in avoiding future violations of University policy. If a student has any outstanding educational requirements at the conclusion of disciplinary probation or disciplinary suspension, a student's disciplinary probation or disciplinary suspension status and hold will remain in effect pending the completion of the educational requirements.

Authority: BOG Regulations 1.001 and 6.0105. History - Formerly 6C7-5.0041, New 6-18-09. Amended 9-5-13, 3-5-15, 10-29-15, 7-28-16, 7-20-17, 1-18-18, _____-18.

Attachment E

UCF-5.012 Organizational Rules of Conduct

Registered student organizations are expected to abide by these Organizational Rules of Conduct, and administrators and faculty are expected to enforce them. These rules should be read broadly and are not intended to define prohibited conduct in exhaustive terms. These rules may be revised during the year; announcements will be made on adoption of changes or additions. The right of all students to seek knowledge, debate ideas, form opinions, and freely express their ideas is fully recognized by the University of Central Florida, including when students come together as registered student organizations. The Organizational Rules of Conduct, set out below, apply to registered student organization conduct and will not be used to impose discipline for the lawful expression of ideas. The following is a non-exhaustive list of prohibited conduct for which disciplinary action may be taken at the University of Central Florida. The following offenses, or the aiding, assisting, condoning, or attempting to commit these offenses, constitute violations of the Organizational Rules of Conduct.

(1) Theft, Disregard for Property

- (a) Malicious or unwarranted damage or destruction of another's property;
- (b) Taking, attempting to take, or keeping in its possession property or services not belonging to the registered student organization.
- (c) Misuse or mishandling of organizational funds by any officer, member, or other individual.

(2) Possessing and/or Providing False and Misleading Information and/or Falsification of University Records

- (a) Withholding related information, or furnishing false, misleading, incomplete, or incorrect information (oral or written) to University officials, non-university law enforcement officers, faculty or staff.
- (b) Possession, use or attempted use of any form of fraudulent identification.
- (c) Forgery, alteration or misuse of any University document, material, file, record or instrument of identification.
- (d) Deliberately and purposefully providing false or misleading verbal or written information about another person.

- (e) Falsification, distortion, or misrepresentation of information during an investigation, the student conduct review process, including knowingly initiating a false complaint

(3) Disruptive Conduct

- (a) Any act that impairs, interferes with, or obstructs the orderly conduct, processes, and functions of the University or any part thereof or the rights of one or more individuals.
- (b) Obstructing the free movement of other students around the campus, interfering with the use of University facilities, preventing the normal operation of the University; or conducting any event that interferes with the normal progress of academic events on campus.
- (c) Engaging in obscene or indecent conduct.
- (d) Failure to comply with the administrative policies as enacted by the University.
- (e) Failure to comply with the directions of University officials or authorized agents acting in the performance of their duties. Registered student organization officers and members shall comply with all directions or requests of University officials, University police officers or authorized agents in a timely manner.
- (f) Hindering or interfering with the Organizational Conduct Review Process by failing to obey the notice from a university official to appear for a student conduct meeting or hearing and/or attempting to discourage an individual's proper participating in, or use of, the Organizational Conduct Review Process.
- (g) Participating in any event with a registered student organization that is currently on disciplinary probation (with restrictive conditions), has been suspended, or has had their UCF registration revoked.

(4) Harmful Behavior

- (a) Physical violence towards another person or group.
- (b) Discriminatory Harassment: Defined as verbal, physical, electronic, or other conduct based on a protected category (such as race, color, religion, national origin, et al.) which, due to the severity and pervasiveness of the conduct and its targeted nature on the basis of a protected category, (i) has the purpose or effect of creating an objectively intimidating, hostile or offensive educational or work environment;

and (ii) has the purpose or effect of unreasonably interfering with an individual's schooling or employment with the University. Harassment under this provision is conduct that would constitute harassment under federal or state civil rights laws or under University Regulation UCF-3.001 and Prohibition of Discrimination, Harassment and Related Interpersonal Violence Policy.

- (c) Bullying: Defined as behavior of any sort (including communicative behavior) directed at another, that is severe, pervasive, or persistent, and is of a nature that would cause a reasonable person or group in the target's position substantial emotional distress and undermine his or her ability to work, study, or participate in University life or regular activities, or which would place a reasonable person in fear of injury or death.
- (d) Verbal, digital, or written abuse, threats, intimidation, coercion and/or other conduct that endangers the health, safety or well-being of another person or group, or which would place a reasonable person in fear of bodily injury or death. This definition, however, shall not be interpreted to abridge the rights of the University community to freedom of expression protected by the First Amendment of the United States Constitution and any other applicable law.
- (e) Failure to respect the privacy of other individuals.
- (f) Retaliation against or harassment of Complainant(s), other person(s) alleging misconduct, or anyone who participates in an investigation of harassment.
- (g) Condoning or encouraging acts of harmful behavior as defined above or failing to intervene on an act of harmful behavior while it is occurring.

(5) Sexual Misconduct and/or Interpersonal Violence

- (a) Nonconsensual Sexual Conduct - Any nonconsensual sexual contact which occurs on or off the UCF campus.
 1. Consent is an understandable exchange of affirmative words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be obtained by force, threat, coercion, manipulation, reasonable fear of injury, intimidation, use of position of influence, or through the use of one's mental or physical helplessness or incapacity. The lack of a negative response, lack of protest or resistance, silence, and passivity are not

consent. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Past consent to sexual activity does not imply ongoing further consent.

- a. Responsibilities - It is the responsibility of the initiator to obtain consent at each stage of sexual involvement.
- b. Standard - A determination of whether consent exists will be based on the information the initiator of the sexual act knew or should have known as a sober, reasonable person. Being impaired by alcohol or other drugs does not relieve an initiator of a sexual act from obtaining consent.
- c. Incapacitation - Incapacitation is a state where an individual cannot make rational, reasonable decisions because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated due to the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. A person who is incapacitated lacks the capacity to give consent because they cannot understand the fact, nature, or extent of the sexual interaction.
- d. Duration of Consent - Consent must be ongoing throughout sexual activity, for each sexual act, and can be withdrawn at any time.
 - i. Within each sexual encounter, there may be separate individual sexual acts involved. Consent to one act by itself does not constitute consent to another act. If verbal consent is not given, ongoing active participation is required for consent.
 - ii. The existence of a dating or sexual relationship between the persons involved, or the fact of past sexual relations have occurred between the parties, is not an indicator of consent for any current or future sexual encounter.
 - iii. An individual who seeks to withdraw consent must communicate, through clear words or actions, a decision to

cease the sexual activity. Once consent is withdrawn, the sexual activity must cease immediately.

- e. Scope of Consent - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
2. Sexual Contact – includes but is not limited to the following behaviors:
- a. Touching, kissing, fondling (whether over or under clothing) of an individual for the purpose of sexual gratification; and/or
 - b. contact, however slight, between the mouth, anus or sex organ of one individual with either the anus or sex organ of another individual; and/or
 - c. contact, however slight, between the anus or sex organ of one individual and any other object.
- (b) Sexual Harassment: Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions for Discriminatory Harassment as defined in 5.012(4)(b) are present. This is conduct that would constitute sexual harassment under federal or state civil rights laws or under University Regulation UCF-3.001. Sexual Harassment may include inappropriate touching, acts of sexual violence, suggestive comments and public display of pornographic or suggestive calendars, posters, or signs where such images are not connected to any academic purpose. A single incident of nonconsensual sexual contact (as defined above) may be sufficiently severe to constitute sexual harassment.
- (c) Gender-Based Harassment: Discriminatory harassment that is based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions for Discriminatory Harassment as defined in UCF-5.012(4)(b) are present.

- (d) Obscene or Indecent Behavior - Exposure of one's body in such a manner that another party reasonably could be offended or to display sexual behavior which another person reasonably finds offensive.
- (e) Voyeurism - Trespass, spying, or eavesdropping for the purpose of sexual gratification.
- (f) Solicitation of a Minor – soliciting sexual acts from a minor by oral, written, or electronic means.
- (g) Child Pornography – possessing, producing or the dissemination of child pornography
- (h) Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for the person's safety or the safety of others, or to experience substantial emotional distress. A "course of conduct" is two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property. Stalking includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact. Stalking may include, but is not limited to: non-consensual communications (face to face, telephone, e-mail); threatening or obscene gestures; surveillance/following/pursuit; showing up outside the targeted individual's classroom or workplace; sending gifts and/or notes (romantic, bizarre, sinister, or perverted); and/or making threats.
- (i) Sexual Exploitation: Sexual Exploitation is purposely or knowingly doing or attempting to do any of the following:
 1. Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
 2. Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;

3. Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
 4. Subjecting another person to human trafficking; or
 5. Exposing another person to a sexually transmitted infection or virus without the other's knowledge.
- (j) Complicity: Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act prohibited by the Organizational Rules of Conduct UCF-5.012(5).
- (k) Any attempted acts of sexual misconduct and/or interpersonal violence defined above are also violations of this policy.
- (6) Alcohol Related Misconduct
- (a) Use and/or possession of alcoholic beverages, except as expressly permitted by law and University regulations/policies.
 - (b) Sale and/or distribution of alcoholic beverages, except as expressly permitted by the law and University regulations/policies.
 - (c) Furnishing or causing to be furnished any alcoholic beverage to any person under the legal drinking age.
 - (d) Behavior under the influence of alcohol.
 - (e) Furnishing or causing to be furnished any alcoholic beverage to any person in a state of noticeable intoxication.
 - (f) Failure of a registered student organization to take all necessary steps to see that no person under the legal drinking age possesses alcoholic beverages at functions it sponsors or within any property or transportation it owns, operates, and/or rents.
 - (g) Alcohol Emergencies- University Expectations for Registered Student Organizations. Registered student organizations may be eligible for exemptions from disciplinary action when a representative of an organization at a registered student organizational event calls for emergency assistance on behalf of a person experiencing an alcohol related emergency. Registered student organizations that seek medical assistance for alcohol emergencies may receive exemption for violations of the Organizational Rules of Conduct Section 6(a)-6(f); however,

exemption for other Organizational Rule of Conduct violations may not be granted. Registered student organizations may be eligible for this exemption on a case by case basis at the discretion of the Director of the OSC. Additional information regarding alcohol emergencies can be found at the Office of Student Conduct website.

(7) Drug Related Misconduct

- (a) Unlawful use and/or possession of any narcotic or other controlled substances, and possession and/or use of drug paraphernalia.
- (b) Sale and/or distribution of any narcotic or other controlled substances.
- (c) Cultivation and/or manufacture of any narcotic or other controlled substances.
- (d) Attempt to obtain any narcotic or other controlled substances, except as expressly permitted by law.

(8) Unauthorized Entry. Unauthorized entry, attempted entry, or loitering in private or restricted areas that are owned and/or operated by the University.

(9) Gambling

- (a) Play or sponsor of an unlawful game of chance for money or for anything of value on University premises or at any affair sponsored by a registered student organization.
- (b) Unlawful sale, barter, or disposition of a voucher or any item for participation in a scheme of chance by whatever name on University premises or at any activity sponsored by a registered student organization
- (c) Wagering on a University team or organization in a competition, with or without intent to have a direct influence in the success of the competition

(10) Hazing- The University does not condone hazing in any form and defines hazing to include but not limited to:

- (a) Any action or situation which recklessly or intentionally endangers the mental or physical health and/or safety of a student for the purpose of initiation or admission into, or association with, any organization. Hazing may result in felony charges.
- (b) Brutality of a physical nature such as whipping, beating, branding, forced calisthenics, exposure to the elements; forced consumption of any food, liquor, liquid, drug, or other substances; or other forced elements; or other forced activity

which could adversely affect the mental or physical health or safety of the individual.

