



UNIVERSITY OF CENTRAL FLORIDA

**Board of Trustees  
University of Central Florida  
Educational Programs Committee  
July 20, 2017, 9:00 – 10:00 a.m.  
Conference call-in phone #800-442-5794, passcode 463796  
Live Oak Center  
REVISED**

**AGENDA**

**I. CALL TO ORDER**

*Robert Garvy*  
Chair, Educational Programs Committee

**II. ROLL CALL**

*Gwen Ransom*  
Executive Administrative Assistant

**III. MEETING MINUTES**

- [Approval of the May 18, 2017, Educational Programs Committee meeting minutes](#)

Chair Garvy

**IV. NEW BUSINESS**

Chair Garvy

- Conferral of Degrees ([EPC-1](#))

*A. Dale Whittaker*  
Provost and Executive Vice President  
*Brian Boyd*  
University Registrar

- New Degree Program
  - Master of Athletic Training ([EPC-2](#))

*Elizabeth Klonoff*  
Vice President for Research and Dean of the College of Graduate Studies  
*John Weishampel*  
Associate Dean of the College of Graduate Studies

- 2017-18 Tenure with Hire ([EPC-3](#))

*Cynthia Y. Young*  
Vice Provost for Faculty Excellence and UCF Global, Pegasus Professor of Mathematics

- Performance Based Funding ([EPC-4](#))
  - Metric 10 Recommendations

*M. Paige Borden*  
Associate Provost for Academic Program Quality and Associate Vice President for Institutional Knowledge Management

- Amendment to Chapter 5  
- University Regulations ([EPC-5](#))  
*Youndy Cook*  
Deputy General Council
- UCF-5.006 (Student Rights and Responsibilities)
- UCF-5.007 (Office of Student Conduct; Scope; Definitions; Student Conduct Records; Special Student Panels)
- UCF-5.008 (Rules of Conduct)
- UCF-5.009 (Student Conduct Review Process; Sanctions)
- UCF-5.010 (Student Conduct Appeals)
- UCF-5.011 (Scope; Authority; Principles of Group Responsibility; Violations of Law and Rule of Conduct Violations; Definitions; Student Organizational Conduct Records)
- UCF-5.012 (Organizational Rules of Conduct)
- UCF-5.013 (Organizational Conduct Review Process; Sanctions; Appeals)
- UCF-5.015 (Student Academic Behavior Standards)
- UCF-5.016 (Student Academic Appeals)
- UCF-5.017 (Appeals of Graduate Program Actions or Decisions)
- UCF 2017 Textbook and Instructional Materials Affordability Annual Report ([EPC-6](#))  
*M. Paige Borden*  
Associate Provost for Academic Program Quality and Associate Vice President for Institutional Knowledge Management
- Provost's Update  
*A. Dale Whittaker*  
  
Faculty Spotlight – Healthcare Simulation  
([INFO-1](#))  
*Gregory Welch*  
Assistant Professor and Florida Hospital Endowed Chair in Healthcare Simulation  
  
Mythbuster  
Digital Learning ([INFO-2](#))  
*A. Dale Whittaker*

**V. OTHER BUSINESS**



UNIVERSITY OF CENTRAL FLORIDA

**MINUTES**  
**Educational Programs Committee**  
**University of Central Florida**  
**Board of Trustees**  
May 18, 2017  
FAIRWINDS Alumni Center

**CALL TO ORDER**

Trustee Robert Garvy, chair of the Educational Programs Committee, called the meeting to order at 9:10 a.m. Committee members Ken Bradley, Nicholas Larkins, Beverly Seay and Bill Self were present. Also present was Chairman Marcos Marchena trustee David Walsh and trustee John Sprouls joined the meeting via teleconference.

**MINUTES**

The March 16, 2017, meeting minutes were approved as written.

**NEW BUSINESS**

2017 Tenure Recommendations (EPC-1)

Dale Whittaker, Provost and Executive Vice President, reviewed the tenure process. During this year's process, President Hitt and Provost Whittaker reviewed tenure applications and recommended that the candidates be approved for tenure. A motion to recommend the 2017 tenure recommendations to the Board of Trustees was unanimously approved.

2017-18 Tenure with Hire (EPC-2)

Whittaker discussed the process for granting tenure to individuals who have come from outside of the university and whose credentials have been reviewed using the university's standards for tenure. Tenure with hire was requested for 10 faculty members. A concern was voiced that some of the faculty members on the list were not new hires and that the issue had not been brought to the faculty senate. A motion to recommend the 2017-18 tenure with hire to the Board of Trustees was unanimously approved.

2017-18 UCF Work Plan (EPC-3)

Paige Borden, Associate Provost for Academic Program Quality and Associate Vice President for Institutional Knowledge Management, reviewed an update of UCF's 2017-18 Work Plan that will be presented in June to the Florida Board of Governors. With the understanding that additional minor updates or modifications may be made to the plan. A motion to recommend the 2017-18 UCF Work Plan to the Board of Trustees was unanimously approved.

Ready, Set, Work Initiative – Progress Update (INFO-1)

Maribeth Ehasz, Vice President, Student Development and Enrollment Services, presented Ready, Set, Work, a student success initiative that is in response to the challenge issued by Governor Scott in 2015. Ehasz reported outcomes in several areas including student selection of best degree, encouraging students to participate in career readiness programs, and finding work in their perspective fields after graduation.

Provost's Update

Whittaker provided the following updates.

- New Instructional Site – Valencia College East ( INFO-1) - The university plans to expand its successful partnership with Valencia College by adding criminal justice programming at the Valencia College East campus and at Valencia College’s School of Public Safety, both located in East Orlando. By expanding collaborative ties between the two institutions, UCF students’ will gain unique access to specialized facilities, equipment, and experiences associated with the Valencia College School of Public Safety.
- Faculty Spotlight (INFO 2) - Dr. Candice Bridge an Assistant Professor in the Department of Chemistry and the UCF National Center for Forensic. Dr. Bridge studied chemistry at Howard University and completed her doctoral and post-doctoral research in analytical chemistry focusing on forensic science at UCF. She provided an overview on her research in new forensic techniques to aid criminal investigations.
- Time to Degree (INFO-3) - Whittaker updated the committee on the myth of time to degree and universities’ four-year graduation rate. The myth is that people cannot get a degree in four years and institutions are not doing enough. Whittaker gave a step by step breakdown on time to degree.
- Higher Education and Florida’s Future (INFO-4) - Whittaker reported on Governor Scott’s April letter on Higher Education and Florida’s Future, which cited Florida’s rankings in higher education, affordability and graduation rates. Governor Scott submitted six items that he would like to see addressed and discussed during the Board of Trustees meeting. Dr. Whittaker reviewed these items for the committee.

Trustee Garvy adjourned the meeting at 10:40 a.m.

Respectfully submitted: \_\_\_\_\_  
A. Dale Whittaker  
Provost and Executive Vice President

\_\_\_\_\_  
Date

**ITEM: EPC-1**

**EDUCATIONAL PROGRAMS COMMITTEE**  
*University of Central Florida*

**SUBJECT:** Conferral of Degrees

**DATE:** July 20, 2017

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**PROPOSED BOARD ACTION**

Approval: Conferral of degrees at the Summer 2017 commencement ceremonies.

**BACKGROUND INFORMATION**

UCF expects to award the following degrees at the Summer 2017 commencement ceremonies on August 5, 2017:

3,051	baccalaureate degrees
524	master's degrees
<u>124</u>	doctoral and specialist degrees
<b>3,699</b>	<b>Total</b>

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**Supporting documentation:** Attachment A: Registrar's Graduation Count

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

**Submitted by:** A. Dale Whittaker, Provost and Executive Vice President

Educational Programs Committee - New Business

**UCF Summer 2017 Commencement**

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

\*Projected Attending (Baccalaureate only) is an estimate based on 70% attending rate.

College	Baccalaureate					Master's				Doctorate			
	Intent to graduate	Projected * attending	Picked-up cap and gown	Head-count	Degree awarded	Intent to graduate	Indicated attending	Picked-up cap and gown	Head-count	Intent to graduate	Indicated attending	Picked-up cap and gown	Head-count
<b>Saturday, 8/5, 9:00 a.m.</b>													
College of Arts and Humanities	219	153				17	17			1	1		
College of Business Administration	424	297				109	109			2	2		
College of Education and Human Performance	174	122				94	94			46	46		
* Education Specialists	0	0				0	0			0	0		
College of Graduate Studies	0	0				8	8			0	0		
College of Undergraduate Studies	187	131				0	0			0	0		
College of Nursing	269	188				35	35			3	3		
Rosen College of Hospitality Management	252	176				10	10			1	1		
<b>College Totals:</b>	<b>1,525</b>	<b>1,068</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>273</b>	<b>273</b>	<b>0</b>	<b>0</b>	<b>53</b>	<b>53</b>	<b>0</b>	<b>0</b>
<b>Total Students Anticipated in Attendance:</b>	<b>1,394</b>												
<b>Saturday, 8/5, 2:30 p.m.</b>													
College of Engineering and Computer Science	240	168				57	57			37	37		
College of Health & Public Affairs	576	403				146	146			2	2		
College of Medicine	65	46				7	7			3	3		
College of Optics and Photonics	6	4				2	2			2	2		
College of Sciences	639	447				39	39			27	27		
<b>College Totals:</b>	<b>1,526</b>	<b>1,068</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>251</b>	<b>251</b>	<b>0</b>	<b>0</b>	<b>71</b>	<b>71</b>	<b>0</b>	<b>0</b>
<b>Total Students Anticipated in Attendance:</b>	<b>1,390</b>												
<b>Degree level ITG totals:</b>	<b>3,051</b>					<b>524</b>				<b>124</b>			
<b>Combined ITG submissions:</b>	<b>3,699</b>												
<b>All ceremony projected* attending:</b>	<b>2,784</b>	<b>75.3% of all ITG's</b>											
<b>Anticipated attendance - cap/gown pickup:</b>	<b>0</b>	<b>0.0% of all ITG's</b>											
<b>Headcount totals:</b>	<b>0</b>	<b>0.0% of all ITG's</b>											
<b>Undergraduate degrees awarded:</b>	<b>0</b>	<b>0.0% of all UGRD ITG's</b>											

**EDUCATIONAL PROGRAMS COMMITTEE**  
University of Central Florida

**SUBJECT:** New Degree Program - Masters of Athletic Training

**DATE:** July 20, 2017

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**PROPOSED BOARD ACTION**

Approval of a Master's degree in Athletic Training

**BACKGROUND INFORMATION**

The Department of Health Professions in the College of Health and Public Affairs proposes to establish a Master of Athletic Training (MAT) degree.

Due to a mandate from the Commission on Accreditation of Athletic Training Education (CAATE), all professional athletic training degrees must be delivered at the graduate level. Baccalaureate programs may not admit, enroll, or matriculate students into the athletic training program after the start of the fall term 2022. The University of Central Florida currently offers a Bachelor of Science in Athletic Training that requires students to complete 62 credits in the professional phase of the program. The Athletic Training Program faculty aims to use this mandate as an opportunity to create a new and challenging Master of Athletic Training (MAT) degree. This graduate entry-level clinical degree includes a curriculum that will prepare students to play an integral role as healthcare providers in a rapidly evolving healthcare system.

The university benefits from the proposed MAT degree program in that it meets two of the Critical Workforce Programs of Strategic Emphasis Categories set forth by the SUS: Education and Health (see section IE). The 2015 Bureau of Labor Statistics predicted a 21% growth (much faster than average) for 2014-24 (Bureau of Labor, 2015). The demand for this program is evident in the existing BS in AT degree application data (50-65 applicants per year), as well as in the results of the 2016 survey of the Bachelor of Science in Health Sciences (HS) students who indicated that 32.46% of respondents were "somewhat interested" or "very interested" in the new degree program. The HS major, with its 3000+ students, is a natural feeder to the proposed degree as all of the necessary pre-requisites for the MAT are included in the HS degree plan.

Additionally, the students in the MAT program will assist the university by providing support for the athletic training staff at the UCF Athletics Association and the Recreation & Wellness Center. Orange County Public Schools, Seminole County Public Schools, and other area organizations will also receive students completing *practica*, and thus the community is served as well.

The proposed program will require 65 credit hours beyond the bachelor's degree, including 41 hours of coursework, 18 hours of clinical practica, and 6 hours of capstone research. This proposed program is cost-effective, since many of the resources are already in place to support the current bachelor's degree program in athletic training.

