



UNIVERSITY OF CENTRAL FLORIDA

**Board of Trustees  
Governance Committee  
FAIRWINDS Alumni Center  
June 17, 2020, 10:30-12:00 p.m.**

Conference call in phone number 1-408-418-9388, passcode 132 432 6474#

Livestream <https://ucf.webex.com/ucf/onstage/g.php?MTID=e287ebfdaff3c33ede04c4f2a6c53bdfc>

**Agenda**

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| <b>I. CALL TO ORDER</b>  | William Yeargin<br><i>Chair, Governance Committee</i>  |
| <b>II. ROLL CALL</b>   | Tanya Perry<br><i>Coordinator, Legal Affairs</i>   |
| <b>III. MEETING MINUTES</b>  |  |
| <ul style="list-style-type: none"><li>• <a href="#">Approval of the April 13, 2020 Governance Committee meeting minutes</a></li></ul>  | Chair Yeargin  |
| <b>IV. NEW BUSINESS</b>  |  |
| <ul style="list-style-type: none"><li>• Board Policy for University Operating, Carryforward, and Capital Outlay Budgets (<a href="#">GOVC-1</a>)</li></ul>   | Joe Trubacz<br><i>Interim Vice President and Chief Financial Officer</i><br>Derek Horton<br><i>Asst. Vice President, Budget, Planning and Analysis</i> |
| <ul style="list-style-type: none"><li>• Proposed University Regulations UCF-2.037 Special Provisions for Veterans and Active Duty Military Students and UCF-2.040 Development, Approval, Termination, and Suspension of Degree Programs (<a href="#">GOVC-2</a>)</li></ul> | Youndy Cook<br><i>Deputy General Counsel</i>   |
| <ul style="list-style-type: none"><li>• Amendments to University Regulation UCF-4.014 Investments (<a href="#">GOVC-3</a>)</li></ul>   | Youndy Cook  |
| <ul style="list-style-type: none"><li>• Amendments to University Regulations UCF-6.007 Parking/Traffic Enforcement and UCF-6.008</li></ul>   | Youndy Cook  |

Vehicle Registration Fees; Parking Violation Fines  
(GOVC-4)

- Amendments to University Regulations UCF-5.006 Youndy Cook  
Student Rights and Responsibilities, UCF-5.007  
Office of Student Conduct; Scope: Student Conduct  
Records, UCF-5.008 Rules of Conduct, UCF-5.009  
Student Conduct Review Process; Sanctions,  
UCF-5.010 Student Conduct Appeals, UCF-5.011  
Scope; Authority; Principles of Group Responsibility;  
Violations of Law and Rule of Conduct Violations;  
Registered 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 (GOVC-5)
- UCF Board of Trustees Conflict of Interest  
Statement and Disclosure Form (GOVC-6) Janet Owen  
*Vice President, Government Relations*  
Christina Serra  
*Assistant Vice President for  
Compliance and Ethics*
- Statement on Board Self-Assessment (GOVC-7) Karen Monteleone
- Governance Committee charter amendments  
(GOVC-8) Scott Cole
- Post Investigation Action Plan for Items with  
Governance Committee Oversight (GOVC-9) Scott Cole  
Karen Monteleone
- Board Orientation and Development Plan (INFO-1) Karen Monteleone

**V. CLOSING COMMENTS**

Chair Yeargin



UNIVERSITY OF CENTRAL FLORIDA

Board of Trustees  
Governance Committee Meeting  
April 13, 2020  
Virtual Meeting

**MINUTES**

**CALL TO ORDER**

Trustee William Yeargin, chair of the Nominating and Governance Committee, called the meeting to order at 4:00 pm. Committee members Alex Martins, Ken Bradley and William Self participated via video conference. Chair Seay also participated via video conference and Trustee Harold Mills participated via teleconference.

**MINUTES**

The minutes from the January 28, 2020 Governance Committee meeting were approved as submitted.

**NEW BUSINESS**

**Amendments to University Regulation UCF-4.022 Deferred Payment Status (GOVC-1)**

Youndy Cook, Deputy General Counsel, asked the committee to approve amendments to UCF-4.022 Deferred Payment Status. UCF-4.022 is amended to add a new condition for deferment if a student is enrolled in a tuition payment plan. Trustee Self made a motion to approve the amendments and Trustee Bradley seconded. The motion was approved unanimously.