- (c) Any activity that could subject the individual to mental or physical stress such as sleep deprivation, forced exclusion from social contact, forced contact which could result in embarrassment, or any other activity that could adversely affect the mental or physical health or dignity of the individual.
- (d) Forcing or requiring the violation of University policies, federal, state, or local law.
- (e) Any activity, as described above, upon which the initiation or admission into or association with a registered student organization may be directly or indirectly conditioned, shall be presumed to be a "forced" activity, the willingness of an individual to participate in such an activity notwithstanding.

(11) Outstanding Debt. Failure to pay on and off campus vendors in a timely manner. Groups shall not knowingly enter into purchase or rental agreements that are beyond the resources of the organization's ability to pay. The University will not cover outstanding debts of registered student organizations.

(12) Use of Facilities. Failure to comply with University regulations and procedures for campus events and/or use of campus facilities or grounds. Those individuals acting on behalf of an organization that reserve facilities should check with the University department or office responsible for the facility to guarantee that all procedures have been followed.

(13) Fire Safety and Sanitation

- (a) Tampering with or damage to fire safety equipment.
- (b) Causing, condoning, or encouraging the creation of any situation involving incendiary or other chemicals or substances, explosives, or fire that reasonably may result in danger to another's person or property.
- (c) Possession or use of illegal fireworks, incendiary devices, or dangerous explosives.
- (d) Failure to properly maintain a registered student organization's facilities or property (or surrounding property) such that a potential danger to the health and safety of the occupants or members of the University and surrounding community is created.

(14) Advertising

- (a) Origination or circulation of any advertising media that contains matter that violates federal, state and/or local laws.

- (b) Origination or circulation of any advertising media containing false or misleading information.
- (15) Solicitation and Fundraising. Failure to comply with applicable law and University regulations and procedures for solicitation and fundraising activities on campus.
- (16) University Wordmark Violations. Unauthorized use of the University's name, abbreviation, trademarks or wordmarks, including the Pegasus, monograms, seal, or other graphic identity symbols. The phrases "UCF" or "University of Central Florida" (or some form thereof) cannot precede the title of the organization. This section refers to but is not limited to, the registered student organization's: domain name, web address, promotional materials, and uniforms/shirts.
- (17) Academic Misconduct
- (a) Unauthorized academic assistance: Using or attempting to use unauthorized materials, information or study aids in any academic exercise unless specifically authorized by the instructor of record.
 - (b) The unauthorized possession of examination or course related material.
 - (c) Commercial Use of Academic Material: Selling of course material to another person, student, and/or uploading course material to a third party vendor without authorization or without the express written permission of the University and the Instructor. Course materials include but are not limited to class notes, Instructor's power points, ~~course syllabi~~, tests, quizzes, labs, instruction sheets, homework, study guides, handouts, etc.
 - (d) Knowingly helping any student violate academic behavior standards.
- (18) Violation of Local, State, and/or Federal Laws. Violation of any local, state and/or federal law that may result in a felony or misdemeanor.

Authority: BOG Regulations 1.001 and 6.0105. History – New 10-16-09, Amended 7-19-12, 9-3-13, 10-29-15, 7-28-16, 7-20-17, _____-18.

Attachment F

UCF-5.013 Organization Conduct Review Process; Sanctions; Appeals

(1) Violation Reports

- (a) Alleged violations of the UCF Organizational Rules of Conduct shall be reported in writing to the Director of the OSC or designee. Incident reports can be submitted for information purposes only, for information purposes with the requirement that the registered student organization attend an academic integrity seminar, or to initiate the student conduct review process. Upon receiving an incident report, the Director of the OSC or designee may review relevant information and consult with relevant parties regarding the incident in question. Where deemed necessary to protect the health and safety of any individual, the student body, or any part of the University or its community, the Director of the OSC or designee, upon notifying the VP of SDES or designee, may take immediate action to resolve the situation by placing the registered student organization on interim organizational suspension. Interim organizational suspension is not a sanction. Interim organizational suspension is preliminary in nature; it is in effect only until there is a resolution of the registered student organization conduct matter. Interim organizational suspension is subject to review at a hearing within ten (10) business days by the VP of SDES or designee to determine the status of the interim organizational suspension. The outcome of an interim organizational suspension hearing shall remain in effect until the final disposition of formal charges resulting from the circumstances of the case, unless the VP of SDES or designee shall decide otherwise.
- (b) The Director of the OSC will refer all information warranting disciplinary action and assign the case to the appropriate staff member. The Office of Student Conduct will send written notification to the chief officer of the registered student organization at their UCF mailing address indicating the nature of the activity in question and what Organizational Rules of Conduct were allegedly violated. The chief officer of the registered student organization shall serve as the organization's representative in the organization conduct review process.
- (c) Upon receipt of an incident report the Office of Student Conduct has six months to charge a registered student organization with a violation of the Organizational Rules of Conduct. The Office of Student Conduct may exercise discretion when applying the

time provision to account for circumstances that warrant a waiver of the six month time limit from the date the violation report was filed.

- (d) A registered student organization charged with alleged violations of the Organizational Rules of Conduct (see UCF-5.012) will receive notice to attend a mandatory preliminary conference with the Office of Student Conduct. If the registered student organization fails to attend the mandatory preliminary conference without providing a satisfactory reason for the absence, the registered student organization may be placed on immediate social probation until such time as the registered student organization completes the mandatory preliminary conference. During the mandatory preliminary conference the registered student organization will receive information regarding the Registered Student Organization Conduct Review Process, including the registered student organization's rights during the process; an opportunity to inspect and/or review the information known at the time charges were prepared and how to contact the Student Government Association Judicial Advisor. At the conclusion of the mandatory preliminary conference, one of the following will occur: case dismissal, mediation, informal hearing, or formal hearing.
- (e) Social probation includes but is not limited to the prohibition of the following: any on or off campus fundraisers, socials, intramural competitions, receptions, service projects, conferences, retreats, etc. The organization may also not be able to update its registration until such time that it appears before a hearing. Groups under social probation may gather at regularly scheduled business meetings.

(2) Options for Resolution of Disciplinary Charges

- (a) Case Dismissal: The Director of OSC or designee may dismiss a case if it is found to not have sufficient facts or evidence to substantiate the claim of misconduct or the misconduct is not a violation of the organizational rules of conduct.
- (b) Mediation: Depending on the nature and severity of the alleged violation, the Office of Student Conduct may recommend formal mediation through the Office of Student Rights and Responsibilities as an alternative to disciplinary action. The involved parties must each agree to mediation. Mediation is a confidential process where the parties voluntarily meet with an impartial mediator to communicate their concerns and needs to each other and to reach their own agreement on the resolution of the case. The participants in mediation are responsible for keeping their agreement or renegotiating

it, if necessary. In the event that the participants do not agree to mediate or mediate but do not reach a full and final resolution, the case will be referred back to the Office of Student Conduct for disciplinary action through an informal or a formal hearing. Breach of a mediated agreement may result in a follow up mediation session or the matter may be referred back through the conduct process at the discretion of the Office of Student Conduct.

(c) Informal Hearing: At the discretion of the Office of Student Conduct, violations found not to warrant a formal hearing may be referred to an informal hearing. At the informal hearing the charged registered student organization has the opportunity to meet with an Office of Student Conduct staff member and accept responsibility for the charges of violation of the Organizational Rules of Conduct. At the informal level the matter will be settled by the following outcomes: punitive sanction (organizational warning, organizational probation, organizational probation with restrictions, deferred organizational suspension) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not settled informally, the case will be resolved through a formal hearing.

(d) Formal Hearing: If an alleged violation of the Organizational Rules of Conduct is not dismissed or otherwise resolved, then the Office of Student Conduct shall present in writing formal charges to the registered student organization. The charged registered student organization may request either a panel or administrative hearing. The charged registered student organization's hearing shall only be open to the charged registered student organization's chief officer, their advisor, the hearing body, witnesses (when called upon), a representative from the Office of Student Conduct, and a university staff member from an appropriate office (Office of Student Involvement, Office of Fraternity and Sorority Life, Recreation and Wellness Center, etc.).

(3) Formal Hearings. There are two types of formal hearings – panel hearings and administrative hearings.

(a) Panel Hearings.

1. A panel to consider an organizational case shall be comprised of members from the Office of Student Conduct Student Conduct Board. The panel shall consist of two (2) faculty and administrative staff members combined and two (2) student members that have been trained by the Office of Student Conduct to hear

organizational cases. One panel member shall be selected by the Office of Student Conduct to chair the hearing and report the proposed finding(s) and sanction(s), if any, to the Director of the OSC or designee.

2. At hearings conducted by a panel, an Office of Student Conduct staff member shall act as an advisor to the panel. The Director of the OSC shall receive the panel's proposed finding(s) as to "in violation" or "not in violation" of the Organizational Rules of Conduct and consider any sanctions proposed by the panel.
3. The Director of the OSC or designee may accept the proposed finding(s) of "in violation" or "not in violation" or remand the case for rehearing. If the Director of the OSC or designee accepts the proposed finding of "in violation," they may approve, mitigate or increase the sanctions proposed by the panel.
4. Any decision by the Director of the OSC or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

(b) Administrative Hearings

1. Administrative hearings shall be conducted by a faculty or staff member from the Student Conduct Board trained by the Office of Student Conduct to hear organizational cases. The charged registered student organization shall be informed of the hearing officer assigned to its case and shall have the opportunity to challenge the impartiality of the individual within three (3) business days of notification. The charged registered student organization shall state in writing the basis for such challenge. A hearing officer so challenged will be excused; however, indiscriminate challenges shall not be permitted. In the event that a charged registered student organization has opted not to challenge the impartiality of a hearing officer prior to the allotted three (3) business days, the assigned hearing officer shall remain as scheduled.
2. At hearings conducted by an administrative hearing officer, an Office of Student Conduct staff member shall act as an advisor to the administrative hearing officer. The Director of the OSC or designee shall receive the administrative hearing officer's proposed finding(s) as to "in violation" or "not in violation" of the Organizational Rules of Conduct, and consider any sanctions proposed by the administrative hearing officer.

3. The Director of the OSC or designee may accept the proposed finding(s) of “in violation” or “not in violation” or remand the case for rehearing. If the Director of the OSC or designee accepts the proposed finding(s) of “in violation,” they may approve, mitigate or increase the sanctions proposed by the administrative hearing officer.
 4. Any decision by the Director of the OSC or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
- (c) Conduct of Formal Hearings - the following is furnished as a guide to the events in a formal hearing. Please note that all formal hearing proceedings are recorded. The recording is part of the official record of the hearing and no other recordings are permitted.
1. Reading of charges.
 2. Registered student organization response of “in violation” or “not in violation.”
 3. Presentation of information in support of the charges.
 4. Opening statement by the charged registered student organization.
 5. Questioning of the charged registered student organization by the hearing body.
 6. Presentation and questioning of witnesses in support of the charges.
 7. Presentation and questioning of witnesses by the charged registered student organization.
 8. Final questions of the charged student organization by the hearing body.
 9. Closing remarks by the charged registered student organization.
 10. Hearing is brought to a close.
 11. Registered student organization is scheduled for a meeting to discuss the hearing body’s proposed finding(s) and recommended sanction(s), if any.
- (d) Deliberations by the panel or the administrative hearing officer are not part of the hearing and are confidential. Deliberations occur after the closure of the hearing and are not recorded.
- (e) Case Record for Formal Hearing - The case record shall consist of the following items:
1. A copy of the formal charges in writing.
 2. A recording of the formal hearing.
 3. All staff memoranda submitted.