This proposal was evaluated and recommended by the department, college, and university Graduate Council Program Review Committee. The College of Graduate Studies recommends this proposal, and it has evaluated five of the eight program criteria as *met with strength* and three as *met*. The proposed implementation date is Summer 2019.

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**Supporting documentation:** Attachment A: Analysis Summary for New Degree Authorization

**Prepared by:** Elizabeth Klonoff, Vice President for Research and Dean of the College of Graduate Studies

**Submitted by:** A. Dale Whittaker, Provost and Executive Vice President

## Attachment A

**Analysis Summary for New Degree Authorization**  
**Program Name: Master of Athletic Training (MAT)**

	Criteria	Proposal Response to Criteria
1.	The goals of the program are aligned with the university's mission and relate to specific institutional strengths.	<p><b>Met with Strength</b></p> <p>The Master of Athletic Training program should attract a diverse group of applicants from the student body as many undergraduate degree programs at UCF meet the prerequisite requirements and are in a related field of study. This program incorporates the skills to grow students into leadership positions. It will provide students with avenues and training opportunities for public service through internships in the Orlando community. During their course of study and after graduation, students will contribute to health and welfare of the community. The program incorporates the areas of health and medicine, which align with state identified strategic areas.</p>
2.	If there have been program reviews or accreditation activities in the discipline or related disciplines pertinent to the proposed program, the proposal provides evidence that progress has been made in implementing the recommendations from those reviews.	<p><b>Met with Strength</b></p> <p>The Athletic Training Bachelor of Science degree is accredited by the Commission on Accreditation of Athletic Training Education (CAATE). The faculty are already familiar with the accreditation process. An external program review of the undergraduate program in January 2017 yielded a small percentage (2.7%) of non-compliances among the 109 standards. These have since been rectified.</p>
3.	The proposal describes an appropriate and sequenced course of study. Admissions and graduation criteria are clearly specified and appropriate. The course of study and credit hours required may be satisfied within a reasonable time to degree. In cases in which accreditation is available for existing bachelor's or master's level programs, evidence is provided that the programs are accredited or a rationale is provided as to the lack of accreditation.	<p><b>Met with Strength</b></p> <p>The new course of study for this program is aligned to cover athletic training education competencies. The new curriculum collaborates with other relevant departments. The new graduate courses that will be offered have been approved by Graduate Curriculum Committee. Student credit hours are in line with comparable graduate programs.</p>
4.	Evidence is provided that a critical mass of faculty members is available to initiate the program based on estimated enrollments, and that, if appropriate, there is a commitment to hire additional faculty members in later years, based on estimated enrollments. For doctoral programs, evidence is provided that the faculty members in aggregate have the necessary experience and research activity to sustain a doctoral program.	<p><b>Met</b></p> <p>The current number of participating faculty is adequate for the program. But considering the potential for future growth, additional faculty will be necessary. With the hiring of two new research-oriented faculty, the program will better be able to carry out their mission. The review committee endorses the idea that the two future faculty members should be hired in tenure track lines to ensure the stability of the program.</p>

	Criteria	Proposal Response to Criteria
5.	Evidence is provided that the necessary library volumes and serials; classroom, teaching laboratory, research laboratory, office, and any other type of physical space; equipment; appropriate fellowships, scholarships, and graduate assistantships; and appropriate clinical and internship sites are sufficient to initiate the program.	<p><b>Met</b></p> <p>After the first year when the bachelor's program is in its final year, there should not be space limitations to teach the proposed courses. Furthermore, if there is a move to the Lake Nona campus, additional space may be available to accommodate future growth. Library resources are in place and sufficient for program. The scholarship currently available to bachelor level students is expected to be available for MAT students. The review committee suggests the program consider more scholarship opportunities funded by community partners. There are currently many internship opportunities and partnerships in the area. UCF's location boasts many prospective partners and potential employers including Orlando City Soccer and the USTA tennis facility.</p>
6.	Evidence is provided that there is a need for more people to be educated in this program at this level. For all degree programs, if the program duplicates other degree programs in Florida, a convincing rationale for doing so is provided. The proposal contains realistic estimates of headcount and FTE students who will major in the proposed program and indicates steps to be taken to achieve a diverse student body.	<p><b>Met with Strength</b></p> <p>There is a national movement of the Athletic Training degree from a bachelor's level to the master's level as standard for the discipline. The proposal documents the need for graduates in this field of study. The existing diverse student body at the bachelor's level should translate to a diverse pool at the master's level.</p>
7.	The proposal provides a complete and realistic budget for the program, which reflects the text of the proposal, is comparable to the budgets of similar programs, and provides evidence that, in the event that resources within the institution are redirected to support the new program, such a redirection will not have a negative impact on undergraduate education. The proposal demonstrates a judicious use of resources and provides a convincing argument that the output of the program justifies the investment.	<p><b>Met with Strength</b></p> <p>There are no significant changes from the existing bachelor's program. The Dean for the College of Health and Public Affairs is in support of hiring two new faculty. There will not be any negative impact on the bachelor's program as the current bachelor's standard is being replaced with the master's degree.</p>
8.	The proposal provides evidence that the academic unit(s) associated with this new degree have been productive in teaching, research, and service.	<p><b>Met</b></p> <p>The current Athletic Training faculty are productive. Faculty hired in the future will be expected to increase research and service for the department. The teaching outcome at the bachelor's level is successful as evidenced by the exceptionally high level passing rate of the board certification exam.</p>

**ITEM: EPC-3**

**EDUCATIONAL PROGRAMS COMMITTEE**  
*University of Central Florida*

**SUBJECT:** 2017-18 Tenure with Hire

**DATE:** July 20, 2017

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**PROPOSED BOARD ACTION**

Approval of tenure with hire

**BACKGROUND INFORMATION**

Each year new faculty members are hired with tenure. Normally, these 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.

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**Supporting documentation:** Attachment A: Tenure with Hire Justification

**Prepared by:** Cynthia Y. Young, Vice Provost for Faculty Excellence and International Affairs and Global Strategies

**Submitted by:** A. Dale Whittaker, Provost and Executive Vice President

## Attachment A

### **Educational Programs Committee Tenure with Hire Justification July 20, 2017**

#### ***Dr. Elizabeth Arnold, Professor***

##### **College of Health and Public Affairs, School of Social Work**

Dr. Elizabeth Arnold earned her Ph.D. in social work from Florida State University. She comes to UCF from Wake Forest School of Medicine, where she was a tenured associate professor. During her 16 years at Wake Forest, she served as principal investigator or co-principal investigator on externally funded research grants totaling more than \$6 million. She will bring to UCF a federally funded research project of \$500,000. Dr. Arnold has published extensively in the top journals in her field and has presented at numerous national conferences. She is nationally known for her research on integrated behavioral health care, including HIV prevention, homelessness, mental health, and addressing health disparities. She will provide expert leadership for the new Center for Behavioral Health Research and Training. The School of Social Work and the College of Health and Public Affairs support the recommendation for tenure with hire.

#### ***Dr. Sarah Bush, Associate Professor***

##### **College of Education and Human Performance, School of Teaching, Learning and Leadership**

Dr. Sarah Bush received her Ph.D. in mathematics education from the University of Louisville. Early in her career, she taught mathematics in K-12 schools. She later joined the faculty of Bellarmine University in Indiana, where most recently she was a tenured associate professor and associate dean of the Annsley Frazier Thornton School of Education. Dr. Bush has published more than thirty articles in teacher-education journals and co-authored four books. She was successful in securing nearly \$400,000 in external research funding from the Mathematics Science Partnership, and has been a dissertation chair. During her career, she has become a leader in the National Council of Teachers of Mathematics, an organization of more than 40,000 teachers. The School of Teaching, Learning and Leadership and the College of Education and Human Performance support the recommendation for tenure with hire.

#### ***Dr. Mark Ehrhart, Professor***

##### **College of Sciences, Department of Psychology**

Dr. Mark Ehrhart received his Ph.D. in industrial and organizational psychology from the University of Maryland. He comes to UCF from San Diego State University, where he was a tenured professor and associate chair of the Department of Psychology. Dr. Ehrhart has established himself as a leader in the area of organizational culture. He has published more than 40 journal articles throughout his career and has presented at more than 80 national conferences. He has taught graduate and undergraduate courses, served on numerous thesis committees as either chair or member, and supervised many graduate and undergraduate research assistants. He is the recipient of multiple research grants, including awards from the National Institutes of Health. The Department of Psychology and the College of Sciences support the recommendation for tenure with hire.

#### ***Dr. Xinwen Fu, Associate Professor***

##### **College of Engineering and Computer Science, Department of Computer Science**

Dr. Xinwen Fu received his Ph.D. in computer engineering from Texas A&M University. He comes to UCF from the University of Massachusetts Lowell where he was a tenured associate professor in the Department of Computer Science. He will join the UCF Faculty Cluster on Cyber Security and Privacy. Dr. Fu's research interests include network security and privacy, network forensics, computer forensics, information assurance, system reliability, and networking Quality of Service. He has been the recipient of external awards totaling over \$2.1 million as principal investigator, with a number of grants from the National Science Foundation. He has published 39 refereed journal articles and has presented at a number of national and international conferences. The Department of Computer Science and the College of Engineering and Computer Science support the recommendation for tenure with hire.

***Dr. Thomas Harrison, Professor*****College of Arts and Humanities, Department of Music, School of Performing Arts**

Dr. Thomas Harrison was awarded a Ph.D. in musicology from the University of Salford in England. Prior to his arrival at UCF, he was a tenured professor of music business, commercial music, and recording at Jacksonville University. Dr. Harrison is a guitarist, producer, and recording engineer, and is active both as a musicologist and composer of music for the concert hall. He has delivered academic papers internationally and is widely published. He is at the forefront of university curriculum development for courses in music business, entrepreneurship, and commercial music and recording. He maintains an active role as a recording artist in the professional world of music recording and music production. The Department of Music, School of Performing Arts, and College of Arts and Humanities support the recommendation for tenure with hire.

***Dr. Steve Jex, Professor*****College of Sciences, Department of Psychology**

Dr. Steve Jex earned his Ph.D. in industrial and organizational psychology from the University of South Florida. He comes to UCF from Bowling Green State University, where he was a tenured professor in the Department of Psychology, which has one of the top industrial and organizational psychology programs in the country. Dr. Jex is a well-known and respected industrial and organizational psychologist and is recognized as one of the leading figures in the sub-field of occupational health psychology. He has an outstanding publication record and is the author of a popular textbook in his field. He has taught many undergraduate and graduate courses throughout his career and has chaired well over 50 thesis and dissertation committees. The Department of Psychology and the College of Sciences support the recommendation for tenure with hire.

***Dr. Theresa Libby, Professor*****College of Business Administration, Kenneth G. Dixon School of Accounting**

Dr. Theresa Libby earned her Ph.D. in accounting at the University of Waterloo in Canada. She comes to UCF from the University of Waterloo, where she was a tenured professor in the School of Accounting and Finance. Dr. Libby was recently ranked as one of the top 50 managerial accounting researchers globally by the Brigham Young University research rankings. Her research interests include managerial use of accounting information for decision-making, the effects of budgets and budgeting on performance, accounting ethics and innovation management accounting systems. She has publications in top journals in her field and has been the managing editor of one of the American Accounting Association's special interest section journals. Dr. Libby's teaching interests include managerial accounting and management control systems, behavioral accounting research and research design. Her research and teaching experience will add greater depth to the managerial group. The Kenneth G. Dixon School of Accounting and the College of Business Administration support the recommendation for tenure with hire.

***Dr. Scott Lubaroff, Professor*****College of Arts and Humanities, Department of Music, School of Performing Arts**

Dr. Scott Lubaroff earned his Doctor of Musical Arts degree in wind conducting from Michigan State University. He comes to UCF from the University of Central Missouri, where he was a tenured professor of music, director of bands, and department chair. He has conducted the University of Central Missouri wind ensemble in significant performances at Carnegie Hall and at conferences of the Missouri Music Educators Association, the College Band Directors National Association, and the Society of Composers. He has been featured as a guest conductor for honor bands in nine states. Dr. Lubaroff will serve as director of bands for the UCF School of Performing Arts and has the background and experience needed for this critical position. The Department of Music, School of Performing Arts, and College of Arts and Humanities support the recommendation for tenure with hire.