**Amendments to University Regulation UCF-5.017 Appeals of Graduate Program Actions (GOVC-2)**

Cook asked the committee to approve amendments to UCF-5.017 Appeals of Graduate Program Actions. UCF-5.017 is amended to specify which administrator at the college level is responsible for receiving grievances and will recommend action to the college dean. Trustee Martins made a motion to approve the amendments and Trustee Bradley seconded. The amendment to the motion was approved unanimously.

**Amendments to University Regulations UCF-2.002 Undergraduate Admission of First-time, Degree-seeking Freshman and UCF 2.004 Admission of Undergraduate Transfer Students (GOVC-3)**

Cook asked the committee to approve amendments to UCF-2.002 Undergraduate Admission of First-time, Degree-seeking Freshman and UCF-2.004 Admission of Undergraduate Transfer Students. UCF-2.002 is amended to update language defining a first-time, degree-seeking Freshman. UCF-2.004 is amended to update the name of the Florida College System; specify all transfer applicants meet the

criteria in Florida Board of Governors regulation 6.004; and indicates that international students meet the criteria set forth in UCF regulation UCF-2.009. Trustee Self made a motion to approve the amendments and Trustee Bradley seconded. The motion was approved unanimously.

Amendments to University Regulations UCF- 2.003 Admission of Graduate Students, UCF-2.009 Admission of International Students, and UCF-2.036 College Credit for Nontraditional Courses Prior to Initial Enrollment (GOVC-4)

Cook asked the committee to approve amendments to UCF-2.003 Admission of Graduate Students, UCF-2.009 Admission of International Students, and UCF-2.036 College Credit for Nontraditional Courses Prior to Initial Enrollment. Because the U.S. Department of Education no longer recognizes a distinction between national and regional accreditors for federal eligibility purposes, all of these regulations are amended to update language removing “regionally accredited” and adding the appropriate accrediting bodies to comply with this new requirement. Trustee Bradley made a motion to approve the amendments and Trustee Self seconded. The motion was approved unanimously.

UCF Foundation Bylaws Amendments (GOVC-5)

Scott Cole, Vice President and General Counsel presented proposed amendments to the bylaws for the UCF Foundation. Article 6.1 has been amended to include the Donor Engagement and Stewardship Committee as a standing committee of the UCF Foundation Board of Directors. The UCF Foundation board of directors approved the proposed amendments at their annual meeting on February 6, 2020. Trustee Martins made a motion to approve the amended bylaws and Trustee Bradley seconded. The motion was approved unanimously.

Nomination of Abraham Pizam for Honorary Doctoral Degree of Commercial Science (GOVC-6)

Thomas Hope, Associate Vice President and Deputy Chief of Staff, asked the committee to approve an Honorary Doctoral Degree of Commercial Science for Abraham Pizam for his service and dedication to both the university and the hospitality industry. The Faculty Senate Commencement, Convocation, and Recognition Committee approved the awarding of this degree. Trustee Bradley made a motion to approve the amended bylaws and Trustee Self seconded. Trustee Bradley inquired whether we have honored faculty in this way in the past. Trustee Self indicated yes, but stated the Faculty Senate intends to look at possible policy changes for clarifying future degrees awarded. Trustee Self is in support of the nomination and respects the recommendation of the Faculty Senate. The motion was approved unanimously.

Post Investigation Action Plan for Items with Governance Committee Oversight (INFO-1)

Karen Monteleone, Assistant Vice President for Board Relations, briefly reviewed the outstanding items on the Post Investigation Action Plan that have Governance Committee oversight. The self-assessment and conflict of interest disclosure draft, as well as the orientation plan will be presented at the next committee meeting. All outstanding items will be complete by the June Board of Trustees meeting.

**ADJOURNMENT**

The meeting adjourned at 4:27 p.m.

Reviewed by:

\_\_\_\_\_  
William Yeargin  
Chair, Nominating and Governance  
Committee

\_\_\_\_\_  
Date

Respectfully submitted:

\_\_\_\_\_  
Janet Owen  
Associate Corporate Secretary

\_\_\_\_\_  
Date

**ITEM: GOVC-1**

**UCF BOARD OF TRUSTEES  
Governance Committee  
June 17, 2020**

**Title:** Board Policy for University Operating, Carryforward, and Capital Outlay Budgets

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**Background:**

The Post Investigation Action Plan was created to implement recommendations for improved university governance resulting from an investigation of inappropriate transfer of Education and General funds to construction accounts. This plan was approved by the UCF Board of Trustees on July 18, 2019. Items 21, 37, and 46 all recommend adoption of a clear and consistent Board of Trustees policy to ensure adherence to budget and planning laws and regulations.