4. All items of physical or written documentation submitted, provided such items are not returned to a rightful owner. In that case, photographs or other facsimiles shall be made before return.
 5. The Director of the OSC's decision.
- (f) Student Conduct Board members for panel and administrative formal hearings are selected through an annual application and interview process with the exception of the justices from the Student Government Association Judicial Branch. All Student Conduct Board members, including justices, receive annual training from the Office of Student Conduct. Student Conduct Board members who serve on hearings related to allegations of sex discrimination, including but not limited to relationship violence, sexual assault, sex harassment, and stalking receive additional training annually.
- (4) Registered Student Organization Rights during the Formal Conduct Review Process - The following rights shall be explained to the charged registered student organization before the commencement of a formal disciplinary hearing:
- (a) The charged registered student organization shall be afforded written notice, at least five (5) business days prior to a formal hearing, unless waived in writing. Written notice sent to the chief student officer of the charged registered student organization's electronic and/or physical address shall constitute full and adequate notice. Written notice shall include:
 1. The name of the organization, the chief student officer's name and organization's address, if applicable.
 2. Date, time and location of the formal hearing
 3. Alleged Organizational Rule of Conduct Violation(s) known at the time formal charges are prepared.
 4. Names of potential witnesses known at the time that formal charges are prepared.
 5. A description of any physical or written documentation known at the time charges are prepared.

Provided that the required notice stated above has been given to the registered student organization along with its representative(s) but a representative failed to attend a scheduled formal hearing without providing a satisfactory reason for the absence, the organization may be placed on immediate social probation until such time as the organization completes the formal hearing and any further steps in the conduct process.

The organization will also not be able to update its registration while on social probation.

- (b) The registered student organization may have at their own expense and initiative, an advisor present at the hearing. It is the registered student organization's responsibility to make appropriate arrangements for the advisor to attend the hearing, and the hearing shall not be delayed due to scheduling conflicts of the chosen advisor. The advisor may be present to advise the registered student organization but shall not speak for or present the case for the registered student organization or otherwise participate directly in the proceeding. A registered student organization may consult with their advisor at any time during the hearing. This consultation must take place in a manner that does not disrupt the proceedings. A registered student organization's advisor must not be connected to the actual conduct case or a related case. In addition, an advisor may not serve as a witness. If the advisor does not adhere to their defined role in the student conduct review process, they may be removed from the hearing. The Office of Student Conduct shall maintain a list of impartial advisors and resources available to the registered student organization.
- (c) All hearings shall be conducted on the basis that the charged registered student organization is not in violation until the preponderance of evidence proves otherwise. At a student conduct organizational hearing, the technical rules of evidence applicable to civil and criminal cases shall not apply. The burden of proof in a student conduct hearing is not on the registered student organization charged with a violation of the Organizational Rules of Conduct.
- (d) The registered student organization's chief officer or designee may inspect any information presented in support of the charges. Information may be presented in support of the charged student organization.
- (e) The university cannot compel any person serving as a witness to attend a registered student organizational hearing. —However, all parties to a registered student organizational conduct hearing may arrange for witnesses to voluntarily present relevant information during the proceeding. Pertinent information may be accepted as information for consideration by the person or body conducting the registered student organizational formal hearing. —The registered student organization may hear and

question adverse witnesses who testify at the registered student organizational formal hearing.

- (f) The registered student organization shall not be forced to present information that incriminates its individual members; however, the University is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal prosecution.
- (g) The proposed finding(s), as well as the Director of the OSC's determination, of "in violation" or "not in violation" on the charges shall be based solely on the information presented at the registered student organizational formal hearing.
- (h) Only if the proposed finding(s) of the hearing body is that the registered organization is in violation, will prior conduct history be reviewed and potentially affect the proposed sanctioning.
- (i) The final decision shall be furnished in writing to the registered student organization within fourteen (14) business days following the hearing (the deadline can be extended by mutual agreement of the charged registered student organization and the Director of the OSC or designee).
- (j) The registered student organization's registration status shall remain unchanged pending the University's final decision in the matter except in cases where the VP of SDES or designee determines that the safety, health, or general welfare of any individual, or any part of the University may be involved.

(5) Additional Procedures in Cases of Sexual Misconduct and/or Interpersonal Violence. Where a registered student organization is charged with sexual misconduct and/or interpersonal violence, the procedures outlined in UCF-5.006(109)(f) will apply in addition to the procedures of the Student Conduct Review Process.

(6) Sanctions for Registered Student Organizations

- (a) Organizational Warning: An official warning that the organization's behavior is in violation of the Organizational Rules of Conduct and that if the organization is subsequently found in violation of a rule, subsequent action may be more severe.
- (b) Organizational Probation: A period of time during which any further violation of the Organizational Rules of Conduct puts the registered student organization's status with the University in jeopardy. Restrictive conditions may also be imposed as part of organizational probation and will vary according to the severity of the offense. Restrictive conditions may include barring or limiting some or all of the organization's

activities and/or privileges (including, but not limited to: social activities; intramural competition; organizational competition; Homecoming; eligibility to receive any University award or honorary recognition; privilege to occupy a position of leadership or responsibility in any University registered student organization governing body, publication, or activity; or ability to represent the University in an official capacity or position). If a registered student organization is found “in violation” for another violation of the Organizational Rules of Conduct while on organizational probation, more severe sanctions may be imposed.

- (c) Organizational Deferred Suspension – Organizational deferred suspension is used for offenses found serious enough to warrant organizational suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. Organizational deferred suspension is a designated period of time during which a registered student organization is given the opportunity to demonstrate the ability to abide by the community’s expectations of behavior articulated in the Organizational Rules of Conduct. During an organizational deferred suspension, the registered student organization will be officially suspended from the university, but the organizational suspension will be deferred, meaning that the registered student organization may continue to operate with sanction-specific restrictions. Organizational suspension will be enforced should the registered student organization fail to complete any of the assigned sanctions by the deadline(s) and/or for any subsequent violation of the Organizational Rules of Conduct unless the Director of the OSC determines otherwise in exceptional circumstances. If the registered student organization is found in violation for any subsequent violation of the Organizational Rules of Conduct while on deferred suspension, including failure to complete any assigned sanctions by the deadline(s), the registered student organization will be suspended for a minimum of two (2) semesters in addition to any educational sanctions imposed for the subsequent violation. Registered student organizations on organizational deferred suspension may be limited in their abilities to represent the university in intramural sporting events, extracurricular activities, or official functions. The duration of any organizational deferred suspension period and the specific restrictions imposed will be determined by the OSC on a case-by-case basis.

- (d) Organizational Suspension: While on organizational suspension the registered student organization loses its University recognition and/or registration for a temporary period of time. While an organization is suspended, it may not use University resources or participate as an organization in any University activities or events.
 - (e) Revocation of UCF Registration: Permanent severance of the organization's relationship with UCF.
 - (f) Recommendation for Charter Revocation: An official request to a national office that the local chapter's charter be revoked.
 - (g) Educational Sanctions: In conjunction with any sanction listed above, a registered student organization found to have been in violation of any of the Organizational Rules of Conduct will be assigned educational sanctions that are proportional to the violation such as, but not limited to: reflective/research papers, classes/seminars, community service, restitution, interviews, etc. If a registered student organization has any outstanding educational sanctions at the conclusion of organizational probation or organizational suspension, the organizational probation or organizational suspension will remain in effect pending completion of the educational sanctions.
- (7) Appeal within the Registered Student Organization Review Process
- (a) A student organization found in violation as a result of a hearing may appeal the finding(s) and sanction(s) imposed. The appeal must be made in writing to the appellate officer (VP of SDES or designee) within seven (7) business days after the date the registered student organization was notified of the decision by the Director of the OSC.
 - (b) Registered student organizations may appeal the finding(s) and sanction(s) imposed on the basis of one or more of the following:
 1. Irregularities in fairness and stated procedures of the hearing that substantially affected the outcome of the hearing.
 2. Discovery of new and significant information that would be likely to change the outcome of the hearing and that was not known or could not reasonably have been discovered and/or presented at the time of the initial hearing.
 3. The sanction(s) are extraordinarily disproportionate to the violation(s).
 - (c) On the appeal form, the registered student organization must state the reason(s) for appeal, the supporting facts, and the recommended solution. This is not a re-hearing of the conduct case. An appeal cannot be filed simply because a registered student

organization is dissatisfied with the decision. Failure to describe the nature of the information in full detail in the appeal letter will result in the denial of an appeal.

- (d) The appellate officer shall first determine if sufficient grounds for appeal exist and then, if so, may either deny the appeal, thus sustaining the initial decision and sanction(s), or do one of the following:
 - 1. If the registered student organization alleges that the sanction was disproportionate to the violation(s) and the appellate officer finds the sanction to be disproportionate, the appellate officer may alter the sanction; or.
 - 2. If the registered student organization alleges that there was a defect in procedure or new information was presented which was sufficiently substantial to have affected the outcome and the appellate officer agrees, the appellate officer will order a new hearing.
 - (e) The registered student organization shall receive a written decision to the appeal. There is no definitive timeline for receiving an appeal response. It depends on many factors including the complexity of the case and the information mentioned in the appeal, as well as the appellate officer's appeal load at that particular time. Decisions of the VP of SDES or designee reflect final agency action.
 - (f) Any decision by Appellate Officer to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
 - (g) If the Appellate Officer upholds the original findings, the effective date of any disciplinary sanction(s) imposed will revert back to the date of the Director of OSC's final decision letter.
- (8) Community ReEngagement and Educational Development (CREED) Program
- (a) Upon completion of one semester of the organizational probation and upon completion of all educational sanctions/requirements, a registered student organization has the opportunity to request modification of their organizational probation status through the Community ReEngagement and Educational Development (CREED) Program.
 - (b) Requests must be submitted to the Director of the OSC or designee via an online Student Organization CREED Program Submission form that can be found at <http://www.osc.sdes.ucf.edu>. This request may only be submitted once a semester.

- (c) The CREED Program is designed for registered student organizations to have the opportunity to demonstrate that in the period following a violation of the Organizational Rules of Conduct, they have taken steps to become productive and engaged members of the UCF community. Student organizations that simply fulfill the minimum requirements of their sanction(s) will not be eligible for the CREED Program.
- (d) A CREED Program application should include information such as the following:
 - 1. Reflection Essay
 - 2. Faculty/Staff/Advisor (Academic or Organization) Letter of Recommendation
 - 3. Community Service
 - 4. Fraternity and Sorority Life (FSL) Letter of Support (*Greek Affiliated Student Organizations Only*)
 - 5. Proof of Counseling/Assessment (*If applicable*)
- (e) Upon receipt of the CREED Program packet, the Director of the OSC or designee will review to determine whether or not the registered student organization meets the criteria for review. If the Director of the OSC or designee agrees that the registered student organizations request meets any or all of the above mentioned criteria, the registered student organization will be contacted within fourteen (14) business days to schedule a “CREED review meeting” with a committee appointed by the Director of the OSC or designee, comprised of faculty, staff and students.
- (f) Prior to this meeting, the committee will have reviewed the packet and will prepare 10-15 questions to be addressed, as well as provide the opportunity to further discuss why the applying organization disciplinary probation or suspension status should be altered or terminated. No alterations shall be made to include new or increased sanctions. Should the committee feel that further information and/or documentation is necessary in order to render a recommendation, the review may be temporarily recessed. A time frame of not more than two (2) weeks will be given to the organization to produce requested information and/or documentation. Upon receipt of the requested information and/or documentation, the committee will reconvene the review with the organization.
- (g) After the meeting, the committee will issue a recommendation to the Director of the OSC or designee. The Director of the OSC or designee will provide a decision to the registered student organization in writing within seven (7) business days of receiving the recommendation.

- (h) If the request is denied by the Director of the OSC or designee the decision shall include a concise and explicit written statement that explains the basis for that decision.
- (i) There is no appeal process for a Student Organization Disciplinary CREED Review meeting decision.

Authority: BOG Regulations 1.001 and 6.0105. History - New 10-16-09, Amended 9-3-13, 10-29-15, 7-28-16, 7-20-17, 1-18-18, _____-18.