***Dr. Michael C. Posey, Associate Professor*****College of Business Administration, Department of Management**

Dr. Michael C. Posey received his Doctor of Business Administration degree in computer information systems from Louisiana Tech University, with minors in quantitative analysis and management. He comes to UCF from the University of Alabama, where he most recently was a tenured associate professor of management information systems, as well as associate director of the Cyber Institute. He will join the UCF Faculty Cluster on Cyber Security and Privacy. Dr. Posey's research interests include the behavioral aspects of cyber crime and represent a complementary fit with scholars in the College of Business Administration. He has published in leading academic journals in the disciplines of information systems and management. The Department of Management and the College of Business Administration support the recommendation for tenure with hire.

***Dr. Abdul-Akeem Sadiq, Associate Professor***

**College of Health and Public Affairs, School of Public Administration**

Dr. Abdul-Akeem Sadiq received a Ph.D. in public policy jointly from Georgia State University and Georgia Institute of Technology. He comes to UCF from Indiana University- Purdue University Indianapolis, where he was a tenured associate professor in the School of Public and Environmental Affairs. Dr. Sadiq has published several book chapters and numerous peer-reviewed articles, with many in top-rated journals in his discipline. He was recently awarded a National Science Foundation grant to study community flood resilience and flood risk management. In 2014, he was awarded a prestigious National Science Foundation Fellowship in Enabling the Next Generation of Hazards and Disasters Researchers. Dr. Sadiq teaches courses in terrorism and public policy, public safety in America, and emergency management and homeland security. His teaching expertise will strengthen the proposed undergraduate emergency management and graduate emergency and crisis management programs at UCF. The School of Public Administration and the College of Health and Public Affairs support the recommendation for tenure with hire.

***Dr. Patric Spence, Associate Professor***

**College of Sciences, Nicholson School of Communication**

Dr. Patric Spence received his Ph.D. in organizational communication, crisis communication and methods from Wayne State University. He comes to UCF from the University of Kentucky, where he was a tenured associate professor in instructional communication and research in the School of Information Science. He specializes in risk and crisis communication. Dr. Spence will help the Nicholson School of Communication build a better research and graduate profile as the unit moves to develop a Ph.D. program in strategic communication. He is internationally known in the field of communication. He is the recipient of funding from federal agencies, and is currently co-investigator on a grant from the United States Department of Agriculture that totals more than \$1.1 million. Dr. Spence has an impressive publication record and has presented at a substantial number of national and international conferences. The Nicholson School of Communication and the College of Sciences support the recommendation for tenure with hire.

***Mr. Michael Wainstein, Professor***

**College of Arts and Humanities, School of Performing Arts**

Mr. Michael Wainstein earned his Master of Fine Arts degree in drama and directing from the University of Cincinnati College Conservatory of Music, with additional studies in arts administration. He comes to UCF from the Savannah College of Art and Design, where he was professor and chair of the Department of Performing Arts. Mr. Wainstein has taught at the graduate and undergraduate levels. He has a record of effective grant-writing and fundraising for the arts, having served as a producer and artistic director of professional theatre companies. Mr. Wainstein will lead the School of Performing Arts as director. The combination of his experience as leader of an academic unit, teacher, and fundraiser for the arts gives him the qualifications needed for this important leadership role. The School of Performing Arts and College of Arts and Humanities support the recommendation for tenure with hire.

***Dr. Nan Yu, Associate Professor***

**College of Sciences, Nicholson School of Communication**

Dr. Nan Yu received her Ph.D. in mass communication from Pennsylvania State University. She comes to UCF from North Dakota State University, where she was a tenured associate professor in the Department of Communication. Dr. Yu will help the Nicholson School of Communication build a better research and graduate profile as the unit moves to develop a Ph.D. in strategic communication. Dr. Yu has taught a number of graduate and undergraduate courses and has served on multiple Ph.D. and Master's committees as both committee chair and member. Her research interests include health communication, strategic communication, and new media research. She has published a number of refereed journal articles in her field, and has co-authored five book chapters. The Nicholson School of Communication and the College of Sciences support the recommendation for tenure with hire.

**ITEM: EPC-4**

**EDUCATIONAL PROGRAMS COMMITTEE**  
University of Central Florida

**SUBJECT:** Performance-based Funding - Metric 10 Selection

**DATE:** July 20, 2017

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**PROPOSED BOARD ACTION**

Approval of three replacement options

**BACKGROUND INFORMATION**

Florida's Performance Based Funding model includes a Board of Trustees Choice Metric – Metric 10. The Board of Governors has requested an updated consideration of this metric under the following guidelines:

1. Each Board of Trustees should submit three metrics. One of the three metrics can be the current metric. The three metrics should be prioritized in order of preference.
2. The Board of Trustees should propose benchmarks for excellence, on a scale of 1-10, for each of the three metrics. The excellence benchmarks should be established so that in the first year of implementation, the university will receive no more than seven (7) points.
3. The Board of Trustees should propose benchmarks for improvement, on a scale of 1-10, for each of the three metrics.

Updated Board of Trustees Choice Metric will be considered at the October 3 Budget and Finance Committee meeting of the Board of Governors.

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**Supporting documentation:** Attachment A: Metric 10 Replacement Options

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

**Submitted by:** A. Dale Whittaker, Provost and Executive Vice President

## Attachment A

# University of Central Florida

## Metric 10 Replacement Options

Metric: Percent of Bachelor's Degrees Awarded to African-American & Hispanic Students										
Excellence:	28.0	29.0	30.0	31.0	32.0	33.0	34.0	35.0	36.0	37.0
Score:	1	2	3	4	5	6	7	8	9	10
	Historic					Current	Projection		Improvement: 1 point every 0.5% increase	
Year	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17				
Value	26.0	28.0	30.0	31.0	33.0	34.7				
Score	0	1	3	4	6	7				

Metric: Percent of Undergraduate FTE in Online Courses										
Excellence:	26.0	27.0	28.0	29.0	30.0	31.0	32.0	33.0	34.0	35.0
Score:	1	2	3	4	5	6	7	8	9	10
	Historic					Current	Projection		Improvement: 1 point every 0.5% increase	
Year	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17				
Value	25.0	27.0	28.0	30.0	31.0	32.7				
Score	0	2	3	5	6	7				

Metric: Bachelor's Degrees Awarded Annually										
Excellence:	12,000	12,150	12,300	12,450	12,600	12,750	12,900	13,050	13,200	13,350
Score:	1	2	3	4	5	6	7	8	9	10
	Historic					Current	Projection		Improvement: 1 point every 25 degree increase	
Year	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17				
Value	11,515	12,321	12,372	12,629	12,832	13,025				
Score	0	3	3	5	6	7				

**ITEM: EPC- 5**

**EDUCATIONAL PROGRAMS COMMITTEE**  
University of Central Florida

**SUBJECT: Amendment to Chapter 5 University Regulations**

**DATE: July 20, 2017**

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**PROPOSED BOARD ACTION**

Approve amendment to University Regulations relating to student conduct rules, student organization conduct rules, review proceedings for violations of the conduct rules by students or student organizations, student academic behavior standards, and student academic appeals.

**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.” Each University is tasked with adopting rules of conduct and a conduct review procedure for its students.

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**Supporting documentation:** Proposed Amended Regulations:

Attachment A: UCF-5.006	Student Rights and Responsibilities
Attachment B: UCF-5.007	Office of Student Conduct; Scope; Definitions; Student Conduct Records; Special Student Panels
Attachment C: UCF-5.008	Rules of Conduct
Attachment D: UCF-5.009	Student Conduct Review Process; Sanctions
Attachment E: UCF-5.010	Student Conduct Appeals
Attachment F: UCF-5.011	Scope; Authority; Principles of Group Responsibility; Violations of Law and Rule of Conduct Violations; Definitions; Student Organizational Conduct Records
Attachment G: UCF 5.012	Organizational Rules of Conduct
Attachment H: UCF-5.013	Organizational Conduct Review Process; Sanctions; Appeals
Attachment I: UCF-5.015	Student Academic Behavior Standards
Attachment J: UCF-5.016	Student Academic Appeals
Attachment K: UCF-5.017	Appeals of Graduate Program Actions or Decisions

**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 regulations:
  - 1. Written materials identified by authorship and sponsorship may be sold or distributed on campus within the guidelines of propriety and responsible journalism ~~as established and supervised by the University Board of Publications which is appointed by the President or designee~~. 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. ~~Non-university or off-campus printed materials shall not be distributed or circulated by students or student organizations without first being stamped by the office of the Director of the Office of Student Involvement.~~

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 hearing. These matters shall include, but not be limited to:
  1. Disciplinary proceedings involving an alleged violation of academic and nonacademic ~~regulations~~rules.
  2. Refunds and charges. The status of a student charged with a violation of University ~~regulations~~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 ~~s~~Student ~~e~~Conduct Review ~~p~~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 and Brandi Stuart.
- (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 “Off Campus” refers to any location not defined as University premises.
- (l) The term “Overlay” refers to a notification on a student’s university transcript that states the student is not in good standing.
- (m) 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.
- (n) The term “Record Sealing” refers to when a student’s disciplinary record cannot be examined except by a court order or designated officials.
- (o) 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.
- (p) 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).
- (q) 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.

- (r) 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.
- (s) 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.
- (t) 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, 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).
- (u) 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.
- (v) 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.

- (w) 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 Dawn Welkie.
- (x) The term “University” means the University of Central Florida.
- (y) 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.
- (z) 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.
- (aa) 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.
- (bb) 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.
- (cc) The term “VP of SDES” refers to the Vice President of Student Development and Enrollment Services.
- (dd) The term “Witness” refers to any person who directly observed an incident or has direct or indirect knowledge related to an incident

**(43) 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.

**(54) 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 ~~P~~Police ~~d~~Department if alcohol-related and/or drug-related medical emergencies arise. The ~~U~~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.

**(65) 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 ~~UCF community members~~ 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 ~~then~~ 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~~ (SOC-~~Team~~), a multidisciplinary group that reviews potential concerns presented by the UCF community regarding student behavior. The SOCT ~~Team~~ 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 ~~Student Care Services or the Office Director~~ of Student Rights and Responsibilities and/or Student Care Services.

- (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.

**(76) University Crisis Team.** The University may refer students who are viewed to be engaging in behavior(s) that poses ~~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 ~~Crisis Team~~ is ~~comprised~~composed of the following persons and/or their designee(s): Student Health Services Executive Director, Counseling and Psychological Services Director, ~~Chief of~~ UCF Police Department Chief, ~~Director of the~~ Office of Student Rights and Responsibilities Executive Director, Student Care Services ~~Associate Assistant~~ Director, Office of Student Conduct Director, Associate Dean for Academic Services, ~~and the Director of~~ 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 ~~T~~team. These include but are not limited to ~~Housing and Residence Life, Student Health Services, Student Accessibility Services, Counseling and Psychological 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~~ University Police, and the Office of

~~Student Conduct. In the event that a student's behavior raises concern about risk of danger to others, the involved unit will contact the Director of OSRR or designee. The Director of OSRR or designee will then contact Crisis Team members to convene a meeting in order to review the case and decide on the best course of action.~~

- (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.

**(87) 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, ~~the Assistant Director of Student Care Services or designee~~ 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~~an OSRR~~ 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 ~~UCF~~ Student Health Services psychiatrist, a ~~UCF~~ Counseling and Psychological Services clinician, or a community based licensed mental health professional~~counselor~~ or licensed psychiatrist of the student's choice. Before the mandated assessment is conducted, ~~the Assistant Director of~~ 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~~medical health professional conducting the assessment with background information relevant to the reason for the mandated assessment. ~~The Director of OSRR or designee~~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 ~~two weeks~~ten (10) business days) following release to complete a follow up appointment. Student must provide proof of assessment within ~~four weeks~~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 ~~to consider the initiation of the Involuntary Withdrawal Procedure.~~

- (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 ~~p~~Process;
  2. Convening of the University Crisis Team to consider the initiation of the Involuntary Withdrawal Procedure.

**(98) Involuntary Withdrawal Procedure.** 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 ~~meetingproceeding~~, 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 action.
  2. The opportunity to examine the psychiatric or other evaluations provided to the ~~Crisis Team~~committee 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.
  5. The right to appeal.
- (f) In the event a student disagrees with the decision of the Executive Director of OSRR or designee, the student may appeal the ~~decision~~finding. 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. The Vice President of SDES or designee, shall, within three (3) business days, sustain the initial decision or remand the case to the Crisis ~~Team~~Committee for re-consideration. The Vice President's decision will be considered final agency action.