**Issues to be Considered:**

Whether this policy:

1. adequately documents the Board of Trustees' expectations for the university budget development process, including appropriate engagement of the Board as the university's priorities are shaped with a focus on the strategic priorities of the university; and
2. adequately documents the Board of Trustees' expectations for presentation of a clear and consistent reporting package, including presentation of operating, carryforward, and capital outlay budgets.

**Alternatives to Decision:**

Propose an alternative policy to meet the budget monitoring and other fiduciary responsibilities of the Board of Trustees.

**Fiscal Impact and Source of Funding:**

N/A

**Recommended Action:**

Approve the proposed board policy for University Operating, Carryforward, and Capital Outlay Budgets.

**Authority for Board of Trustees Action:**

Section 2.3, UCF Board of Trustees Eighth Amended and Restated Bylaws

**Contract Reviewed/Approved by General Counsel:**

N/A

**Committee Chair or Chair of the Board approval:**

Chair Bill Yeargin has approved adding this item to the agenda.

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**Submitted by:**

Joe Trubacz, Interim Vice President and Chief Financial Officer  
Kathy Mitchell, Associate Vice President for Finance

**Supporting Documentation:**

Attachment A: Draft Board policy for University Operating, Carryforward, and Capital Outlay Budgets

**Facilitators/Presenters:**

Joe Trubacz, Interim Vice President and Chief Financial Officer

Derek Horton, Assistant Vice President, Budget, Planning and Analysis



**University of Central Florida Board of Trustees  
Policy**

Title: Board Policy for University Operating, Carryforward, and Capital Outlay Budgets

Date of Adoption: \_\_\_\_\_, 2020

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**POLICY STATEMENT**

This Board policy serves to articulate Board expectations for Board members and staff with regard to the University's operating, carryforward, and capital outlay budgets. In the event of a conflict between any Board policy and state law or Board of Governors regulations, the law or regulations shall take precedence.

The University's operating, carryforward, and capital outlay budgets will be prepared in accordance with instructions, guidelines, and standard formats provided by the Board of Governors. The budgets must be submitted to the Board of Trustees and the Board of Governors for approval.

The University President or his designee will be responsible for the implementation of this Board policy.

**PROCEDURES**

University staff will provide all materials and information necessary for the Board to exercise its fiduciary responsibilities and make informed decisions as to University operating, carryforward, and capital outlay budgets.

University staff will develop budgets using legislative appropriations and tuition authority for Educational and General (E&G) funding. All other budgets will be compiled considering recommendations from university budget committees established by the University President, and a review of expected revenue, expenditures, and fund balances for each area, along with a comparison to projected and actual amounts from the prior fiscal year. The university is required, subject to certain exceptions, to maintain an unencumbered balance in the E&G fund of at least 7 percent of the approved operating budget.

University staff will provide two annual budget and financial workshops for the Board, typically in May and November. During these workshops, staff will present the total sources and planned uses of University funding.





Annual operating budgets and capital outlay budget requests will be presented to the Board of Trustees for approval, then to the Board of Governors for approval in June. Board of Governors' staff will review the plans to ensure they are in alignment with the strategic plans of the University.

Annual carryforward budgets and capital outlay budgets will be presented to the Board of Trustees for approval in September, then to the Board of Governors for approval by October 1.

As provided in the University of Central Florida Board of Trustees Delegation of Authority to the President, the University President has authority to amend approved budgets; however, Board approval is required for operating and capital outlay budget amendments for any line item of \$2 million or greater that exceeds 10 percent of the value of such line item.

University staff will present quarterly budget to actual reports for the university's and direct support organizations' operating budgets, in a format approved by the Board. University staff will present a mid-year budget to actual update for the capital outlay budget, in a format approved by the Board. Capital outlay spending is also required to be reported annually at the end of the fiscal year in a format specified by the Board of Governors.

#### INITIATING AUTHORITY

UCF Board of Trustees

History: New \_\_\_\_\_-20.