Attachment G

UCF-5.015 Student Academic Behavior Standards

- (1) The Office of Undergraduate Studies, College of Graduate Studies, Registrar's Office, and the Office of Student Rights and Responsibilities will review this regulation periodically.
- (2) UCF is committed to a policy of honesty in academic affairs. Conduct that comprises a breach of this policy may result in academic action and/or disciplinary action. Academic action affects student assignments, examinations or grades. Disciplinary action could affect student enrollment status.
- (3) Academic misconduct includes but is not limited to cheating, plagiarism, assisting another in cheating or plagiarism, and commercial use of academic materials. Violations of academic misconduct at the undergraduate and graduate level are listed and defined in the Rules of Conduct (UCF-5.008)
- (4) Alleged violations of the UCF Rules of Conduct (Academic Misconduct) shall be reported in writing to the Director of the Office of Student Conduct (OSC) or designee. When an instructor becomes aware of an alleged violation of academic misconduct and before any action is taken, the instructor must document the alleged violation(s) through the Academic Misconduct Report Form (AMR), available at <http://osc.sdes.ucf.edu>. Upon receiving an alleged violation of academic misconduct, the Director of the OSC or designee may review relevant information and consult with relevant parties regarding the incident in question.
 - (a) The Director of the OSC will refer all information warranting disciplinary action to the OSC. The OSC will send notification to the student indicating the nature of the activity in question and what university rules were allegedly violated.
 - (b) Upon receipt of an AMR form the OSC has six months to charge a student with a violation of academic misconduct. The OSC may exercise discretion when applying the time provision to account for circumstances that warrant a waiver of the six month time limit from the date of discovery.
 - (c) Students charged with alleged violations of academic misconduct will receive notice to attend a required preliminary conference with the OSC to discuss the charges. If the student fails to attend the conference, a hold will be placed on the student's record, preventing them from registering for future classes until the matter is resolved. Students who leave the university or withdraw from a class before a disciplinary matter is resolved may be prohibited from future enrollment

until the matter is resolved. The student will receive information regarding the student conduct review process, including the student's rights during the process, an opportunity to inspect and/or review the information known at the time charges are prepared, and notice of how to contact the impartial advisor. At the conclusion of the meeting, the OSC will recommend an option for resolution of the academic misconduct charges. These options are case dismissal, informal hearing, or academic formal hearing

(5) Options for Resolution of Academic Misconduct

- (a) Case Dismissal: The Director of the OSC or designee may dismiss a case if: the reported case fails to have sufficient facts or information to substantiate the claim of academic misconduct; or the reported violation is not seen to warrant punitive disciplinary action; or the reported behavior reported as academic misconduct is not a violation of the Rules of Conduct. An informal conference may be held where the student may be instructed to complete an educational requirement to demonstrate what was learned from the reported behavior. Upon successful completion of the educational requirement, the reported incident will be dismissed.
- (b) Informal Hearing: At the discretion of the OSC, violations found not to warrant a formal hearing may be referred to an informal hearing. At the informal hearing, the charged student has the opportunity to meet with an OSC staff member or designee and accept responsibility for the charges of violation of academic misconduct. At the informal hearing level the matter will be settled by the following outcomes: punitive sanction (disciplinary warning or disciplinary probation) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not resolved informally, the case will be resolved through a formal hearing. The outcomes from an informal hearing process (decision of responsibility and recommended sanctions) are final and are not eligible for appeal.
- (c) Formal Hearings: If an alleged violation of academic misconduct is not dismissed or otherwise resolved, then the OSC shall present in writing formal charges to the student. The charged student's formal hearing shall be open only to the charged student/co-charged students involved in the same incident, selected advisor,

witnesses (when called upon), and a representative from the OSC. Formal notification shall include:

1. The student's name and address.
 2. Date, time and location of the formal hearing.
 3. The rule(s) of conduct allegedly violated as known at the time formal charges were prepared.
 4. Names of potential witnesses known at the time formal charges were prepared.
 5. A description of any physical or written documentation known at the time charges were prepared.
- (d) Academic Integrity Formal Hearings: Students going through the Academic Integrity formal hearing process may elect an Administrative Academic Integrity Formal Hearing or a Panel Academic Integrity Formal Hearing.
1. Administrative Academic Integrity Formal Hearing
 - i. Administrative Academic Integrity formal hearings shall be conducted by one faculty member from the Student Conduct Board. The charged student shall be informed of the hearing officer assigned to the case and shall have the opportunity to challenge the impartiality of the individual within three (3) business days of notification. The student shall state in writing the basis for such challenge. A hearing officer so challenged will be excused; however, indiscriminate challenges shall not be permitted. In the event that a student has opted not to challenge the impartiality of a hearing officer prior to the allotted three (3) business days, the assigned hearing officer shall remain as scheduled.
 - ii. At hearings conducted by an administrative hearing officer, an OSC staff member shall act as an advisor to the administrative hearing officer. The Director of the OSC or designee shall receive the administrative hearing officer's proposed finding(s) as to "in violation" or "not in violation" of the Rules of Conduct, and consider

any punitive and or educational sanctions proposed by the administrative hearing officer.

- iii. The Director of the OSC or designee may accept the proposed finding(s) of “in violation” or “not in violation” or remand the case for rehearing. If the Director of the OSC or designee accepts the proposed finding(s) of “in violation,” they may approve, mitigate or increase the sanctions proposed by the administrative hearing officer.
 - iv. Any decision by the Director of the OSC or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
2. Academic Integrity Panel Hearings.
- i. A panel to consider an individual case shall be randomly selected by the OSC from the Student Conduct Board and shall consist of at least one (1) faculty member, one (1) additional faculty or administrative staff member, and two (2) student members. One panel member shall be selected by the OSC to chair the hearing and report the finding(s) and recommended sanctions, if any, to the Director of the OSC or designee.
 - ii. For panel hearings, an OSC staff member shall act as an advisor to the panel. The Director of the OSC or designee shall receive the panel’s proposed finding(s) as to "in violation" or "not in violation" of the Rules of Conduct, and consider any punitive or educational sanctions proposed by the panel.
 - iii. The Director of the OSC or designee may accept the proposed finding(s) of “in violation” or “not in violation” or remand the case for rehearing. If the Director of the OSC or designee accepts the proposed finding(s) of “in violation,” they may approve, mitigate or increase the sanctions proposed by the panel.
 - iv. Any decision by the Director of the OSC or designee to alter proposed sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

- (e) Following the Academic Integrity Formal Hearing:
1. Undergraduate students found “in violation” will be prescribed punitive and educational conduct sanctions appropriate to the findings and recommendations of the academic integrity formal hearing. The OSC will report the hearing outcome from the academic integrity hearing back to the instructor and department chair. In consultation with the college dean or designee, the instructor and the department chair will determine if further course or academic action should be imposed. If the undergraduate program recommends further course or program action, the undergraduate program must notify the OSC and Academic Services. Final results of the academic integrity formal hearing and/or course or program action must be made available to the student in writing within fourteen (14) business days following the date of the formal hearing.
 2. Undergraduate students found “not in violation” will be notified within fourteen (14) business days. The OSC will report the findings back to the instructor, department chair, and college dean or designee. Students may have proposed course or academic action removed and the instructor may determine a new grade since no violation was found.
 3. For graduate students found “in violation”, the OSC notifies the instructor, Associate Dean of Graduate Studies, and the Dean or designee of the Academic College in which the graduate student resides. The college dean or designee will in turn notify the graduate program that a student was found in violation and ask if the program wishes to invoke any program-level academic action(s). The student’s graduate program will determine if program action is necessary. If deemed necessary, recommendation of program action will be made using the *Probation/Dismissal Form* and/or *Conditional Retention Plan*. This information will be forwarded to the College of Graduate Studies. The OSC will be notified if the graduate program recommends additional program action. The results of any formal hearing and/or program action should be available for the student within fourteen (14) business days.

4. For graduate students found “not in violation” of academic misconduct, OSC notifies the instructor, Associate Dean of Graduate Studies and the Dean or designee of the Academic College in which the graduate student resides. The graduate student may have their proposed course or program action removed and the instructor may determine a new grade since no violation was found.

(f) Appeals:

1. Undergraduate or graduate students found “in violation” as the result of an academic integrity formal hearing may appeal the finding(s) and sanction(s) imposed by the Director of the OSC. The appeal must be made in writing to the appellate officer (Provost or designee) within seven (7) business days after the date the student was notified of the decision by the Director of the OSC. Students may appeal the finding and sanction(s) imposed on the basis of one or more of the following:
 - a. Irregularities in fairness and stated procedures of the hearing that could have affected the outcome of the hearing.
 - b. Discovery of new and significant information that could have affected the outcome of the hearing and which was not known or could not reasonably have been discovered and/or presented at the time of the hearing.
 - c. The sanction(s) are extraordinarily disproportionate to the violation(s).
2. Any decision by an appellate officer to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
3. The appellate officer should issue a written decision to the student’s appeal within twenty (20) business days of receipt of the appeal. Should the appellate officer require additional time for review beyond the 20 business days, the appellate officer will notify the charged student in writing of the need for additional time. Decisions of the Provost or designee reflect final agency action.

43. Any decision by the Provost or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

54. Undergraduate students may appeal program sanctions provided by the student's undergraduate program, per UCF-5.016. Graduate Students may appeal program sanctions provided by the student's graduate program, per UCF-5.017. Students found "in violation" for academic misconduct are not eligible for academic appeal regarding the final grade issued by the course of the reported violation.

(6) Z Designation for Undergraduate Student Academic Misconduct

- (a) A Z designation denotes a student was found "in violation" of academic misconduct while enrolled in a course. A Z designation does not affect a student's grade point average.
- (b) Z designations will remain on a student's transcript if:
 - 1. The student is found "in violation" of academic misconduct and the punitive sanction is disciplinary suspension for one or more semesters, disciplinary dismissal, or expulsion; or
 - 2. The student is found "in violation" of academic misconduct twice during their UCF academic career.
 - a. The punitive sanction received in either academic misconduct case has no bearing on the Z designation being permanently placed on the student's transcript.
 - b. A Z designation will be placed in association with both courses in which the student was found "in violation" of academic misconduct.
- (c) If a student is found "in violation" of academic misconduct a Z designation will be placed on their transcript in association with the final course letter grade recorded (ex. ZA, ZB, ZC, ZD, ZF).
- (d) A Z designation will be denoted on the student's transcript as a ZW if a student withdrew from the course prior to the conclusion of the conduct process and was subsequently found "in violation" of academic misconduct.

- (e) OSC will communicate with the Registrar's Office to have Z designations placed on student's transcript following the conclusion of the Conduct Review Process.
- (f) Students have the opportunity to improve the letter grade recorded in association with a course in which they were found "in violation" of academic misconduct through the use of grade forgiveness. The Z designation however will still remain on the student's transcript.
- (g) A student can attempt to have a Z designation permanently removed through participating in the Community ReEngagement and Educational Development (CREED) Program.
- (h) A Z designation will remove a student from consideration for academic awards and honors (e.g. President's List and Dean's List) for the academic semester in which the violation occurred.

Authority: BOG Regulation 1.001. History – Formerly 6C7-5.0042, Amended 8-10-09, 9-4-12, 10-29-15, 7-28-16, 7-20-17, 1-18-18, _____-18.

ITEM: NG-8

**University of Central Florida
Board of Trustees**

SUBJECT: Amendments to University Regulations UCF-5.016 and UCF-5.017

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve amendments to University of Central Florida Regulations UCF-5.016 Student Academic Appeals and UCF-5.017 Appeals of Graduate Program Actions or Decisions.

BACKGROUND INFORMATION

Florida Board of Governors Regulation 1.001 provides that “Each Board of Trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedure adopted by the Board of Governors.”

Amendments to Regulation UCF-5.016 are to clarify the scope of the appeal procedure and to add new language regarding the period of time to review allegations of discrimination in grade appeals. Amendments to Regulation UCF-5.017 add new language regarding termination from a clinical assignment or graduate program and the applicability of the graduate program action appeal procedure.

Supporting documentation: Attachment A: Proposed Amended Regulation UCF-5.016 (redline)
Attachment B: Proposed Amended Regulation UCF-5.017 (redline)

Prepared by: Youndy Cook, Deputy General Counsel

Submitted by: Scott Cole, Vice President and General Counsel

Attachment A

UCF-5.016 Student Academic Appeals

(1) Scope.