- (g) Upon being withdrawn, the student may no longer enroll in classes, may not be an active member of a registered ~~S~~student ~~O~~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 UCF, 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.
- (h) 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 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 does not pose a serious threat to others. In cases where the Executive Director of OSRR or designee has imposed other conditions for readmission, it is the responsibility of the student to provide documentation of compliance with such conditions.
- (i) A student who is not involuntarily withdrawn may be subject to conditions to continue enrollment at the University. In such cases, the student will be provided with a written summary of conditions and must meet all conditions in order to maintain student status. A student who fails to meet such conditions ~~may will~~ be subject to involuntary withdrawal by the Executive Director of the Office of Student Rights & Responsibilities or designee, or ~~may will~~ be subject to charges through the University's Student Conduct Review Process for failure to comply.
- (j) The current medical withdrawal process should not be used to handle withdrawals related to mental health issues where an imminent threat to the community is evident or 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. As a general principle, the regular Student Conduct Review Process and its policies and practices are preferred in serious instances of misconduct, without regard to whether there might be mental health issues present. The procedures and specifications given in this regulation 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 cannot be applied.

**(109) Title IX Policy, and Procedure, ~~and Resources~~.**

- (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.
- (~~ba~~) 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 ~~or interpersonal relationship~~ violence listed and defined in the Rules of Conduct (UCF-5.008) and Organizational Rules of Conduct (UCF 5.008 and UCF-5.012).
- (b) 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) 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 members, and faculty members—which includes acts of sexual misconduct and/or interpersonal violence. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. A closely related federal law, Section 304 of the Violence against Women 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 community-wide prevention education and awareness programming.~~

- (cd) The ~~University of Central Florida~~ encourages any faculty, staff, student or non-student who thinks that he or she has been subjected to sex ~~discrimination~~ ual misconduct and/or interpersonal violence or retaliation by another student, member of the faculty or staff, or third party affiliated with the University campus visitor or contractor, to immediately report the incident to the Office of Institutional Equity.
- (de) ~~The University~~UCF 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.
- (ef) 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. A student or student organization accused of sexual misconduct and/or interpersonal violence (“Respondent”) and a student alleging sexual misconduct and/or interpersonal violence (“Complainant”) are afforded the following rights throughout the ~~university’s Title IX investigative~~ ion process and the student conduct review process. These rights to 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 Title IX~~

investigative process and student conduct review process. ~~This person may act as a support person or advisor.~~ 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 Title IX~~ 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. a support person or advisor is unable to serve as a witness at any point.

2. Both the Complainant and the Respondent have the right to remedial and interim 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 parties 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. Both the Complainant and Respondent will be afforded similar and timely access to any information that will be used during the Student Conduct Review Process.
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.

64. 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. 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. ~~Both the Complainant and Respondent may submit a list of proposed questions related to the alleged incident, to be asked during the hearing process. The relevancy of proposed questions will be determined by the conduct officer or hearing body.~~
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.
86. Both the Complainant and Respondent will have equal opportunity to present relevant ~~witnesses~~parties and other information during the ~~Title IX~~ investigative process and a formal hearing~~the student conduct review process. The r~~Relevancy and timeliness of proposed questions will be determined by the investigator(s), conduct officer or formal hearing body.
97. 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.
108. Both the Complainant and the Respondent will be provided access to participate, during ~~in~~ the entire formal hearing in person, via videoconference, by telephone, or by other means available.

9. ~~Both, the Complainant and Respondent should not be questioned directly by one another during the Student Conduct Review Process. All questions shall be asked through the hearing body.~~
110. Where there is a proposed finding of responsibility on one or more of the allegations as a result of formal hearing, both the Complainant and the Respondent may submit a statement to the Office of Student Conduct for consideration by the hearing body in recommending appropriate sanction(s). 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. 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 each of the parties has a reasonable opportunity to review any statement submitted by the other party. The timeframe for submitting such statements shall not exceed five (5) business days from the date of the formal hearing. The Complainant may submit an “impact statement” and suggest an appropriate disciplinary sanction: warning, probation, suspension, or expulsion. See UCF 5.009(5) for more information regarding disciplinary sanctions for students, and section UCF 5.013(5) for more information regarding student organization disciplinary sanctions to include appropriate compensations if the Respondent is found to have been in violation of the Rules of Conduct or Organizational Rules of Conduct.
124. Both the Complainant and Respondent will be informed, concurrently and in writing, of the outcome of the investigative process, the sStudent eConduct rReview pProcess, and the outcome of the appeal process, in accordance with federal guidelines. Notice of outcome sent to Complainant will include only the final determination with respect to the alleged offense and any sanction that is imposed against the Respondent, except that in cases not involving sexual violence, the Complainant will be notified of only those sanctions that directly relate to the Complainant.

132. 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 ~~and~~ UCF-5.013 (registered student organizations).
143. Both the Complainant and Respondent will be given periodic status updates throughout the ~~Title IX~~ investigative process and the ~~s~~Student ~~e~~Conduct ~~r~~Review ~~p~~Process.
- (g) Administrative hearing officers and panel members who hear cases of sex discrimination ~~sexual misconduct and/or interpersonal violence~~—(including ~~sexual assault~~, sexual harassment, sexual misconduct, stalking, and/or relationship violence), ~~and stalking (sex-based)~~—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, \_\_\_\_\_-17.*

## Attachment B

**UCF-5.007 Office of Student Conduct; Scope, ~~Definitions~~; 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, ~~as defined below~~; 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) Definitions

- (a) ~~The term “Academic Integrity Panel” is comprised of one faculty member and one staff/faculty member and two students selected from the Student Conduct Board. Members of this panel will receive training annual on how to conduct an investigation related to academic misconduct.~~
- (b) ~~The term “Advisor” or “Support Person” refers to the person of the student’s or organization’s choice who may assist and/or accompany the student or student organization throughout the student conduct review process. This person shall not speak for or present the case on behalf of the party who requested the Advisor/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 Department 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 most recently 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 OSC to review the disciplinary probation/suspension status of a student.~~
- ~~(e) The term “Complainant” refers to anyone who reports having been subject to sexual misconduct and/or interpersonal violence.~~
- ~~(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 “Director of the OSC” refers to the Director of the Office of Student Conduct.~~
- ~~(h) The Director of the OSRR refers to the Director of the Office of the Student Rights and Responsibilities.~~
- ~~(i) The term “Hold” refers to a service indicator placed on a student’s record.~~
- ~~(j) The term “Off campus” refers to any location not defined as University premises.~~
- ~~(k) The term “Overlay” refers to a notification on a student’s university transcript that states the student is not in good standing.~~
- ~~(l) 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 conduct review process.~~
- ~~(m) The term “Record Sealing” refers to when a student’s disciplinary record cannot be examined except by a court order or designated officials.~~
- ~~(n) The term “Relationship Abuse” is defined as physical harm or threat of physical harm, verbal or written abuse, 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, committed by a person upon an individual with whom the person is or has been in a romantic or intimate relationship.~~

- ~~(o) The term “Relevant Information” means information that has been shown to directly support the position of a party throughout the Title IX Investigative process or student conduct review process. An Office of Student Conduct or Office of Student Rights and Responsibilities staff member and/or Student Conduct Board member has the final authority to determine if the presented information is relevant to the case and should be presented during the hearing.~~
- ~~(p) The term “Respondent” refers to any student or student organization accused of sexual misconduct and/or interpersonal violence.~~
- ~~(q) The term “Responsible Employee” is defined as a university employee who has the authority to redress sexual misconduct and/or interpersonal violence the duty to report incidents of sexual misconduct and/or interpersonal violence, or is someone a student could reasonably believe has this authority or duty.~~
- ~~(r) The term “Sanction” refers to outcome(s) imposed on students or student organizations found in violation of any Rules of Conduct or Organizational Rules of Conduct of the University.~~
- ~~(s) The term “Student” means any person enrolled in one or more classes at the University, whether full time or part time, study abroad students, on line 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, or who have been notified of their acceptance for admission are considered “students”.~~
- ~~(t) 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 has violated the Rules of Conduct and to propose sanctions that may be imposed. Board members are selected through an annual application and interview process with the exception of the justices from the Student Government Association Judicial Council. All Student Conduct Board members, including justices, receive training from the Office of Student Conduct. Student Conduct Board members who serve on hearings related to allegations of relationship violence, sexual assault, sex harassment, and stalking (sex based) will~~

~~receive additional training annually. They will be trained on how to conduct a hearing process that protects the safety of all those involved and promotes accountability.~~

- ~~(u) 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. Other examples of the types of discrimination that are covered under Title IX include the failure to provide equal opportunity in athletics; discrimination in a school's science, technology, engineering, and math (STEM) courses and programs; and discrimination based on pregnancy and parental status.~~
- ~~(v) 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, which prohibits sex discrimination in all the operations of this College, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX.~~
- ~~(w) The term "Deputy Title IX Coordinator" is defined as a university employee who is responsible for overseeing complaints or allegations of sexual misconduct and/or interpersonal violence against students or student organizations under Title IX, which prohibits sex discrimination in all the operations of this college, as well as any interference with any right or privilege secured by Title IX.~~
- ~~(x) The term "University" means the University of Central Florida.~~
- ~~(y) 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.~~

- ~~(z) 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.~~
- ~~(aa) The term “University premises” includes all land, buildings, facilities, and other properties in the possession of or owned, used, or controlled by the University.~~
- ~~(bb) The term “VAWA” refers to the Violence Against Women Reauthorization Act of 2013, amended the Violence Against Women Act and the Clery Act to provide new requirements for schools to prevent and respond to sexual violence, domestic violence, dating violence, and stalking. Some of these requirements include providing primary prevention education and awareness programs for all incoming students and employees; collecting statistics on domestic violence, dating 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. The updates are sometimes referred to as Campus Sexual Violence Elimination Act or Campus SaVE Act.~~
- ~~(cc) The term “VP of SDES” refers to the Vice President of Student Development and Enrollment Services.~~
- ~~(dd) The term “Witness” refers to an individual who is in the proximity of an incident and viewed the actions of said incident or who has relevant information about a given incident or who has relevant information about a given incident or actions related to a specific incident.~~

(45) 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 ~~D~~disciplinary ~~S~~suspension, dismissal and/ or Eexpulsion 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).

(6) Evaluation of Student Conduct Review Process. The Student Conduct Review Process will be evaluated periodically by the Golden Rule Review a eCommittee, ~~which shall be composed of students and staff members of the university.~~ All proposed changes shall be evaluated for approval by the appropriate administrative body.

*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, \_\_\_\_\_-17.*

## 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 ~~and organizations~~ 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 notes, handouts, etc. without authorization or ~~using them for any commercial purpose~~ 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 is a violation of this rule.
- (d) Falsifying or misrepresenting the student's own~~your~~ 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 ~~s~~Student ~~e~~Conduct ~~r~~Review ~~p~~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.~~tampers with the election(s) of any University student organization or group including major violations of the SGA Election Statutes.~~
- (d) Misuse of any University safety equipment, firefighting equipment, or fire alarms.
- ~~(e) — An act which deliberately interferes with the academic freedom or the freedom of speech of any member or guest of the University community.~~
- ~~(ef)~~ A false report of an explosive or incendiary device, which constitutes a threat or bomb scare.

- (fg) 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.
- (gh) 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.
- (hi) 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.
- (ij) 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 ~~(including written or electronic communication)~~ 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 ~~(verbal or physical~~

~~behavior~~) 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 ~~including but not limited to stalking~~.
- (g) Retaliation against or harassment of complainant(s), other person(s) alleging misconduct, or anyone who participates in an investigation ~~of harassment~~.
- (h) Condoning or encouraging acts of harmful behavior as defined above or failing to intervene stop 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. ~~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.~~

12. ent is an understandable exchange of affirmative words or actions ~~or statement,~~  
which indicate a willingness to participate in mutually agreed upon sexual  
activity. by an individual that is informed, freely given and mutually  
understood.—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 is-not consent. Silence is 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.~~each~~  
~~person involved in any sexual activity to ensure the consent of the other,~~  
~~or others, to engage in the sexual activity.~~
  - 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 intoxicated—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 facts, nature, or extent of the sexual interaction. If a  
person is mentally or physically incapacitated so that the person cannot  
understand the fact, nature, or extent of the sexual situation, there is no  
consent.