Authority: BOG Regulations 9.007 State University Operating Budgets, 9.013 Auxiliary Operations, 14.003 Fixed Capital Outlay Budget Requests, 14.006 Building Program and Fixed Capital Outlay Legislative Budget Request Procedures; Chapter 216, Florida Statutes, Planning and Budgeting; 1004.28 Florida Statutes, Direct Support Organizations

**ITEM: GOVC-2**

**UCF BOARD OF TRUSTEES  
Governance Committee  
June 17, 2020**

**Title:** Proposed University Regulations UCF-2.037 Special Provisions for Veterans and Active Duty Military Students and UCF-2.040 Development, Approval, Termination, and Suspension of Degree Programs

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**Background:**

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.”

**Issues to be Considered:**

Both of these regulations are recommended for adoption to comply with BOG regulations. Regulation UCF-2.037 Special Provisions for Veterans and Active Duty Military Students is proposed to outline the process by which students with military training, experience, or coursework may earn college credit for that military training, experience, or coursework. Language regarding withdrawals is also included to ensure that students do not incur academic or financial penalties if specified conditions are met, such as a call to active duty. Finally, this regulation provides for priority registration for veterans and spouses or dependents using GI Bill educational benefits. BOG Regulation 6.013 requires that each university board of trustees adopt a regulation on this topic.

Regulation UCF-2.040 Development, Approval, Termination, and Suspension of Degree Programs is proposed to outline the policies and procedures governing new degree development, as well as termination and suspension of degree programs. BOG Regulations 8.011 and 8.012 require that each university board of trustees adopt a regulation on this topic.

These regulations were posted online May 13, 2020, and May 15, 2020, respectively, for public comment. No comments were received as of the date of submission of these materials.

**Alternatives to Decision:**

Do not approve University Regulations UCF-2.037 and UCF-2.040 and propose alternative amendments.

**Fiscal Impact and Source of Funding:**

N/A

**Recommended Action:**

Approve proposed University Regulations UCF-2.037 and UCF-2.040.

**Authority for Board of Trustees Action:**

Board of Governors regulation 1.001

**Contract Reviewed/Approved by General Counsel:**

N/A

**Committee Chair or Chair of the Board approval:**

Chair Bill Yeargin has approved adding this item to the agenda.

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**Submitted by:**

Youndy Cook, Deputy General Counsel

**Supporting Documentation:**

Attachment A: Proposed Regulation UCF-2.037 (redline)

Attachment B: Proposed Regulation UCF-2.040 (redline)

**Facilitators/Presenters:**

Youndy Cook, Deputy General Counsel

## Attachment A

### **UCF 2.037 Special Provisions for Veterans and Active Duty Military Students**

(1) UCF will grant college credit to students with military training, experience, or coursework that is recognized by the American Council on Education (ACE). Military training, experience or coursework is subject to UCF's regular transfer practices including limitations on amount and level of transfer credit.

- (a) UCF will utilize the ACE Guide to the Evaluation of Educational Experiences in the Armed Services to determine equivalency and alignment of military coursework with appropriate university courses.
- (b) If the military training or coursework equivalency fulfills a general education or degree program requirement, UCF will apply the credit accordingly. For courses deemed college equivalency that UCF does not offer or does not meet a general education or program course requirement, the student will receive elective course credit.
- (c) Credit that was previously evaluated and awarded by another SUS Institution or other Florida degree granting college or institution and that is appropriate to the transfer student's major will be accepted subject to institution transfer limitations.
- (d) Credit awarded for military education and training will be noted on the transcript and documentation of the credit equivalency evaluation will be maintained.
- (e) Credit awarded for military education and training shall not be counted in the excess hours fee per Board of Governors Regulation 7.003 Fees, Fines and Penalties due to the credit being based on work accomplished while serving on active duty.

(2) Priority course registration will be provided for each veteran of the United States Armed Forces who is receiving GI Bill educational benefits and for the spouse or dependent children of a veteran to whom the GI Bill education benefits have been transferred.