(a) This regulation shall apply to undergraduate and graduate student appeals of grades (typically limited to final grades) resulting from an instructor's:

1. Alleged deviation from established and announced grading policy;
2. Alleged errors in application of grading procedures;
3. Alleged deviation from University syllabus policy or, if applicable, program handbook(s); and
34. Alleged lowering of grades for non-academic reasons, including discrimination. (A grade appeal alleging discrimination in violation of University policy will be referred to the Office of Institutional Equity.)

(b) This regulation shall also apply to appeals of undergraduate program action, including termination from an undergraduate academic program.

(c) The professional judgment exercised by an instructor in assigning a specific grade or in conducting a class is excluded from the provisions of this regulation except as noted above.

(ed) This regulation does not apply to appeals of graduate programs actions or decisions by a faculty member, program, or college, including termination from an academic program, or to the assignment of grades for Thesis or Dissertation credit hours. Appeals from such actions are discussed in and may only be brought under Regulation UCF-5.017.

(2) General Policy. The following assumptions are adopted:

- (a) Students are entitled to a fair and; timely, ~~and open~~ resolution of academic appeals.
- (b) Faculty members and administrators are entitled to a fair and; timely, ~~and open~~ forum in defense of their action.
- (c) Students have access to published materials and student government representatives to help them become familiar with and understand procedures for handling academic appeals.
- (d) Faculty members and administrators have access to published materials and University staff to help them be aware of and understand procedures to address academic appeals.

- (e) Resolution of student academic appeals should be made as informally as possible.
- (f) The University as an institution and its faculty are entitled to procedures that ensure the maintenance of academic standards.
- (g) The appropriate forum for discussion or alteration of academic matters is the academic unit responsible for these matters.
- (h) The University is entitled to a reasonable period of time to review allegations of discrimination contained in a grade appeal, and the University may accordingly extend deadlines applicable to the University for purposes of reviewing such allegations.
- (i) Students may consult with Student Government Association's Judicial Advisor or designee, who shall furnish advice regarding the student's rights and responsibilities with respect to this policy.

(3) Resolution of Student Appeals at Informal Level

- (a) Step 1: All student academic appeals of allegedly wrongful academic action(s) by an instructor or administrator shall first be brought to the attention of the person whose action is being appealed. (The instructor of the course or administrator whose action is being appealed will be referred to in this regulation as the Responding Party.) This action must be initiated within one semester of the alleged wrongful action or grade. The parties should attempt to resolve the problem in a timely and satisfactory manner. If dissatisfied with the decision of the Responding Party, or if that person is not available, the student must first continue to pursue an informal solution with the unit head, usually the chair or director of the unit.
- (b) Step 2: The unit head or supervisor, in consultation with the Responding Party, should make every effort to communicate with the student and resolve the problem. When classes are in session, this communication shall normally take place within 10 business days of the complaint being brought to the unit head or supervisor. Between semesters and during the summer term, this communication may be extended ten days into the new semester. The unit head or supervisor will provide the student with a written decision that includes reference to student academic appeals procedures.

1. When the Responding Party is not available to discuss the problem, if at all possible, the resolution should wait until such time as the Responding Party can return to the campus, but not more than six months.
2. If the unit head or college dean or designee determines that an emergency exists requiring that the problem be solved prior to the availability of the Responding Party (e.g. in a case of probable delayed graduation), the unit head or dean or designee shall make every reasonable effort to inform the Responding Party of the situation. The Responding Party may elect to submit a written statement and/or to designate a replacement to aid in solving the problem.
3. If the Responding Party cannot be reached or does not designate a replacement, and the complaint must be dealt with promptly, then the unit head or dean or designee shall act on behalf of the Responding Party.

(4) Resolution of Student Academic Appeals at the College Level

~~(a) ——— Step 3: If not satisfied with the resolution of the complaint proposed by the unit head or supervisor, the student should consult with Student Government Association's Judicial Advisor or designee, who shall furnish advice to the student's rights and responsibilities with respect to this policy.~~

(~~a~~b) Step ~~3~~4: Within 10 business days of receipt of the unit head's or supervisor's decision, if the student wishes to file a formal appeal, the student must contact the dean's office of the college in which the action occurred and schedule an appointment with the dean or a designee. That individual will informally review the student's concerns, counsel the student on his/her options, and explain the formal Student Academic Appeals process.

(~~b~~e) Step ~~4~~5: ~~If the student is not satisfied with the outcome of the~~ After consultation with the administrator, within 10 days of their meeting or conversation, the student may appeal in writing to the Student Academic Appeals Committee of the college. This committee will determine the legitimacy of the awarded grade and/or the academic program action and if appropriate, suggest a resolution. The student's written appeal shall include the basis of the original complaint, the dates when the

instructor, unit head, administrator, or supervisor, discussed the problem with the student, and the suggested resolution at that time.

(5) Composition of the Student Academic Appeals Committee

- (a) Each college shall establish a Student Academic Appeals Committee whenever required.
- (b) The committee shall be made up of at least three and no more than five tenure-earning or tenured faculty members and an equal number of students of comparable academic classification as the student initiating the appeal.
- (c) Student members shall be selected by the dean of the college or designee from a panel of ~~no less than thirty (30)~~ students of the comparable academic classification. This panel shall be appointed by the Vice President of Student Development and Enrollment Services or the College of Graduate Studies from a list recommended for this purpose by the Student Body President.
- (d) Any member may be challenged for cause by either party. The validity of such challenges shall be decided by the Office of Student Rights and Responsibilities. If a challenge is upheld, the college dean or designee shall appoint a replacement from the college's tenured and tenure-earning faculty or the student panel.
- (e) The college dean or designee shall assemble the Student Academic Appeals Committee to conduct a formal review of the student academic appeal.

(6) Formal Review of a Student Academic Appeal

- (a) In conducting a formal review, the Student Academic Appeals Committee shall adhere to the following guidelines:
 - 1. The time limits specified in the following review procedure may be extended by mutual agreement of the parties.
 - 2. The committee shall not be officially convened to review the appeal until the Responding Party, or substitute/replacement, has received a copy of the appeal and has had at least 5 business days to submit, if desired, a response or additional information. The student will be provided with a copy of any material submitted by the Responding Party at least 5 business days before the committee meets to review the case.

3. The committee should make every reasonable effort to meet for review of the case within 20 business days after receipt of the student's written appeal and any information provided by the Responding Party and/or unit head.
 4. The committee will function as an objective, fact finding body when examining all available and relevant information concerning the student's appeal of academic action by the Responding Party. Such information shall include the student's written appeal, written and/or oral information provided by the Responding Party, statements made by both parties before the committee, and any other information the committee may deem relevant.
 5. The college dean or designee will convene the committee, establish procedural rules for conducting the meeting, serve as its chair, and will vote in the case of a tie. The meeting is not covered by Sunshine laws, and is thus closed to outside parties.
 6. The student and Responding Party shall be invited to meet with the committee. Each shall be allowed adequate time to respond to the appeal and material as submitted, to answer any questions from committee members, and to present additional information needed to clarify the issues involved.
 7. After meeting with both parties, the committee will deliberate and issue a decision by majority vote. The committee will first decide if the student has proven that there were grounds for the appeal, and second, if there were grounds, what resolution should be implemented. This decision may let the grade/action stand as is or change the grade/action. If the decision of the committee is to change the grade, only the faculty members on the committee will be involved in deciding what the change will be. The committee chair will ensure that the committee's majority opinion is recorded and forwarded to the college dean.
- (b) The college dean will provide copies of the panel's decision within 10 business days of the Student Academic Appeals Panel hearing to both parties concerned, to the Provost, and all other involved parties and departments.

(7) Final Appeal

- (a) Step 6: If dissatisfied with the college dean's decision, the student may, within 10 business days, file a written request for review with the dean of undergraduate studies or the dean of graduate studies (depending upon the classification of the student), stating the basis for review and the resolution sought by the student.
- (b) Acting as the University President's representative, the dean of undergraduate studies or the dean of graduate studies shall make a final decision on the matter within 10 business days of receipt of the student's request for review. Copies of the dean's written decision shall be sent to the student, the college dean, the chair, the Director of OSC, the Responding Party, and other involved parties.

Authority: BOG Regulation 1.001. History—Formerly 6C7-5.00431, Amended 8-10-09, 9-4-12, 10-29-15, 7-20-17, _____-18.

Attachment B

UCF-5.017 Appeals of Graduate Program Actions or Decisions

(1) Review of Academic Performance.

- (a) The primary responsibility for monitoring a student's progress to degree (or program completion) rests with the graduate degree program, although the College of Graduate Studies ~~may~~ also monitors a student's progress and takes appropriate actions if performance standards as specified by the program and University are not maintained. Satisfactory progress to degree (or program completion) requires an ongoing evaluation of a student's performance in a program as indicated by satisfactory grades within courses, successful performance on program competency exams, progress in thesis and dissertation research, the maintenance of the standards of academic and professional integrity expected in a particular discipline or program, and any other measures of progress as customarily used in the program. Academic probation or even dismissal of the student from the program may occur when the individual is not making satisfactory progress to degree (or program completion).
- (b) A ~~degree-graduate~~ program may also recommend dismissal if the student fails to maintain the standards of academic and professional integrity, meet or exceed the professional competencies of the discipline, or maintain-as-well-as the competence necessary for the welfare of faculty, fellow students, staff, patients, clients, or others encountered in internships, externships, or other classes required by the degree program. A student's performance in clinical settings may be evaluated by clinical supervisors or other clinicians in conjunction with instructors of record and/or faculty advisors.
- (c) A student may be immediately terminated from a clinical assignment and/or graduate program when, in the professional judgment of a qualified clinician, faculty supervisor or instructor of record, client/patient welfare could be at risk. In cases where client/patient welfare could be at risk, graduate programs may forego published procedures for advising, mentoring or probation if documentation from clinical or faculty supervisors indicate immediate action was necessary to protect the welfare of others. When immediate action is taken, the graduate program must inform the student in writing of the action and the reasons

for the action. The student may appeal such action as a graduate program action under this Regulation.

(d) Misconduct associated with research or misconduct in laboratory assignments may result in immediate termination from the assignment and/or the graduate program when the misconduct places clients, researchers, subjects or the university at risk

(ee) However, it is incumbent on the ~~degree-graduate~~ program to give the student an opportunity to discuss the pending action with the program director and provide additional relevant information prior to making a recommendation of probation or dismissal. A student does not have to agree with the action in order for the program to move forward with a recommendation of probation or dismissal.

(f) The Dean and Vice Provost of the College of Graduate Studies has final authority over probation and dismissal recommendations and will execute them accordingly.

1. Once dismissed, a student may apply to UCF as a student in another ~~degree-graduate~~ program, or as a non-degree student. Readmitted students are who is prohibited from taking courses in the program from which he/she/they were dismissed.

2. A ~~dismissed~~ student can only be reinstated to his/her/the previous ~~degree program-graduate program~~ by either submitting a new application to the program with a new admissions decision, or through a formal grievance process. (See Grievance Procedures in following section).

(2) ~~Grievance-Other~~ Procedures. Graduate students disputing a graduate program action (including the evaluation of their progress to degree) as described above, have several routes of appeal depending on the nature of the grievance.

(a) In the appeal of a grade in a specific course (excluding thesis or dissertation credit courses) students are referred to Regulation UCF-5.016 for the grade appeals procedures.

(b) For issues resulting from a failure to maintain academic behavior standards such as cheating, plagiarism, etc., students are referred to Regulation UCF 5.015 (and, as appropriate, student conduct review procedures).

- (c) Misconduct associated with research will follow procedures determined by the Office of Research and Commercialization.
- (d) All other grievances, including the appeal of grades issued in Thesis and Dissertation Grade appeal credit hours, follow the Procedure for Other Grievances of Graduate Students as outlined below in this Regulation.