- ~~i. Incapacitation is a temporary or permanent state in which a person cannot make informed, rational judgments because the person lacks the physical or mental capacity to understand the nature or consequences of their words and/or conduct, and/or the person is unable to physically or verbally communicate consent.~~
    - ~~ii. This includes but is not limited to conditions due to age, alcohol or drug consumption, being unconscious or asleep, or because of an intellectual or other disability that prevents the person from having the capacity to give consent.~~
  - 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 including but not limited to unwelcome sexual advances, requests for sexual favors, or other harassment based on sex which, due to the severity and pervasiveness of the conduct and the targeted nature of the conduct on the basis of sex (including but not limited to sexual orientation, gender identity, gender expression and pregnancy), objectively prevents or impairs another person's full enjoyment of the educational benefits, employment, atmosphere, or opportunities provided as part of the University.
- (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.
- (de) 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.
- (ed) Voyeurism: Trespass, spying, or eavesdropping for the purpose of sexual gratification.

- (fe) Solicitation of a Minor: soliciting sexual acts from a minor by oral, written, or electronic means.
- (gf) Child Pornography: possessing, producing or the dissemination of child pornography
- (hg) Relationship ~~Abuse~~: 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. ~~Physical harm or threat of physical harm, verbal or written abuse, 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, committed by a person upon an individual with who the person is or has been in a romantic or intimate relationship with the student.~~
- (ih) Stalking ~~(sex-based)~~: 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.~~Repeated, unwanted conduct toward or contact with another person because of sex 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.~~

- (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).
- ~~(i) Condoning or encouraging acts of sexual misconduct and/or interpersonal violence defined above or failing to stop an act of sexual misconduct and/or interpersonal violence while it is occurring are also violations of this policy.~~

- (lj) 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. ~~except as expressly permitted by law~~
- (b) Cultivating, manufacturing, or attempting to obtain cannabis in any amount. ~~except as expressly permitted by law.~~
- (c) Possessing, consuming, cultivating, manufacturing, or attempting to possess any controlled substances other than ~~alcohol~~, cannabis, ~~except as expressly permitted by law.~~
- (d) Selling or distributing cannabis or any other controlled substances ~~and related paraphernalia~~, other than alcohol. ~~and alcohol related paraphernalia, except as expressly permitted by law.~~
- (e) Possessing or attempting to possess any drug related paraphernalia. ~~other than alcohol-related paraphernalia, except as expressly permitted by law.~~
- (f) Misconduct under the influence of controlled substance(s) and/or drugs of 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) ~~subsections a, b, c, d, e, & 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~~~~intoxicated~~ student may be exempt from disciplinary action for violations of the Rules of Conduct Section 10(a)- 10(f) ~~subsections a, b, c, d, e, & 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 in the on the Office of Student Conduct website.
5. For information regarding alcohol emergencies please refer to ~~the next section and relevant subsection~~—5.008 11(d) below.

#### (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) ~~subsections a, b, & 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) ~~subsections a, b & 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 emergencies can be found through the Office of Student Conduct website.

(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 Picketings

- (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~~ticket, order, or any interest~~ 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, \_\_\_\_\_17.*

## 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. ~~In unusual cases, which dictate a decision for the welfare of any individual, the student body, or any part of the University or its community,~~ 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 concerns ~~situation~~ by placing the student on interim suspension. ~~Interim suspension is not a sanction. Such action~~ 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. ~~to the Office of Student Conduct.~~ 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 ~~s~~Student ~~e~~Conduct ~~r~~Review ~~p~~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. ~~These options are dismissal, mediation, informal hearing, or formal hearing.~~

## (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 rules of conduct.
- (b) **Documentation only with an Educational Requirement:** this resolution option is only available for cases where the accused student accepts responsibility with an Office of Student Conduct staff member or designee and the reported violation is not seen as especially egregious by the Office of Student Conduct. The reported student will be required to must complete an educational sanction. An Office of Student Conduct hold will be placed on the student's record until the educational sanction completed in full and seen by the Office of Student Conduct as complete.
- (c) **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.

- (d) **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 (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 to be appealed (UCF-5.010).
- (e) **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. 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~~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 one faculty or staff member ~~randomly~~ 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~~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 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; student is invited to await announcement of the 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. Following deliberations, the panel or the administrative hearing officer will announce to the student the proposed finding(s) and proposed sanction(s), if any. The announcement of the proposed finding(s) and proposed sanction(s), if any, will be recorded as part of the official case record.

(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 Council. 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 A-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 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 student.~~
  - (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 ~~R~~relevant ~~I~~nformation 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 ~~at the~~ 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~~~~Should~~ the proposed finding of the hearing body ~~is~~ ~~be~~ that the student is in violation, will prior conduct history will then be reviewed and ~~may~~potentially affect proposed sanctioning.
- (i) The results of any formal hearing shall be made available to the student within seven (7) business days following the hearing (deadline can be extended by mutual agreement of the charged student and the Director of the OSC's or designee). For academic integrity cases, the results of any formal hearing shall be made available to the 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 ~~s~~S~~tudent~~ ~~e~~C~~onduct~~ ~~r~~E~~view~~ ~~p~~P~~rocess~~ 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 disciplinary warning; subsequent action may be more severe.
- (b) Disciplinary Probation- Disciplinary probation status shall be for a specific length of time in which any further violation of the rules of conduct puts the student's status with the University in jeopardy. If the student is found "in-violation" for another violation of the rules of conduct, while on disciplinary probation, more severe sanctions may be imposed such as suspension or expulsion. Restrictive conditions

may be imposed and vary according to the severity of the offense. While on disciplinary probation, 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 disciplinary probation, 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 Suspension - Deferred suspension is used for offenses found serious enough to warrant disciplinary suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. Deferred 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 deferred 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. However, the suspension will be automatically enforced for failure to complete any assigned 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, the student will be automatically suspended for a minimum of two (2) semesters in addition to the educational sanctions imposed for the subsequent violation. Students placed on deferred suspension will have a conduct overlay placed on their transcripts for the period of time that the deferred suspension is in effect. The conduct overlay is a notation indicating that the student is not in good standing. Students on deferred suspension may be limited in their abilities to represent the university on any athletic team other than intramurals, hold an office in any registered

student organization, represent the university in any extracurricular activity or official function, or participate in any study abroad program. Deferred Suspension may also include the denial of specific university privileges, including but not limited to, attendance at athletic functions, unrestricted library use, parking privileges, university computer and network usage, and residence hall visitation for a designated period of time. The duration of any deferred suspension period and the specific restrictions imposed will be determined by the OSC on a case-by-case basis.

- (de) Disciplinary Suspension- A student involved in an offense warranting consideration of action more serious than disciplinary probation or one involved in repeated misconduct may face disciplinary suspension. During the period of disciplinary suspension, a student may not be enrolled in classes, participate in University related activities, whether they occur on or off campus. A student under disciplinary suspension 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. An overlay will be placed on a student's record during the period of disciplinary suspension. Further, while on disciplinary suspension, 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 suspension; otherwise the disciplinary suspension will remain in effect.

- (e) Disciplinary Dismissal – 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 disciplinary dismissal, 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 dismissal, based on meeting all readmission criteria and obtaining clearance from the Dean of Students or designee. This may include restricted access to campus and/or other specified activities.

(~~fd~~) Disciplinary Expulsion- Expulsion is a sanction which removes the student from ~~his/her~~the individual's academic program and permanently separates a student from the University ~~of Central Florida~~ 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.

(~~ge~~) 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. 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, \_\_\_\_\_-17.*

## Attachment E

**UCF-5.010 Student Conduct Appeals****(1) Appeals within the Student Conduct Review Process**

- (a) Students found in violation as a result of a formal 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 student was notified of the decision by the Director of the OSC or designee. The appeal form can be found at <http://osc.sdes.ucf.edu/process>.
- (b) Students may appeal the finding 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 could have affected the outcome of the hearing.
  - 2. Discovery of new and significant information that could have affected 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 student 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 student 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 student alleges that the sanction was disproportionate to the violation(s) and the Appellate Officer finds the sanction to be disproportionate, the Appellate Officer may reduce the sanction.
  - 2. If the student 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 student shall receive a written decision to the appeal within twenty business days (deadline can be extended by mutual agreement of the charged student and the Appellate Officer). ~~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 Appellate Officer reflect final ~~agency~~ action.
- (f) 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.
- (g) The Office of Student Conduct cannot place an overlay on the student's record until the appeal decision is completed or if the student chooses not to appeal. At such time, if appropriate, a hold and/or overlay, is placed on the student's record. 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 the OSC's or designee's final decision letter.

(2) Appeals within the Student Conduct Review Process ~~for Complainants~~ Cases Involving Sexual Misconduct and/or Interpersonal Violence

- (a) Complainants and Respondents in matters involving allegations of sexual misconduct and/or interpersonal violence ~~assault, dating violence, domestic violence, and stalking~~ (as defined above in Regulation UCF-5.008(5)) may appeal the finding(s) and sanction(s) imposed ~~from~~ of a student conduct formal hearing. The appeal must be made in writing to the Appellate Officer (VP of SDES or designee) within seven (7) business days after the date both the Respondent and Claimant ~~charged student and victim are~~ were notified of the decision by the Director of the OSC or designee. The appeal form can be found at <http://osc.sdes.ucf.edu/process>.
- (b) Complainants and Respondents may appeal the finding 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 could have affected the outcome of the hearing.

2. Discovery of new and significant information that could have affected 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, ~~one~~the student must state the reason(s) for appeal, supporting facts, and the recommended solution. Failure to describe the nature of the information in full detail in the appeal letter will result in the denial of the 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 Complainant or Respondent 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.
  2. If the Complainant or Respondent 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 Complainant and Respondent~~victim and charged student~~ shall receive a written decision within twenty business days (deadline can be extended by mutual agreement of the charged student and the Appellate Officer).~~to the appeal concurrently. 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 Appellate Officer reflect final agency action.~~
- (f) 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.
- (g) If the decision of the Appellate Officer is to modify the sanction, the Complainant and Respondent shall each be afforded the right to file an appeal of the modified sanction, in accordance with the procedures outlined in Regulation UCF-

5.010(2)(a)-(f). Unless the appeal results in a further modification of the sanctions, no further appeal is allowed and the decision becomes final.~~The Complainant shall be afforded the right to file an appeal following final review of the Appellate Officer's decision should the result of the decision modify sanctions.~~

(3) Community ReEngagement and Educational Development (CREED) Program

- (a) Upon completion of one semester of disciplinary probation ~~and one semester of disciplinary suspension,~~ and completion of all educational requirements, a student has the opportunity to request a review of their disciplinary probation ~~or disciplinary suspension~~ status through the Community ReEngagement and Educational Development (CREED) Program.
- (b) Requests should be submitted to the Director of the OSC or designee via an online CREED Program submission form available at [www.osc.sdes.ucf.edu](http://www.osc.sdes.ucf.edu). This request can only be submitted once a semester.
- (c) The CREED Program is designed for a student to have the opportunity to demonstrate that in the period following a violation of the Rules of Conduct, they have taken steps to become a productive and engaged member of the UCF community.
- (d) In considering this request, a student should complete all outlined requirements of the CREED Program which can be reviewed online at [www.osc.sdes.ucf.edu](http://www.osc.sdes.ucf.edu).  
~~Students that simply fulfill the minimum requirements of their sanction(s) will not be eligible for the CREED Program.~~
- (e) 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. Residential Life Letter of Support (On-Campus or Affiliated Residential Students only)
  - 5. Proof of Counseling/Assessment (if applicable)
  - 6. Academic Progress (if applicable)

7. Termination of Probation Letter (Admission Clearance Only, and if applicable)

- (f) Upon receipt of the CREED Program packet, the Director of the OSC or designee will review to determine whether or not the student meets criteria for review. If the Director of the OSC or designee agrees that the student's request meets any or all of the above mentioned criteria, the student 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.
  - (g) Prior to this meeting, the committee will have reviewed the submitted packet and will prepare 10-15 questions for the student to address, as well as provide the student with the opportunity to further discuss why the 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 student to produce requested information and/or documentation. Upon receipt of the requested information and/or documentation, the committee will reconvene the review with the student.
  - (h) 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 student in writing within seven (7) business days of receiving the recommendation.
  - (i) 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 and suggested action items for the student's success.
  - (j) There is no appeal process for a CREED Review Meeting decision.
- (4) Sealing of Records
- (a) A student's conduct record is eligible to be sealed if the incident(s) in question are minor and do not result in disciplinary suspension, disciplinary dismissal, or disciplinary expulsion and or if the student is not current on disciplinary probation

~~or deferred suspension. where further violations would not likely result in suspension or expulsion from the university.~~

- (b) A student conduct record may be sealed upon the successful submission and review of appropriate paperwork to the Office of Student Conduct.
- (c) The factors influencing the decision by the Director of the OSC for sealing are the severity of the violation, effect of the violation on the University community, sanctions applied, completion of sanctions, and ethical development demonstrated by the student.
- (d) There is no appeals process regarding student conduct record sealing.