(3) Any student enrolled in a college credit course at UCF will not incur academic or financial penalties by virtue of performing military service on behalf of our country. Students in this situation are encouraged to withdraw and will be provided any eligible refund without academic penalty, unless the student and faculty member agree that completion is imminent and possible. If the course is no longer offered when the student seeks to resume study, an equivalent course

may be selected. If the student chooses to withdraw, the student's record shall reflect that the withdrawal is due to active military service. This section applies as follows:

- (a) Students who are currently on active duty with any unit of the United States Armed Forces who receive orders that require reassignment to a different duty station or absence from class for an extended period of time during the semester in which they are enrolled; and
- (b) Students who are members of a National Guard, Air National Guard, or other military reserve unit who receive orders calling them to active duty for operational or training purposes during the semester in which they are enrolled, excluding any regularly scheduled weekend and annual training duty; and
- (c) Students who are veterans of the United States Armed Forces and who are recalled to active duty during the semester in which they are enrolled; and
- (d) Students who enlist in any branch of the United States Armed Forces and whose induction date falls within the semester in which they are enrolled.

*Authority: Article IX of the Florida Constitution, 1001.706, F.S., BOG Regulations 6.013 and 7.003. History: New \_\_\_\_\_-20.*

## Attachment B

### **UCF 2.040 Development, Approval, Termination, and Suspension of Degree Programs**

(1) All proposals for new degree programs, as well as all terminations of existing degree programs, shall be approved by the Board of Trustees in accordance with Board of Governors Regulation 8.011 and 8.012. The purpose of this Regulation is to outline the basic guidelines governing new degree development, as well as suspension and termination of degree programs, at the University of Central Florida. The core tenets that guide the process are:

- (a) The faculty creates, approves, and modifies all curricula, including degree programs as outlined in the faculty senate bylaws that charters the Undergraduate Council and the Graduate Council.
- (b) The administration determines program alignment with University Mission, University Strategic Plan, and the University Work Plan, as well as whether funding and funding priorities support approval of specific degree programs, given the resources needed to support those programs in a manner consistent with the University's status as an aspiring preeminent institution.

(2) All formal new degree proposals are developed at the department level by UCF faculty members. The process for approving new degree programs utilizes a pre-proposal process that includes the Board of Governor's Council of Academic Vice President's (CAVP) Academic Coordination Group (ACG).

- (a) Early in the development process, the lead faculty author works with the Provost's Office and Graduate Studies if appropriate to prepare a CAVP Pre-Proposal for the Provost's approval.
- (b) The CAVP Pre-Proposal is reviewed and approved following the guidelines provided by the provost office. Approved pre-proposals are included in the University's annual accountability report submitted to the Board of Governors.

(3) After review by the CAVP ACG, a full Proposal for New Program is completed in accordance with the common State University System (SUS) new degree proposal format and submitted through the process as outlined in Faculty Senate Bylaws.

(4) Other Academic Curricular Offerings under Board of Governors Regulation 8.011(7), which include program minors, concentrations, areas of emphasis, tracks, and for credit certificate programs, shall also follow the internal approval process, but are finalized at the Provost level.

(5) After approval by the UCF Board of Trustees, degree proposals are submitted to the Board of Governor's Office for review and inclusion in the SUS Degree Inventory, at which time the new degree program is also placed in the UCF Degree Program Inventory, with the following additional processes required for specific types of programs:

- (a) All doctoral degree programs must be reviewed by a qualified external consultant prior to consideration by the UCF Board of Trustees. The reviewer's report is advisory to the UCF Board of Trustees. After Board of Trustees approval, research doctorate and professional degrees are forwarded to the Board of Governors staff in preparation for review and approval at a formal Board of Governors meeting. Degrees at these levels are placed on the appropriate degree inventories only after approval by the full Board of Governors.
- (b) Bachelor's degree programs that are seeking limited access status or requesting waiver of the 120 credit hour limit, must also receive Board of Governors approval, and are not placed in either the Board of Governors or the UCF degree inventory until such approval is received.

(6) Approval for new majors, tracks, and certificates under an existing approved program do not require the pre-proposal process. New majors must meet the definition outlined in BOG Regulation 8.011(2)(b) and must be "reasonably associated with the degree program under which it is offered and shall share common core courses with any other majors within the same degree program." Approval for majors, track, and certificates do not require Board of Trustees or Board of Governors approval, however a full proposal is submitted as outlined in paragraph (3) above.

(7) The process for terminating a UCF degree program mirrors that found in Board of Governors Regulation 8.012. The academic unit requesting termination prepares an "Academic Degree Program Termination Form" for review and approval as outlined in the Faculty Senate bylaws. Degrees at the professional and doctoral levels are terminated only with approval from the Board of Governors. All terminated programs require a teach-out plan, if students are enrolled in the

program, in accordance with undergraduate and graduate policy as outlined in the termination form. The Provost office will oversee the notification of the Florida College System as required in 8.012 (1)(b)3.