(3) Applicability of graduate program action appeal procedure:

- (a) This regulation applies to graduate student appeals of decisions made by the College of Graduate Studies, an academic college or graduate degree program based on:
 - 1. Alleged deviation from program or university policies as outlined in the Graduate Catalog or Graduate Program Handbook(s)
 - 2. Alleged errors in application of policies or procedures
 - 3. Alleged probation or dismissal due to non-academic reasons
 - 4. Alleged deviation from the University's syllabus policy
 - 5. Alleged discrimination and/or sexual harassment in the program, department or college. (An appeal alleging discrimination and/or sexual harassment in the program, department or college will be referred directly to the Office Institutional Equity. The University is entitled to a reasonable period of time to review allegations of discrimination contained in a graduate student appeal, and the University may accordingly extend deadlines applicable to the University for purposes of reviewing such allegations.)
- (b) Decisions based on professional judgment of an instructor, faculty member or clinical supervisor in the assignment of a grade or assessment of a student's performance in a class are excluded from the provisions of this regulation except as noted above. Probation or dismissal due to unsatisfactory performance on competency exams, research, or progress in thesis or dissertation research may not be appealed based on the student's disagreement with the professional judgment of an instructor, faculty member or advisor. Students may appeal based on alleged errors in process or alleged non-academic reasons.
- (c) Students placed on probation or dismissed by the College of Graduate Studies for not maintaining at least a 3.0 GPA may not appeal the academic program or

academic college's decision to not submit a Conditional Retention Plan (CRP). A CRP may be offered to a student when, in the discretion of the academic program, extenuating circumstances warrant such an exception; however, graduate programs are not obligated to provide a CRP.

(43) Procedure for Other Grievances of Graduate Students. Students are entitled to a fair and open and timely resolution of appeals. This procedure is intended for graduate students having complaints regarding specific actions or decisions by a faculty member, program or college, including termination from an academic program, for reasons that are not covered in Section 2(a)-2(c) above. The graduate student ~~should~~ is encouraged to first discuss the matter within the academic unit of the grievance and attempt to resolve the grievance informally. ~~If the informal resolution fails,~~ The formal procedure is as follows:

- (a) Step 1 -Program and Department Level: The graduate student ~~requesting consideration of a grievance~~ appealing the decision of a program, must state the nature of the grievance in writing to the graduate program director, ~~within six months of the official date of notification date of the occurrence of the aggrieved action. The statement should~~ include a brief narrative of the grievance, the parties involved, and a statement of the remedy being requested. This statement must be submitted by the graduate student within six (6) months of the notification date of the occurrence of the program action being appealed.
- (b) Dependent on the nature of the grievance, the graduate program director will in ten business days following receipt of the grievance either make a recommendation about the grievance to the unit head or refer the grievance to the unit/ program graduate committee to examine the issue at their next scheduled meeting. The unit/program graduate committee may invite the aggrieved student and others having information about the case to attend the meeting and present information and arguments about the grievance. If so invited, the graduate student can have a personal advisor at the meeting, but the advisor can only confer with the student and not participate in the committee meeting. The unit/ program graduate committee will make a recommendation about the grievance to the graduate program director.

- (c) The graduate program director will consider the input of the unit/ program graduate committee and make a recommendation to the unit head about the grievance. The unit head will then make a final decision about the grievance at the program/ unit level and inform the student of the decision within ten business days after receiving the recommendation from the graduate program director.
- (d) Step 2 - College Level: Should the graduate student disagree with the decision of the unit head, the student has ten business days to file a written appeal of the decision with the academic college graduate coordinator (or the ~~Vice President for Research and~~ Dean of the College of Graduate Studies in the case of interdisciplinary programs with no academic college assigned to oversight of the program). It is incumbent on the student to explain in the appeal why the unit/program decision is in error and should be reexamined. At each appeal level, the basis for the appeal must be the same as the original appeal or must articulate new information discovered as part of the appeal process itself. If the basis for the appeal changes, the student will be considered to be initiating a new appeal that must begin at the initial level of the appeal process (and which must be timely).
- (e) Dependent on the grievance, the academic college graduate coordinator will, in ten business days following receipt of the appeal, either make a recommendation to the college dean about the grievance, or refer the grievance to the college graduate committee to examine the issue at their next scheduled meeting. The college graduate committee may invite the aggrieved student and others having information about the case to attend the meeting and present information about the grievance. If so invited, the graduate student can have a personal advisor at the committee meeting, but the advisor can only confer with the student and not participate in the committee meeting. The college graduate committee will make a recommendation about the grievance to the college graduate coordinator.
- (fe) The academic college graduate coordinator after considering the input of the college graduate committee will make a recommendation to the college dean about the grievance. The college dean will then make the final decision about the grievance at the academic college level, and inform the student of the decision

within ten business days after receiving the recommendation from the college graduate coordinator.

- (gf) Step 3 - College of Graduate Studies Level: Should the graduate student disagree with the decision of the academic college dean, the student has ten business days following receipt of the college decision to file a written appeal of the decision at the university-level with the ~~Vice President for Research and~~ Dean of the College of Graduate Studies. It is incumbent on the student to explain in the appeal why the academic college decision is in error and should be reexamined.
- (h) Dependent on the appeal, the ~~Vice President and~~ Dean of the College of Graduate Studies will within ten business days following receipt of the appeal either make a decision about the grievance or refer the appeal to the Appeals Subcommittee of the Graduate Council to examine the issue at a scheduled meeting. The Appeals Subcommittee may invite the aggrieved student as well as others having information about the grievance to attend and present information about the grievance. If so invited, the graduate student can have a personal advisor at the meeting, but the advisor can only confer with the student and not participate in the committee meeting. The Appeals Subcommittee will submit a recommendation to the ~~Vice Provost and~~ Dean of the College of Graduate Studies concerning the grievance.
- (ig) The ~~Vice President for Research and~~ Dean of the College of Graduate Studies will consider the input of the Appeals Subcommittee of the Graduate Council and make a final decision about the grievance for the university. There is no appeal beyond the level of ~~Vice President and~~ Dean of the Graduate College as this person is vested with the final authority by the President of the University.

Authority: BOG Regulation 1.001. History—Formerly 6C7-5.00431, New 7-20-09, Amended 7-19-12, 7-20-17, _____-18.

ITEM: NG-9

**University of Central Florida
Board of Trustees**

SUBJECT: Florida Equity Report

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approval of the Annual Florida Equity Report as required by law.

BACKGROUND INFORMATION

Florida Board of Governors regulation 2.003(5) and (7), Equity and Access, requires the following:

(5) Reporting and Monitoring. Each university shall prepare an annual Florida Equity Report in accordance with this regulation and reporting guidelines established by the Board of Governors Office.

(a) At a minimum, At a minimum, the university's equity report must include information on the institution's progress in implementing strategic initiatives and performance related to equity and access as they pertain to academic services, programs, and student enrollment; equity in athletics; and employment.

(b) Each university's equity report shall assess sex equity in athletics, as well as representation by race and sex in student enrollment, senior level administrative positions and by faculty rank and/or tenure status. 1. Annual goals shall be developed and included in the equity report to address each area of underutilization. For each year in which prior year goals were not achieved, each university shall provide a narrative explanation and a plan for achievement of equity.

(c) Each equity report shall include a web citation of the university's nondiscrimination policy adopted by its university board of trustees.

(d) Such reports are to be submitted to the Board of Governors Office by July 1 of each year pursuant to the requirements of this regulation and guidelines distributed by the Board Office for each reporting period.

(e) Each university board of trustees or designee shall approve the annual Florida Equity Report for its institution prior to submission to the Board of Governors Office.

(f) The Board of Governors Office shall annually assess the progress of each university's plan and advise the Board of Governors and the Legislature regarding compliance.

(7) Each university shall develop a budget plan to support attainment of the university's goals as outlined in its equity plan in accordance with state and federal law.

Supporting documentation: Attachment A: University of Central Florida Equity Report
(material forthcoming)

Prepared by: Nancy Myers, Director, Office of Institutional Equity

Submitted by: Scott Cole, Vice President and General Counsel

ITEM: NG-10

**University of Central Florida
Board of Trustees**

SUBJECT: UCF Foundation Bylaws Amendments

DATE: July 19, 2018

PROPOSED BOARD ACTION

Approve the proposed UCF Foundation Bylaws amendments.

BACKGROUND INFORMATION

On February 15, 2018, the Governance Committee of the UCF Foundation approved bylaws amendments that include the addition of the Senior Associate Vice President for Development and the Senior Associate Vice President for Alumni Engagement and Annual Giving as officers of the corporation. Additionally, changes were made to reflect that the Senior Associate Vice President for Development will perform the duties of the CEO during the absence or incapacity of the CEO, while the Chief Operating Officer will manage the day to day business activities. The proposed changes are represented in Articles 4.2 and 5.6-5.10, respectively.

Florida Law Chapter 2018-004 now requires the prospective approval of all new DSO board members by a university board of trustees. As a result, additional bylaws amendments were approved by the Governance Committee on May 17, 2018 reflecting this statutory change. The change is represented in Article 3.3.

The UCF Foundation Board of Directors unanimously approved all bylaws changes at its annual meeting held on June 9, 2018.

Supporting Documentation: Attachment A: UCF Foundation Bylaws

Prepared by: Margaret Jarrell-Cole, Legal Counsel, UCF Foundation

Submitted on behalf of: Michael J. Morsberger, Vice President for Advancement and Chief Executive Officer of the UCF Foundation, Inc.

ATTACHMENT A

Advancement | **UCF Foundation, Inc.**

BYLAWS

of the

UNIVERSITY OF CENTRAL FLORIDA

FOUNDATION, INCORPORATED

AMENDMENTS APPROVED: October 14, 2016

_____, 2018

**BYLAWS OF THE
UNIVERSITY OF CENTRAL FLORIDA FOUNDATION, INCORPORATED**

ARTICLE 1. MISSION

The Foundation encourages, stewards and celebrates charitable contributions from alumni and friends to support the University.

ARTICLE 2. OFFICES

The principal office of the Foundation will be located at 12424 Research Parkway, Orlando, Orange County, Florida.

ARTICLE 3. COMPOSITION OF THE BOARD

3.1 Members. The Board is composed of Elected Directors, Ex Officio Directors, and Emeritus Directors.— There will be no more than thirty-eight Elected Directors.

3.2 Duties. The duties of the Board are as follows:

- A. To discharge all the duties imposed upon it by the Articles of Incorporation and the Bylaws.
- B. To meet upon the call of the Chair, the CEO or by one-fourth of the Directors entitled to vote, in writing, with due written notice of the time, place and subject matter given to each Director and consistent with the requirements set forth in these Bylaws.
- C. Upon the recommendation of the Finance Committee, select a bank or banks or other depositories for the deposit of the funds and securities of the Foundation, and to cause the Foundation to conduct its financial affairs in conformity with the policies and procedures adopted by the Board.
- D. Upon the recommendation of the Audit Committee, to cause an audit of books and records of this Foundation to be made at least once each year together with a management letter, including the response from management, conducted by a firm of independent certified public accountants selected by the Audit Committee, whose engagement letter will provide that it render an opinion on financial statements in accordance with generally accepted accounting principles and to have the results of the audit reported to the Board.
- E. To acquire and maintain a broad awareness and knowledge of the University including its programs, strengths, needs, resources, and mission.
- F. To participate in Foundation meetings and serve on at least one Committee or University affiliated group as approved by the Chair, and provide experience and special expertise as time and abilities permit.
- G. To provide advice and counsel to the University President and the CEO as requested on matters involving the University family and the community.

- H. To support the philanthropic aims of the Foundation with a minimum annual gift in an amount set by the Board. The annual gift should only mark the beginning of the Board members' support, and they are encouraged, as appropriate, to support other funds

supplemental to the University, to make leadership gifts to special projects, and to make provisions for planned giving and support the University through their foundations and corporations.