*Authority: BOG Regulations 1.001 and 6.0105. History – Formerly 6C7-5.00431, New 6-18-09. Amended 3-5-15, 10-29-15, 7-28-16, \_\_\_\_\_-17.*

## Attachment F

**UCF-5.011 Scope; Authority; Principles of Group Responsibility; Violations of Law and Rule of Conduct Violations; Registered Student Organizational Conduct Records**

(1) Scope

- (a) The organizational conduct regulations (UCF-5.011, 5.012, and 5.013) shall apply to all registered student organizations of the University, including those at its regional campuses and/or at off campus instructional sites, and shall be deemed a part of the terms and conditions of registered student organization registration. 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. Specific restrictions on time and place of meetings and assemblies are found in other University regulations or policies.
- (b) The Organizational Rules of Conduct apply to all registered student organizations for conduct that occurs:
  - 1. Oen University premises; or
  - 2. During or while participating in University and/or organizationsponsored or related activities; or
  - 3. During school sessions, holidays, breaks, and university closures; or
  - 4. Against students or non-students.
- (c) The University may take action against a registered student organization for off-campus conduct if the conduct is specifically prohibited by law or the Organizational Rules of Conduct; or if the conduct poses (or demonstrates that the student organization's continued recognition at the University 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.

(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 shall ensure a fair and impartial process in registered student organizational disciplinary proceedings and guarantee the integrity of the university.
- (c) Generally, authority necessary to enforce the organizational 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.

(3) Definitions. Definitions for terms used in this section, as well as in the Organizational Conduct Review Process, are located in UCF-5.0067(34).

(4) Principles of Registered Student Organization Responsibility.

- (a) Any registered student organization can be held responsible for its actions or the actions of a collection of its members acting together. Misconduct on the part of an individual member(s) may not automatically be sufficient to initiate the Organizational Conduct Review Process.
- (b) Students may be held accountable as individuals under the Rules of Conduct for their conduct, whether the students are acting in an individual ~~capacity~~capacities or the students are acting as a member of a registered student organization.
- (c) The following criteria will be used to determine if a registered student organization can be held responsible for the actions of ~~one or more~~ individual(s)-when those actions result in a violation of the Organizational Rules of Conduct:
  1. A violation arises out of an organization-sponsored, financed, or otherwise sanctioned activity or event, where the organization provided the context for the violation.
  2. A pattern of individual violations has occurred and/or continues to occur within the organization without adequate control, response, or disciplinary action on the part of the registered student organization or its executive board members or officers.
  3. The action resulting in the violation has received either the implied or overt consent of the registered student organization or any executive board members or officers of the registered student organization.

4. The registered student organization or any executive board member or officer of the registered student organization fails to report and take reasonable action against invitees/members responsible for the Organizational Rules Conduct violation.
5. The registered student organization overtly places or implicitly allows active members of the registered student organization to be in a position to act on behalf or with authority of the organization.
6. The registered student organization chooses to protect one or more individual offenders who are active members of the registered student organization from official actions.

- (d) Should a reported incident occur where an organization is named as allegedly violating an Organizational Rule of Conduct, the University may hold an investigation to gather facts to help provide further context to the original complaint.

(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 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) Violations of Law and Rule of Conduct Violations. Students who commit offenses against the laws of municipalities, states, or the United States are subject to prosecution by those authorities and may be subject to disciplinary action by the University when their conduct violates institutional standards. Students 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 Organization Conduct process is not a criminal or

judicial proceeding and is designed to address registered student organization behavior as outlined in the Principles of Group Responsibility, above; therefore, alleged violations of the Organizational Rules of Conduct will be addressed independently of any penalty imposed by the courts for the criminal offense.

**(7) Student Organizational Conduct Records**

- (a) Maintenance of Records. A registered student organizations conduct case record will be maintained in the Office of Student Conduct. The case record of a registered student organization found responsible for charge(s) against them, with sanctions less than organizational suspension or revocation, will generally be maintained in the Office of Student Conduct for seven years from the calendar year of record, after which they are destroyed. The case record of a registered student organization that has been suspended or whose registration has been revoked will be permanently maintained by the Office of Student Conduct.
- (b) Release of Records. The release of registered student organization disciplinary records will be governed by applicable federal and state laws regarding the privacy of educational records.

*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, \_\_\_\_\_17.*

## Attachment G

**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 Sstudent 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) Failure to comply with the student organization's constitution.~~
- ~~(gh)~~ 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) Discrimantory Harassment: Defined as verbal, physical, electronic, or other conduct ~~(including written or electronic communication)~~ 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 ~~(verbal or physical behavior)~~ 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 onstop 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. ~~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.~~
- 12. Consent is an understandable exchange of affirmative words or actions which indicate a willingness to participate in mutually agreed upon sexual activity ~~or statement by an individual that is informed, freely given and mutually understood.~~ 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 is not consent. Silence is 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. ~~each person involved in any sexual activity to ensure the consent of the other, or others, to engage in the sexual activity.~~
  - 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 ~~intoxicated~~ 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 take 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.~~If a person is mentally or physically incapacitated so that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent.~~

- ~~i. Incapacitation is a temporary or permanent state in which a person cannot make informed, rational judgments because the person lacks the physical or mental capacity to understand the nature or consequences of their words and/or conduct, and/or the person is unable to physically or verbally communicate consent.~~
- ~~ii. This includes but is not limited to conditions due to age, alcohol or drug consumption, being unconscious or asleep, or because of an intellectual or other disability that prevents the person from having the capacity to give consent.~~
- 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; including but not limited to unwelcome sexual advances, requests for sexual favors, or other harassment based on sex which, due to the severity and pervasiveness of the conduct and the targeted nature of the conduct on the basis of sex (including but not limited to sexual orientation, gender identity, gender expression and pregnancy), objectively prevents or impairs another person's full enjoyment of the educational benefits, employment, atmosphere, or opportunities provided as part of the University.
- (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.

- (~~de~~) 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.
- (~~ed~~) Voyeurism - Trespass, spying, or eavesdropping for the purpose of sexual gratification.
- (~~fe~~) Solicitation of a Minor – soliciting sexual acts from a minor by oral, written, or electronic means.
- (~~gf~~) Child Pornography – possessing, producing or the dissemination of child pornography
- (~~hg~~) 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.~~Stalking (sex-based): Repeated, unwanted conduct toward or contact with another person because of sex 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.~~
- (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*h*) 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).~~Condoning or encouraging acts of sexual misconduct and/or interpersonal violence defined above or failing to stop an act of sexual misconduct and/or interpersonal violence while it is occurring are also violations of this policy.~~

(k*i*) Any attempted acts of sexual misconduct and/or interpersonal violence ~~of the~~ acts 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) ~~subsections a through 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 Office of Student Conduct. 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, ~~except as expressly permitted by law~~.
- (b) Sale and/or distribution of any narcotic or other controlled substances, ~~except as expressly permitted by law~~.
- (c) Cultivation and/or manufacture of any narcotic or other controlled substances, ~~except as expressly permitted by law~~.
- (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 ticket, order, or any interest~~ 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.~~Selling notes, handouts, etc. without authorization or using them for any commercial purpose without the express written permission of the University and the Instructor.~~

(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, \_\_\_\_\_17.*

## Attachment H

**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~~In unusual cases, which dictate a decision for~~ 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~~Such action~~ 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~~to the Office of Student Conduct~~. 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. ~~The student organization may not designate an advisor as their representative in the 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 (warning, probation, or restrictive probation) 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 panel’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 Council. 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 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~~~~Should~~ the proposed finding(s) of the hearing body ~~is~~ ~~be~~ that the registered organization is in violation, will prior conduct history ~~that has occurred within three academic years of the incident will then~~ be reviewed and ~~potentially may~~ affect the proposed sanctionings.
- (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(9)(f) will apply in addition to the procedures of the ~~s~~Student ~~e~~Conduct ~~r~~Review ~~p~~Process.

(6) Sanctions for Registered Student Organizations

- (a) ~~Organizational Disciplinary~~ 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 Disciplinary~~ 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 disciplinary 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 organizationaldisciplinary 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 automatically enforced should the registered student organization fail to complete any of the assigned sanctions by the deadline 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, the registered student organization will be automatically 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.

- (de) 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.
- (ed) Revocation of UCF Registration: Permanent severance of the organization's relationship with UCF.
- (fe) Recommendation for Charter Revocation: An official request to a national office that the local chapter's charter be revoked.
- (gf) 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 disciplinary probation or organizational suspension, the organizational disciplinary 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 reduce 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 disciplinary probation ~~or disciplinary suspension (not applicable for one semester probation or suspensions)~~ and upon completion of all educational sanctions/requirements, a registered student organization has the opportunity to request modification of their

~~organizationaldisciplinary~~ probation ~~or suspension~~ 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, \_\_\_\_\_-17.*

## Attachment I

**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 ~~Office of Student Conduct (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 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 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 appealed.
- (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 randomly selected by the OSC~~ 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 members, 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, ~~and college dean who will, with~~ In consultation with the college dean, the instructor and the department chair ~~will~~ determine if further course or academic ~~actions~~ sanctions should be imposed. If the undergraduate program recommends further course or action, the undergraduate program must notify 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 within fourteen (14) business days.
  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. Students may have ~~their~~ proposed course or academic action ~~sanctions~~ 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 of the Academic College in which the graduate ~~student~~ program resides. They will in turn notify the graduate program that a student was found in ~~in~~ violation and ask if the program wishes to invoke any program-level academic ~~actions~~ sanction(s). The student’s graduate program will determine if program ~~actions~~ sanctions ~~is~~ are necessary. If ~~they are~~ deemed necessary, recommendation of program ~~actions~~ sanction(s) 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 ~~actions~~sanctions. The results of any formal hearing and/or program action~~(s)~~ should be available for the student within fourteen (14) business days.

4. Graduate students found “not in violation” of academic misconduct may have their proposed course ~~actions~~sanctions 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:
  - i. Irregularities in fairness and stated procedures of the hearing that could have affected the outcome of the hearing.
  - ii. Discovery of new and significant information that could have affected the outcome of the hearing and ~~that~~which was not known or could not reasonably have been discovered and/or presented at the time of the hearing.
  - iii. The sanction(s) are extraordinarily disproportionate to the violation(s).
2. The student shall receive a written decision to the appeal within twenty business days. ~~There is no definitive timeline for receiving an appeal response. It depends on many factors including the complexity of the case, the information mentioned in the appeal, as well as the appellate officer’s appeal load at that particular time.~~ Decisions of the Provost or designee reflect final agency action.
3. Any decision by ~~the Decisions of~~ 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.

4. 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 suspension for one or more semesters 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.

*Authority: BOG Regulation 1.001. History – Formerly 6C7-5.0042, Amended 8-10-09, 9-4-12, 10-29-15, 7-28-16, \_\_\_\_\_-17..*

## Attachment J

**UCF-5.016 Student Academic Appeals**(1) Scope. ~~This regulation shall apply to:~~

- (a) ~~This regulation shall apply to a~~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; and
  - 3. Alleged lowering of grades for non-academic reasons, including discrimination.
- ~~(b) The professional judgment exercised by an instructor in assigning a specific grade or in conducting a class is excluded from the provisions of this rule except as noted above.~~
- ~~(b) This regulation shall also apply to appeals of undergraduate program action, including termination from an undergraduate academic program.~~
- ~~(c) This regulation does not apply to a~~Appeals of graduate programs actions or decisions by a faculty member, program, or college, including termination from an academic program, ~~are discussed in the following section.~~ 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, timely, and open resolution of academic appeals.
- (b) Faculty members and administrators are entitled to a fair, 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.

(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.
- (b) Step 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.
- (c) Step 5: If the student is not satisfied with the outcome of the consultation with the administrator, within 10 days of their meeting or conversation, the student may appeal in writing to the Student Academic Appeals Committee. 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.
- (c) Student members shall be selected by the dean of the college or designee from a panel of no less than thirty (30) students. This panel shall be appointed by the

Vice President of Student Development and Enrollment Services 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. ~~shall vote on the validity of the student's appeal and if appropriate, develop its recommendations.~~ The committee chair will ensure that the committee's majority opinion is recorded and forwarded to the college dean.

~~(b) — The college dean shall render a decision within 10 business days of the conclusion of the committee hearing. Copies of the committee's recommendations and the dean's decision shall be made available to both parties concerned, to the provost, and all other involved parties and departments.~~

(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, \_\_\_\_\_-17.*

## Attachment K

**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 rests with the degree program, although the College of Graduate Studies may also monitor a student's progress and take appropriate actions if performance standards as specified by the program and ~~U~~University are not maintained. Satisfactory progress to degree 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.
- (b) A degree program may also recommend dismissal if the student fails to maintain the standards of academic and professional integrity as well as competence necessary for the welfare of patients, clients, or others encountered in internships, externships, or other classes required by the degree program.
- (c) However, it is incumbent on the degree program to give the student an opportunity to discuss the pending action with the program director prior to making a recommendation of dismissal. The Dean and Vice Provost of the College of Graduate Studies has final authority over dismissal recommendations and will execute them accordingly. Once dismissed, a student may apply to UCF as a student in another degree program, or as a non-degree student who is prohibited from taking courses in the program from which he/she were dismissed. ~~However a~~A dismissed student can only be reinstated to his/her previous degree 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 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 courses) students are referred to Regulation UCF-5.016 for the 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 follow the Procedure for Other Grievances of Graduate Students as outlined below.

(3) Procedure for Other Grievances of Graduate Students. 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 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) The graduate student requesting consideration of a grievance, must state the nature of the grievance in writing to the graduate program director, within six months of the 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.
- (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) 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 Associate~~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. 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.
- (e) 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.

- (f) 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 ~~Provost~~ 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. Dependent on the appeal, the Vice President ~~Provost~~ and Dean 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 concerning the grievance.
- (g) The Vice President for Research ~~Provost~~ 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 ~~Provost~~ and Dean 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, \_\_\_\_\_-17.*

**ITEM: EPC-6**

**EDUCATIONAL PROGRAMS COMMITTEE**  
University of Central Florida

**SUBJECT:** UCF 2017 Textbook and Instructional Materials Affordability Annual Report

**DATE:** July 20, 2017

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**PROPOSED BOARD ACTION**

Approval of the Textbook and Instructional Material Affordability Annual Report.

**BACKGROUND INFORMATION**

House Bill 7019 was passed during the 2016 Legislative Session and signed into law by Governor Scott on 04/14/2016 (Chapter 2016-236, Laws of Florida). An amendment to Section 1004.085 regarding textbook and instructional materials affordability requires each university to submit an annual report by September 30 of each year, beginning in 2016, to the Chancellor of the State University System. The report addresses the following:

- Required and recommended textbooks and instruction materials for general education courses;
  - Specific initiatives on the university designed to reduce the costs of textbooks and instructional materials; and
  - University policies for the posting of textbooks and instructional materials.
- 

**Supporting documentation:** Attachment A: Textbook and Instructional Materials Affordability Annual Report

**Prepared by:** Elizabeth A. Dooley, Vice Provost for the Division of Teaching and Learning and Dean of the College of Undergraduate Studies

**Submitted by:** A. Dale Whittaker, Provost and Executive Vice President for Academic Affairs

Attachment A

**State University System of Florida  
Textbook and Instructional Materials Affordability  
Annual Report  
Statutory Due Date: September 30**

**University of Central Florida****Fall 2016, Spring 2017**

University Submitting Report		Semester(s) Reported*	
Date Approved by the University Board of Trustees		Signature of Chair, Board of Trustees	Date
Signature of President	Date	Signature of Vice President for Academic Affairs	Date

**\*Report Fall and Spring data separately to allow for Fall to Fall semester comparison and Spring to Spring semester comparison.**

*Definitions:*

- *Wide cost variance is defined as a cost per course section of \$200 or more over the median cost of textbooks and instructional materials for the same course.*
- *High enrollment is defined as the top 10% of courses ordered by headcount enrollment.*

**1) Required and Recommended Textbooks and Instructional Materials for General Education Courses**

- a) Report on the course sections identified as wide cost variance and include the number of course sections within a course (*n*). An explanation may be provided for sections with wide cost variance (e.g. honors course, economics text for two courses).

*Methodology: Identify the average cost for textbooks and instructional materials for all course sections of a course. Exclude sections with Open Educational Resources (OER) or no required materials from wide cost variance analysis. Course sections with a cost of \$200 or more over the median cost are considered wide cost variance.*

- Required (Req) Textbooks and Instructional Materials
- Recommended (Rec) Textbooks and Instructional Materials

***RESPONSE:***

**To identify General Education Program (GEP) courses with wide cost variances, the University of Central Florida (UCF) calculated the average cost of textbooks across all sections of each GEP course where on average, the variance for any section is greater than \$200.**

**FALL 2016**

Prefix and Course Number	Course Title	Section	Total Number of Sections within Course	Req or Rec	Average Cost	Dollar Variance
<i>PHY 2048C</i>	<i>General Physics Using Calculus I</i>	<i>202</i>	<i>22</i>	<i>Req</i>	<i>\$112.98</i>	<i>\$312.03</i>

**Explanation:**

*PHY 2048C: Due to its unique structure, an individual faculty member selected course materials for PHY 2048 section 202. The course is offered as the first part of a two-semester calculus-based general physics course with the lab, offered primarily for student majoring in Physics and Engineering and pre-professional students who have the appropriate background in mathematics.*

**SPRING 2017**

Prefix and Course Number	Course Title	Section	Total Number of Sections within Course	Req or Rec	Average Cost	Dollar Variance

**Explanation: n/a**

- b) Describe the textbook and instructional materials selection process for general education courses with a wide cost variance among different sections of the same course.

**RESPONSE:**

**A Faculty Committee or Course Coordinator typically selects the textbooks and instructional materials for courses designated as GEP. In some cases, faculty members individually choose a textbook and/or instructional materials for a course, to best align with the intent of the programs for which the course is required.**

- c) Report the course title(s) and number of section(s) that do not require or recommend the purchase of a textbook(s) and/or instructional material(s).

**RESPONSE:**

The below list includes course sections that did not require or recommend the purchase of a textbook and/or instructional material. The below list does not include course sections that were not reported.

<i>FALL 2016</i>		<i>SPRING 2017</i>	
Course Titles not Requiring or Recommending Purchase of Texts/Instructional Materials	Number of Sections	Course Titles not Requiring or Recommending Purchase of Texts/Instructional Materials	Number of Sections
Biology 1 (BSC 2010C)	39	Biology I (BSC 2010C)	32
Introduction to Computers (CGS 1060C)	16	Introduction to Computers (CGS 1060C)	16
Computer Fundamentals for Business (CGS 2100C)	33	Computer Fundamentals for Business (CGS 2100C)	35
Chemistry Fundamentals I (CHM 2045C)	20	Chemistry Fundamentals I (CHM 2045C)	5
Principles of Chemistry (CHS 1440)	11	Composition II (ENC 1102)	5
Computer Science I (COP 3502C)	1	Principles of Macroeconomics (ECO 2013)	1
Composition II (ENC 1102)	1	Cinema Survey (FIL 1000)	1
Cinema Survey (FIL 1000)	2	History of Motion Pictures (FIL 2030)	2
History of Motion Pictures (FIL 2030)	2	Film History II (FIL 3037)	1
College Algebra (MAC 1105C)	2	Calculus with Analytical Geometry I (MAC 2311C)	2
Calculus with Analytical Geometry I (MAC 2311C)	3	Introduction to Philosophy (PHI 2010)	1
Introduction to Philosophy (PHI 2010)	3	Introduction to Philosophy Honors (PHI 2010H)	1
Basic Statistics Using Microsoft Excel (STA 1063C)	8	American National Government (POS 2041)	2

Principles of Statistics (STA 2014C)	20	Basic Statistics Using Microsoft Excel (STA 1063C)	9
Theatre Survey (THE 2000)	1	Principles of Statistics (STA 2014C)	20
Survey of Theatre for Majors (THE 2020)	1	General Physics Using Calculus I (PHY 2048C)	2

- d) What measures, if any, are being taken by the university to reduce wide cost variance among different sections of the same general education course?

**RESPONSE:**

To address cost variances, UCF will continue to educate faculty members on effective textbook affordability practices. For instance, the Faculty Enlight system provides instructors with an estimate of a student's cost of textbooks and instructional materials. This information enables faculty members to make conscious choices that will help students save money on the purchase of course materials.

Additionally, UCF will continue to partner with its bookstore, Barnes & Noble, to ensure innovative pricing options are available to students such as the NEW Price Match Program and the continuation of tiered rental programs.

- e) Describe the textbook and instructional materials selection process for general education high enrollment courses.

*Methodology: Order courses (course prefix/number) by headcount enrollment, excluding honors courses. The top 10% of courses are determined as high enrollment. Provide the number of courses (n) reported on.*

**RESPONSE:**

A Faculty Committee or Course Coordinator typically selects the textbooks and instructional materials for courses designated as GEP. In some cases, faculty members individually choose a textbook and/or instructional materials for a course, to best align with the intent of the programs for which the course is required.

## 2) Specific Initiatives of the University Designed to Reduce the Costs of Textbooks and Instructional Materials for General Education Courses

- a) Describe specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials.

**RESPONSE:**

- **Price Match Program.** Students compare the cost of course materials at off-campus bookstores (e.g., BN.com, Amazon, and local bookstores). If they find course materials at a lower cost, the on-campus Barnes & Noble bookstore will match that price. This program is also more convenient for students; they don't need to wait for materials to ship or leave campus.

- **Rental Program.** Instead of purchasing course materials, students can rent new or used textbooks and course materials. On average, this option provides a cost savings of 80 percent or 71 percent respectively.
  - **Used Course Materials Option.** Instead of purchasing new course materials, students may select to buy previously used textbooks at a lower cost. Eighty-five percent of all textbook titles are available through this option.
  - **Digital Option.** Thirty-nine percent of textbooks are currently offered in a digital format.
- b) With implementation of the initiatives, has there been any reduction in cost of textbooks and instructional materials to the students? If there has been a reduction in cost, what is the average cost savings? Describe the average cost savings comparing fall semester to fall semester and spring semester to spring semester.

**RESPONSE:**

- **Price Match Program.** In the spring 2017 semester, produced an overall savings of \$22,344 for participating students.
  - **Rental Program.** Produced an overall cost savings of \$2,072,797 in 2015, \$2,209,120 in 2016, and \$2,500,00 in 2017. In the past three years, student participation in the rental program has increased from 54.6 percent in 2016 to 60 percent in 2017. Renting new textbooks provides a savings of 20-35 percent and renting used textbooks provides a savings of 55-60 percent.
  - **Used Course Materials Option.** On average, used textbooks cost 25 percent less than new ones.
  - **Digital Option.** Provide a cost savings of 60 percent, compared to paper textbooks.
- c) With implementation of the initiatives, describe any reduction in cost variance among different sections of the same general education course. Describe the reduction in cost variance comparing fall semester to fall semester and spring semester to spring semester.

**RESPONSE:**

Data on specific GEP course variations was not collected before the recent enacting of the new legislation. Since that time, data has been collected, but enough data has not been gathered to complete a comparison of year-over-year semesters.

### 3) University Policies for the Posting of Textbooks and Instructional Materials

- a) Describe policies implemented to ensure the posting of textbook and instructional materials for at least 95% of all courses and course sections 45 days before the first day of class. For course sections that require or recommend textbooks and/or instructional materials based on student

individual needs (e.g. audition/performance, directed independent study, research topic) that may miss the posting date, please reference these as exceptions in 3(d).

**RESPONSE:**

UCF's Regulation 2.032 Textbook Adoption was amended on July 15, 2016, to align with the recently amended Section 1004.085 of the Florida Statute requiring textbook or instructional material to be placed on the bookstore website 45 days before the first day of class for each term. In support of this regulation the following practices are in place:

- One hundred days before the start of the next semester, faculty members will receive a communication from the bookstore informing them the textbook adoption system is open and reinforcing the following:
    - textbook affordability as a priority,
    - pricing options available to students,
    - benefits of timely adoption, and
    - textbook adoption deadline.
  - Subsequent communications, consisting of the "Courses Without Textbooks" list will be sent to deans, associate deans, department chairs, program directors, and administrative assistants 75, 60, and 45 days before the beginning of the term. This list illustrates courses within a specific college that have not reported.
  - Textbook adoption deadlines are also posted on the academic calendar.
  - Students can search for the required textbook or instructional material on a website that makes them aware of the "price match" program, rental options, and other affordable options. Website link:  
<http://ucf.bncollege.com/webapp/wcs/stores/servlet/TBWizardView?catalogId=10001&langId=-1&storeId=16552>.
- b) Are the policies effective in meeting the reporting requirement? If not, what measures will be taken by the university to increase faculty and staff compliance for meeting the reporting requirement?