- I. To serve as an effective University ambassador in the community.

3.3 Selection of Elected Directors. The Governance Committee will review candidates for Elected Directors and each candidate will be subject to confirmation by the CEO and University President prior to standing for election. The Board will elect the Directors. The Elected Directors will be subject to Board of Trustees review and approval. All Elected Directors will be voting members of the Board.

3.4 Ex Officio Directors. Ex Officio Directors are voting members of the Board and will be as follows: Chair of the Board of Trustees, University President, Chair of the UCF Alumni Board of Directors and President of the UCF Athletics Association Board of Directors.

3.5 Emeritus Director. Any Elected Director who has served two full terms may be nominated and appointed as an Emeritus Director following a six month period beginning at the conclusion of the second term. The Governance Committee will nominate Elected Directors who have served the University with distinguished service. The Board will serve as the final body to approve the nomination(s). Emeritus Directors will be non-voting.

3.6 Terms of Office.

- A. Elected Directors. Each Elected Director will serve a term of four years (or until the end of the respective term of his or her predecessor if elected to succeed a person who has not completed a four-year term). Terms commence on July 1 of the next fiscal year and end June 30 at the end of four years. Three years of a term will constitute a full term of service. No Elected Director is eligible to serve more than two consecutive terms unless the Director has been elected to serve as a Board Officer, in which case the term may be extended by the Board to accommodate the time required for fulfillment of the term of the office. An Elected Director who has served two terms consecutively may be re-elected to the Board after the expiration of one year following the end of his or her last term and will have the status of a newly Elected Director.
- B. Emeritus Directors. The selection of an Emeritus Director is for life, unless he or she is removed for cause.
- C. Ex Officio Director. An Ex Officio Director will serve so long as he or she holds the office or the position that resulted in such placement on the Board.

3.7 Resignation. A Director may resign at any time by submitting a written resignation to the Chair.

3.8 Removal. An Elected Director may be removed by a two-thirds vote of the Directors present

and voting, whenever the interests of the Foundation would be best served. The University President may remove any Elected Director or Emeritus Director in his or her sole discretion.

ARTICLE 4. OFFICERS OF THE BOARD

4.1 Board Officers. The officers of the Board will be the Chair, Vice Chairs, Secretary and Treasurer. These Board Officers will be Elected Directors and members of the Board. No other Officers will be members of the Board.

4.2 Ex Officio Corporate Officers. Individuals holding the following positions at the Foundation will serve as Ex Officio Corporate Officers, but will not be members of the Board and will have no voting rights:

~~1. CEO~~

1. Vice President for Advancement (also known as the Chief Executive Officer or CEO)

~~1-2. Sr. AVP, Administration (also known as the Chief Operating Officer or COO)~~

3. Sr. AVP, Development (also known as the Chief Development Officer or CDO)

~~2. Sr. CFO~~

4. Sr. AVP Alumni Engagement and Annual Giving (also known as the Chief Alumni Officer or CAO)

5. Associate Vice President of Finance (also known as the Chief Financial Officer or CFO)

~~2-6. Director of Foundation Board Relations and Development (also known as the Assistant Secretary)~~

4.3 Additional Ex Officio Officer. The University President may appoint any members of the administration, faculty or student body of the University for any term(s) designated by the President, but any such appointee will not be a member of the Board.

ARTICLE 5. ELECTION OF AND POWERS AND DUTIES OF OFFICERS

5.1 Election. At the annual meeting of the fiscal year, the Board will vote on a slate of Board Officers submitted by the Governance Committee. The Board Officers will serve two-year terms each commencing on July 1 of the next fiscal year and ending June 30 at the end of two years. If a vacancy occurs in an office, the Governance Committee will propose a replacement, which will be confirmed by the Executive Committee.

5.2 Chair. The Chair will preside over all meetings and prepare the agenda for all meetings of the Board, as well as have primary responsibility for the relationship with the CEO.

5.3 Vice Chairs. The Vice Chairs will do and perform duties as may be assigned to him or her by the Chair, the Board, or these Bylaws. A Vice Chair will have full authority to act for the Chair in his or her absence or incapacity. If more than one is available, the one with the longest continuous service on the Board will act.

5.4 Secretary. The Secretary of the Board is responsible for the minutes of the Board and Executive Committee meetings. The Chair of each Committee is responsible for the minutes of each of their respective committee meetings. The duties of the Secretary will be as follows:

- A. To keep accurate minutes of the proceedings of the annual meeting of the Foundation and all meetings of the Board of Directors and preserve these records as a permanent record.
- B. To keep on record a copy of the Articles of Incorporation and Bylaws of the Foundation and all amendments thereto.
- C. To ~~keep address~~ the requests for any seal of the Foundation ~~and affix such seal to for~~ official documents, records and papers as may be requested. A seal is not required.
- D. To keep an accurate list of all members of this Foundation Board of Directors.

5.5 Treasurer. The Treasurer will supervise the fiscal affairs of the Foundation and serve as Chair of the Finance Committee. The duties of the Treasurer will be as follows:

5.5

- A. To assure that adequate provision is made for the care and custody of all the assets of this Foundation with guidance from the CFO.
- B. To assure that adequate provision is made to keep in force a blanket surety bond to assure that each Officer and employee who is authorized to collect, hold, or disburse funds of the Foundation will faithfully discharge their duties, the adequacy of which will be determined by the Executive Committee.
- C. To present a written report of the financial activities of his or her office at the next annual meeting following his or her appointment to office.

5.6 ~~Foundation~~ CEO/Chief Executive Officer. The CEO, CDO or designee will attend all meetings of the Board and present a written report of the activities of his or her office at each meeting, including the next annual meeting following his or her appointment to office.

5.7 ~~Foundation~~ Chief Development Officer. ~~Sr. AVP, Administration.~~ The CDO will ~~Sr. AVP Administration will manage the day to day activities of the Foundation and~~ perform the duties of the CEO during the absence or incapacity of the CEO.

5.8 ~~Foundation~~ CFO/Chief Operating Officer. The COO will manage the day to day business activities of the Foundation and attend all Board and Committee meetings.

5.9 Chief Alumni Officer. The CAO will manage the day to day activities of the Office of Alumni Engagement and Annual Giving, attend all UCF Alumni Board meetings, and provide a written report of the activities of his or her office at each meeting.

~~5.85.10~~ Chief Financial Officer. The CFO will manage the day to day financial activities of the Foundation.

5.95.11 Assistant Secretary. The Director of Foundation Board Relations and Development ~~serves as an Assistant Secretary of the Board to~~will assist in the documentation and safekeeping of the minutes of the Board and each Committee meeting.

5.105.12 Resignation. Any Officer may resign at any time by submitting a written resignation to the Chair and CEO. If the Chair is resigning, he or she ~~shall~~will submit his or her resignation to the CEO and University President. If the CEO is resigning, he or she ~~shall~~will submit his or her resignation to the Chair and University President.

5.115.13 Removal. Any Board Officer may be removed by a two-thirds vote of the Elected Directors present and voting when in the Board's judgment the interests of the Foundation would be best served. The University President may remove any Officer in his or her sole discretion.

ARTICLE 6. COMMITTEES OF THE BOARD

6.1 Standing Committees. Standing Committees will be permanent. The Chair will appoint the Chair and the members of each committee except for those committees whose Chair is specifically appointed in the bylaws.

~~a~~A. With the exception of the Executive Committee, individuals who are not Elected or Ex Officio Directors but have expertise in given areas may serve as advisors and vote on committees of the Board, with the approval of the Chair and in consultation with the relevant committee Chair. Advisors to Committees may vote on the committee's recommendations to the Executive Committee or Board.

~~b.~~ With the exception of the Executive committee, Emeritus Directors may be appointed to Committees. Appointed Emeritus Directors may vote on committee B. recommendations to the Executive Committee or Board. The Chair may remove any committee member at his or her discretion, except for Ex-Officio positions.

~~c~~C. The majority of the members of any committee must always be Elected Directors.

~~d~~D. Standing Committees will be governed by a charter that is approved by the Board. The Board must approve any revocations or amendments to the charter(s).

The Standing Committees are designated as follows:

A. Executive Committee

1. The Executive Committee consists of the following: the Chair, Vice Chairs, Secretary, Treasurer, immediate past Chair, University President, Chair of the Board of Trustees, Chair of the UCF Alumni Board of Directors, Chair of all other committees described in these Bylaws.
2. The Chair, or in his or her absence the Vice Chair(s), will preside at meetings of the Executive Committee.
3. The Executive Committee is authorized and empowered to act for, in the name of and on behalf of the Board at all times when the Board is not meeting.

No action of any standing committee will be binding upon the Foundation unless such action is approved by the Executive Committee.

4. The Executive Committee will meet at the call of the Chair.

B. Finance Committee

1. The Finance Committee consists of ~~at least~~not fewer than five appointed Elected Directors, in addition to the Treasurer of the UCF Alumni Board of Directors and University Vice President of Finance and Administration, both of whom will serve as an ex officio voting member.
2. The Chair of the Finance Committee will be the Treasurer.
3. The Finance Committee will establish and be responsible for the fiscal policy of the Foundation, including budgets and fees. The Finance Committee will recommend the budget for the next fiscal year to the Board at its annual meeting held prior to the end of the current fiscal year.

C. Governance Committee

1. The Governance Committee consists of ~~a minimum of~~not fewer than five appointed Elected Directors and will include the immediate past Chair, Chair, Vice Chair(s) and a minimum of one appointed Elected Director.
2. The CEO will also participate as an Ex Officio Corporate Officer of the Governance Committee.
3. The immediate past Board Chair will serve as the Chair of the Governance Committee. If the past Chair is unable to serve, the current Board Chair will appoint the Chair of the Committee.
- ~~4.~~4. The Governance Committee is charged with the responsibility of annually receiving and placing in nomination the names of individuals to be considered for membership to the Board, preparing a slate of Board Officers every two years, or upon the resignation of a Board Officer and succession planning. The 4. committee is also charged with annually reviewing the Foundation's bylaws, memberships, committee assignments, and leading a board self-assessment process. The Governance Committee is also responsible for receiving disclosures of proposed transactions with Directors, including potential excess benefit transactions, and reviewing such transactions.

A. Audit Committee

1. The Audit Committee will consist of a minimum of ~~at least~~not fewer than three appointed Elected Directors.
2. The Audit Committee is charged with hiring the auditors and reviewing the results of the audit. The committee evaluates other accounting related policies and controls.

B. Investment Committee

1. The Investment Committee will consist of not fewer than five appointed Elected Directors.
2. The Investment Committee will advise the Board in regard to the general investment policy and investment management of the Foundation.

C. Real Estate Committee

1. The Real Estate Committee will consist of not fewer than five appointed Elected Directors.
2. The Real Estate Committee advises the Board and the University of Central Real Estate Foundation LLC and Knight's Crossing Student Housing, LLC in regard to real estate policies, procedures, potential transactions and other real estate issues affecting the Foundation.

D. Information Technology (IT) Committee

1. The IT Committee will consist of not fewer than three appointed Elected Directors.
2. The IT Committee which assist the Board in fulfilling its planning, operational and oversight responsibilities.

6.2 Other Committees. The Board Chair will have the authority to establish an unlimited number of Other Committees or task forces to accomplish any objectives affecting ~~various interests~~ various interests and the welfare of the Foundation and the University as he or she deems necessary or desirable. Other Committees will be governed by a charter approved by the applicable Other Committees.

ARTICLE 7. MEETINGS AND QUORUM

~~7.1~~ **Calling Meetings.** At least two meetings of the Board and each Standing Committee will be held during each fiscal year. The respective Chair will select the meeting date, time and location.

7.1 **Special Meetings.** Special meetings of the Board and each Standing or Other Committee may be called by the Chair, CEO, two-thirds of the members entitled to vote, or the University President.

~~7.17.2~~ **Quorum and Voting.** A majority the members entitled to vote will constitute a quorum at any duly noticed meeting. An affirmative vote of a majority of members present is required for approval of any action items.