**RESPONSE:**

While the implemented policies did not allow the university to reach a 95 percent adoption rate for fall 2016 and spring 2017, there has been an improvement. We are confident that this trend will continue into the next academic year.

- c) Report the number of course sections and the total percentage of course sections that were able to meet the textbook and instructional materials posting deadline for the academic year. Note: A course section is in compliance if all textbooks and instructional materials in the course section have been entered by the deadline.

**RESPONSE:**

Year	Date	# of Courses	Percent	
2016	Fall			
	Total		6264	
	1st Day	8/22/2016	5684	91%
	45-Day	7/8/2016	4784	76%
	Spring			
2017	Total		6121	
	1st Day	1/9/2017	5509	90%
	45-Day	11/4/2016	5448	89%

- d) Report the number of course sections and the total percentage of course sections that were not able to meet the textbook and instructional materials posting deadline for the academic year. Provide an explanation as to why the course sections were not able to meet the posting deadline. Note: A course section is not considered in compliance if all textbooks and instructional materials in the course section were not entered by the deadline.

**RESPONSE:**

Year	Date	# of Courses	Percent	
2016	Fall			
	Total		6264	
	1st Day	8/22/2016	580	9%
	45-Day	7/8/2016	1480	24%
2017	Spring			
	Total		6121	
	1st Day	1/9/2017	612	10%
	45-Day	11/4/2016	673	11%

- e) Report the number of courses that received an exception to the reporting deadline. Provide a description of the exception(s).

**RESPONSE:**

One course received an exception to the reporting deadline, SYP 4420. This course was added after the textbook adoption deadline for spring 2017.

**ITEM: INFO-1**

**EDUCATIONAL PROGRAMS COMMITTEE**

*University of Central Florida*

**SUBJECT:** Healthcare Simulation

**DATE:** July 20, 2017

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For information only.

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**Supporting documentation:** Attachment A: Healthcare Simulation Presentation

**Prepared by:** Gregory Welch, Professor and Florida Hospital Endowed Chair in Healthcare Simulation

**Submitted by:** A. Dale Whittaker, Provost and Executive Vice President

Attachment A

# Healthcare Simulation

**Dr. Gregory Welch**  
***Professor and Florida Hospital Endowed Chair***

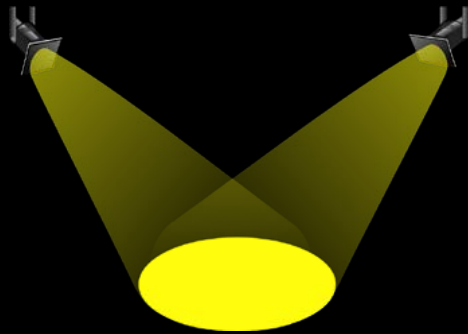
July 20, 2017  
UCF Board of Trustees



# Engineer and Computer Scientist



# Music and Theater → Virtual Reality → Training



**Motivated by desire to help those who help others**

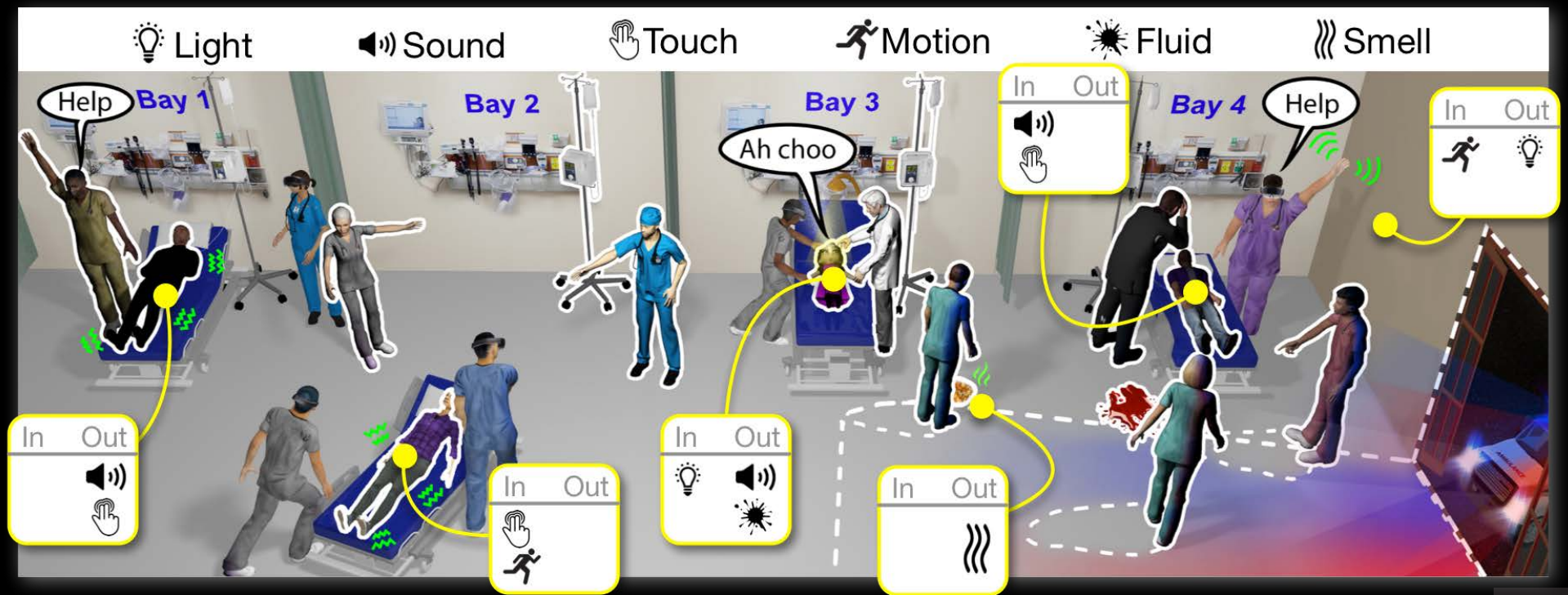


“Nurses are my favorite people—  
**You do not go into Nursing for the  
wrong reasons.”** (a physician I know)

# Physical-Virtual Patients



# Large-Scale Experiential Training



# Computer Scientists as Toolsmiths

“In a word, the computer scientist is a toolsmith—no more, but no less. It is an honorable calling.”

# “Smithing” Students

Students are the “power tools” who develop new tools and eventually “smith” new students.

(Gregory Welch, 2017)



**Thank You**



**ITEM: INFO-2**

**EDUCATIONAL PROGRAMS COMMITTEE**  
*University of Central Florida*

**SUBJECT:** Digital Learning

**DATE:** July 20, 2017

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For information only.

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**Supporting documentation:** Attachment A: material forthcoming

**Prepared by:** Christine Dellert, Assistant Vice President for Strategic Communications & Marketing

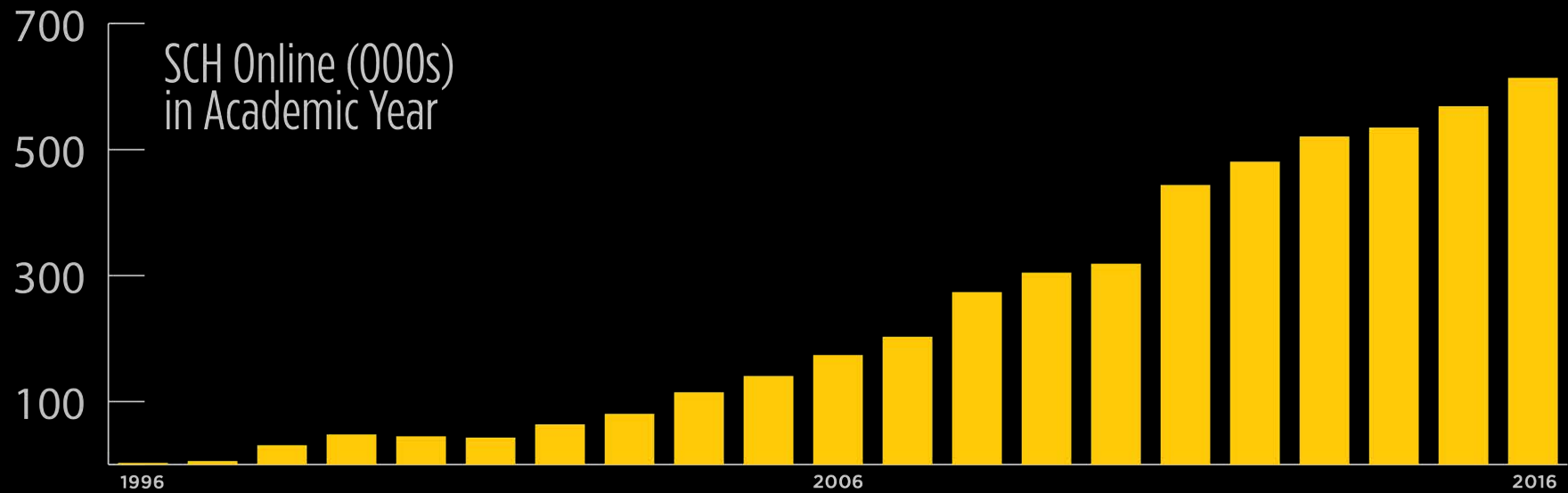
**Submitted by:** A. Dale Whittaker, Provost and Executive Vice President

# Digital Learning

## Access, Quality, and Success

**A. Dale Whittaker**  
**Provost and Executive Vice President**





**64,000**  
STUDENTS

**80%**  
LEARN  
ONLINE

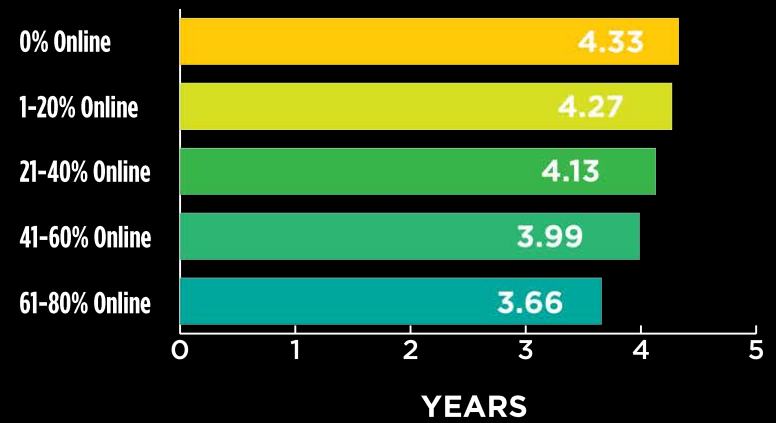




# Time to Degree

2014-15 data

The more students **LEARN ONLINE**,  
the faster they **GRADUATE**.





**2x** MORE LIKELY  
TRANSFER  
STUDENTS

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MORE LIKELY TO SCORE AN  
**A, B or C**

**67%**  
ONLINE  
vs.  
**43%**  
FACE-TO-FACE



PELL ELIGIBLE

**40%** ONLINE vs. **35%** FACE-TO-FACE

**27.8**  
AVERAGE AGE

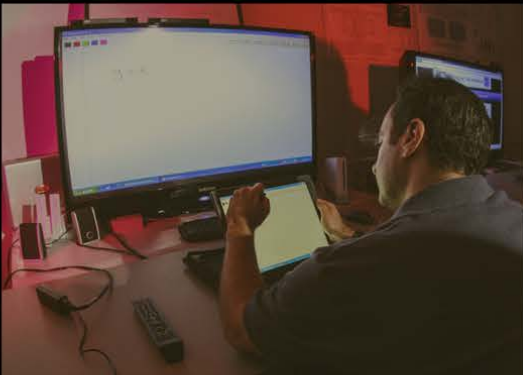


HOURS OF PROFESSIONAL  
DEVELOPMENT REQUIRED  
**to design and teach  
original courses**



HOURS OF PROFESSIONAL  
DEVELOPMENT REQUIRED  
**to teach existing  
courses**

**80%** are full-time  
faculty members



**78%** say helped  
them learn  
better

**75%** say increased  
engagement

**78%** would take  
another adaptive  
learning course

## LEARNING MY WAY