7.3 Presiding Officer. The Chair, or in his or her absence, one of the Vice Chairs, will preside at meetings of the Board and Executive Committee. If the absence of all of the above, the CEO may appoint a Director to preside.

~~7.57.4~~ Minutes. Minutes of the Board meeting or any Committee meeting will be taken and maintained in accordance with the Foundation policy.

~~7.77.5~~ Action ~~Without~~without a Meeting; In Person or Telephone Meetings. The members of the Board or a Committee may participate in, and be included in the quorum of, a meeting in person or by telephone, video or any other means that allow members and all others in attendance at the meeting to hear and speak to one another contemporaneously.

~~7.8~~ Voice Vote. Any official action must be approved by a voice vote. Proxies or written votes are not permitted.

~~7.9~~ Roll Call. At the beginning of any meeting, the Secretary or a designee will determine the presence or absence of a quorum. The roll will thereafter only be called upon the request of the Chair or any Director, and after each roll call, the presence or absence of a quorum will be announced.

~~7.10~~ Notice. Notice of each meeting will be sent to the Board or any Committee by the Secretary or a designee not fewer than seven calendar days preceding the meeting. Notice may be waived by all the voting members of the Board or Committee. Notice requirements are deemed waived if not raised, in writing, to the Secretary prior to the conclusion of the meeting. This Section 7.9 does not dispense with any public notice required by law and governs to the maximum extent permitted by law.

~~7.11~~ Public Notice. Public notice of any meeting of the Board or any Committee will be made as required by Florida law. Opportunity for public comment may be permitted.

~~7.127.6~~ Public Comment. To the extent required by law or permitted by the Chair, individuals who desire to appear before the Board or any Committee regarding an item being considered must submit their requests in writing to the address or email address noted in the posted notice for the meeting, specifying the agenda item about which they wish to speak. Public comment will be limited to three minutes per person.

ARTICLE 8. RELATIONSHIP WITH THE UNIVERSITY

8.1 General. The Foundation operates as a Direct Support Organization for the University as defined by Florida Statute and the State University System of Florida. The Foundation adheres to and will follow the policies and procedures for direct support organizations established by the State

University System of Florida and the Board of Trustees.

8.2 University Resources and Name. The University President has the authority to monitor and control the use of the University's resources and the University's name.

8.3 Operating Budgets. Operating budgets of the Foundation will be prepared annually, approved by the Board and the University President, and then submitted to the Board of Trustees. Expenditure plans will be reviewed and approved quarterly by the Finance Committee and by the University President or designee. The designee must be a University Vice President or senior officer of the University who reports directly to the University President.

ARTICLE 9. EXECUTION OF INSTRUMENTS

Contracts and other instruments to be executed by the Foundation will be signed, unless otherwise required by law, by the Chair, the CEO or a Vice Chair in conjunction with the Secretary. The Chair or the CEO, signing alone, is authorized and empowered to execute in the name of this Foundation instruments not requiring attestation arising in the day-to-day operations of the business of the Foundation, including, but not limited to, certificates representing stocks, bonds or other securities. The Board may authorize any other person or persons, whether or not an Officer of the Foundation, to sign any contract or other instrument.

ARTICLE 10. MISCELLANEOUS

10.210.1 Indemnification.

- A. Every Director, Officer and employee of the Foundation, as well as special appointees, will be indemnified by the Foundation against all expenses and liabilities, including attorneys' fees, reasonably incurred by or imposed on the director or Officer in connection with any proceeding, including any appeal, or any settlement of any proceeding to which the individual may be a party or in which he or she becomes involved as a result of serving as a Director, Officer, or special appointee. The indemnified party does not have to be a Director, Officer, or special appointee at the time the expenses or liabilities are incurred or imposed. In the event, however, of a settlement before entry of judgment, the indemnification will apply only upon approval by the Board as being in the best interests of the Foundation. This indemnification is in addition to and not exclusive of all other rights to which the person may be entitled. The Foundation has the authority and may elect to purchase insurance for this purpose.

- B. The above indemnification does not apply in the case of an action by, or in the right of, ~~the~~ Foundation. A- Director, Officer, or ~~—~~ special appointee is entitled to indemnification only if he or she acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the Foundation and (where applicable) had no reasonable cause to believe his or her conduct was

unlawful. This indemnification will be made in accordance with Section 607.0850, Florida Statutes, as amended from time to time.

10.310.2 Bonding. The Foundation will keep in force a blanket surety bond or employee dishonesty insurance, the adequacy of which will be determined by the Board, or a committee designated by the Board, to assure that each Officer and employee who is authorized to collect, hold, or disburse ~~funds of~~ funds of the Foundation will faithfully discharge his or her duties.

10.410.3 Seal. The seal of the Foundation will be inscribed with the words, "University of Central Florida Foundation, Inc.," the year "1968", and the words, "Foundation Not-for-Profit."

10.510.4 No Compensation. The Directors and Board Officers of this Foundation will not receive any compensation from this Foundation for their services as Director or Officer; provided, however, that they may be reimbursed from funds of the Foundation for any travel expenses or other expenditures incurred by them in the proper performance of their duties.

10.610.5 Rules. These bylaws govern the transaction of business for this Foundation. To the extent that the Bylaws do not cover specific procedures, the most recent version of *Robert's Rules of Order* will be applied.

10.710.6 Amendments- and BOT Approval. These Bylaws may be altered, amended, or rescinded only by an affirmative vote of the majority of all of the voting members of the Board. In case it becomes necessary to call a special meeting for this purpose, written notice will be given to each voting member of the Foundation at least five calendar days before the date set for the meeting, and such notice will indicate the provision sought to be amended and the nature of the amendment proposed to be adopted. All proposed amendments are subject to Board of Trustees review and approval. All Elected Directors and those appointed other than under Florida Statutes 1004.28 are subject to Board of Trustees review and approval.

10.810.7 Fiscal Year. The fiscal year of the Foundation will begin on July 1 and end on June 30 of the following year.

10.910.8 Non-discrimination. The Foundation is committed to non-discrimination with respect to race, creed, color, religion, age, disability, gender, marital status, sexual orientation, national origin, or veteran status.

10.1010.9 Ex Officio Affiliates. The Foundation is committed to engaging community leaders to fulfill the mission. The following individuals will be designated as Ex Officio Affiliates of the Board, all of which will be a non-voting and non-member designation:

1. Mayor of Orange County
2. Mayor of the City of Orlando
3. President of the Florida High Tech Corridor Council, Inc.
4. Chairperson of the Seminole County Board of County Commissioners

5. Mayor of the City of Oviedo

~~10.11~~**10.10** **Conflict of Interest.** All actual or potential conflicts of interest involving Directors of the Foundation will be disclosed and addressed in accordance with the Foundation’s Conflict of Interest Policy.

~~10.12~~**10.11** **Confidential and Exempt Public Records.** As stated and limited in Florida Statutes Section 1004.28, Foundation records are confidential and exempt from Florida public records laws, unless otherwise designated. Upon receipt of a reasonable and specific request in writing, the Foundation will provide financial information such as expenditures from Foundation funds, documentation regarding completed business transactions, and information about the management of Foundation assets. The Foundation will furnish this information in a format reasonably responsive to the request, at a reasonable cost to the requesting party. To the extent permitted by law, the Foundation will not, however, release any record or information that includes personal or financial information about a donor, prospective donor, alumnus, volunteer, or employee, without the individual’s express written consent. All fundraising activities undertaken by University employees or students, or by volunteers, are undertaken on behalf of the Foundation. All documents associated with such activities or with advising or serving the Foundation, whether or not in possession of any University employee or student, or any volunteer, are records of the Foundation and are confidential.

ARTICLE 11. DEFINITIONS

“Advancement” means the University of Central Florida Foundation, Inc.

“Assistant Secretary” means the Director for Foundation Board Relations and Development.

“Board Officers” means those individuals who are elected Directors and hold an ~~officer~~office of the Board of Directors, which includes the Chair, Vice Chair(s), Secretary, ~~Assistant Secretary~~ and Treasurer.

“Board of Directors” means the University of Central Florida Foundation Board of Directors.-

~~“Board of Trustees” means the University of Central Florida Board of Trustees.~~

“Board of Trustees” means the University of Central Florida Board of Trustees.

“CAO” means the University of Central Florida Foundation Chief Alumni Officer.

“CDO” means the University of Central Florida Chief Development Officer.

“CEO” means the University of Central Florida Foundation Chief Executive Officer.

“CFO” means the University of Central Florida Foundation Chief Financial Officer.-

"COO" means the University of Central Florida Foundation Chief Operating Officer.

"Committee" means either or collectively a Standing Committee and Other Committee.

"Directors" means Elected Directors and Ex-Officio Directors of the Board of Directors.

"Emeritus Director" means any Elected Director who has served two full terms may be nominated and appointed as an Emeritus Director following a six month period beginning at the conclusion of the second term. The Governance Committee will nominate Elected Directors who have served UCF and the Foundation with distinguished service. The Board will serve as the final body to approve the nomination(s).

"Ex Officio Affiliates" means those individuals who hold community leadership positions, as may be designated by the Board of Directors, from time to time.

"Ex Officio Corporate Officers" mean those individuals who hold the designation of CEO, ~~CFO, Senior AVP of Administration at the Foundation, and Director of Foundation Board Relations and Development~~CDO, COO, CAO, CFO and Assistant Secretary.

"Ex Officio Directors" mean those individuals who hold the designation of Chair of the Board of Trustees, University President, Chair of the UCF Alumni Board of Directors and President of the UCF Athletics Association Board of Directors.

"For cause" means actions or omissions that may adversely reflect on the interests or reputation of the Foundation or the University, as determined by the University President after consulting with the Executive committee or any senior executive of the Foundation. Any such determination may be made by the University President and does not need to depend on the conclusion of any external determination or process.

"Foundation" means the University of Central Florida Foundation, ~~Inc.~~Incorporated

~~"Senior AVP of"~~"Senior AVP for Development" means the University of Central Florida Foundation, Inc. Senior Associate Vice President for Development.

"Senior AVP for Administration" means the University of Central Florida Foundation, Inc. Senior Associate Vice President ~~of~~for Administration.

"Senior AVP of Alumni Engagement and Annual Giving" means the University of Central Florida Foundation, Inc. Senior Associate Vice President for Alumni Engagement and Annual Giving.

"UCF" means the University of Central Florida.

"UCF Alumni Board of Directors" means the University of Central Florida Alumni ~~Association~~

Board of Directors which is a separate advisory board to the Office of UCF Alumni Engagement and Annual Giving.

"UCF Athletics Association Board of Directors" means the University of Central Florida Athletics Association Board of Directors, which governs a separate direct support organization, the UCF Athletics Association.

"University" means the University of Central Florida.

"University President" means the President of the University of Central Florida.

"Vacancy" means and will be deemed to occur upon the incapacity, death, resignation or removal of the incumbent of the Board or an Officer position. Incapacity, which includes abandonment, ~~shall~~will be deemed to occur when, for any reason and regardless of intent, the incumbent does not or cannot fulfill the material duties of the position for thirty consecutive days or forty-five days total in any six month period, unless the Executive Committee resolves not to treat such circumstances as a vacancy. Incapacity will also occur upon the incumbent's acknowledgement in writing that he or she intends not to perform, or is or will be unable to perform, the materials duties of the position for at least either of such period of days, unless the Executive Committee resolves to not treat such circumstances as a vacancy.

The CEO will notify all Executive Committee members upon the occurrence of a vacancy and will specify the cause. Approval of the vacancy by the Executive Committee will be ~~co-~~considered binding.

~~APPROVED BY BOARD ACTION ON: October 14, 2016~~

~~By: _____~~

~~APPROVED BY BOARD ACTION ON: _____, 2018~~

By:

{SEAL NOT REQUIRED}

*Secretary
University of Central Florida Foundation,
Incorporated Board of Directors*