(8) Temporary suspensions of UCF degree programs also follow the requirements set forth in Board of Governors Regulation 8.012 and require the unit to prepare a “Request for Temporary Suspension of New Enrollments in an Academic Degree Program” form. Programs may be suspended for up to 9 semesters. After that time, UCF must notify the Board of Governors’ office on the desired course of action for the program (e.g. formal termination, reinstatement, or request an extension of the suspension period).

*Authority: Art. IX, Sec. 7, Fla. Constitution, BOG Regulations 8.004, 8.011, 8.012, 8.013, and 8.014. History: New \_\_\_\_\_-2020.*



**ITEM: GOVC-3**

**UCF BOARD OF TRUSTEES  
Governance Committee  
June 17, 2020**

**Title:** Amendments to University Regulation UCF-4.014 Investments

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**Background:**

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.”

**Issues to be Considered:**

The University proposes to amend Regulation UCF-4.014 Investments to update employee titles and department names.

This regulation was posted online May 13, 2020, for public comment. No comments were received as of the date of submission of these materials.

**Alternatives to Decision:**

Do not amend University Regulation UCF-4.014 or propose alternative amendments.

**Fiscal Impact and Source of Funding:**

N/A

**Recommended Action:**

Approve proposed amendments to University Regulation UCF-4.014.

**Authority for Board of Trustees Action:**

Board of Governors regulation 1.001

**Contract Reviewed/Approved by General Counsel:**

N/A

**Committee Chair or Chair of the Board approval:**

Chair Bill Yeargin has approved adding this item to the agenda.

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**Submitted by:**

Youndy Cook, Deputy General Counsel

**Supporting Documentation:**

Attachment A: Proposed Amended Regulation UCF-4.014 (redline)

**Facilitators/Presenters:**

Youndy Cook, Deputy General Counsel

## Attachment A

### **UCF-4.014 Investments.**

(1) University funds shall be invested in accordance with sections 1011.42(5) and 218.415, Florida Statutes, ~~the UCF Investments Policy~~, and the UCF Investment Policy Manual.

(2) Earnings from investments of University funds may be used for operating expenses.

(3) The ~~University Controller~~Associate Vice President for Financial Affairs, under the direction of the Vice President for ~~Administration and Finance~~ and Chief Financial Officer, shall be responsible for investing funds, liquidating investments, and maintaining adequate cash balances to meet current cash requirements.

(4) All investments shall be duly recorded on records maintained in the Division of Finance. ~~University's Finance and Accounting Department.~~

*Authority: BOG Regulation 1.001. History—New 10-8-75, Amended 7-14-80, Formerly 6C7-4.14, Amended 3-16-03; Formerly 6C7-4.014, Amended 5-1-09, \_\_\_\_\_-20.*

**ITEM: GOVC-4**

**UCF BOARD OF TRUSTEES  
Governance Committee  
June 17, 2020**

**Title:** Amendments to University Regulations UCF-6.007 Traffic/Parking Regulation and Enforcement and UCF-6.008 Vehicle Registration Fees; Parking Violation Fines

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**Background:**

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.”

**Issues to be Considered:**

The University proposes to amend Regulation UCF-6.007 to add new language regarding virtual parking permits. Language referring to parking meters has been replaced with language referring to short-term, timed parking. Additional language related to failure to attend a hearing for citation dismissals has also been added.

The University proposes to amend Regulation UCF-6.008 to rename the metered parking as short term, timed parking.

These regulations were posted online May 13, 2020, for public comment. No comments were received as of the date of submission of these materials.

**Alternatives to Decision:**

Do not amend University Regulations UCF-6.007 and 6.008 as proposed.

**Fiscal Impact and Source of Funding:**

N/A

**Recommended Action:**

Approve amendments to University of Central Florida Regulations UCF-6.007 Traffic/Parking Regulation and Enforcement and UCF-6.008 Vehicle Registration Fees; Parking Violation Fines.

**Authority for Board of Trustees Action:**

Board of Governors regulation 1.001

**Committee Chair or Chairman of the Board approval:**

Chair Bill Yeargin has approved adding this item to the agenda.

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**Submitted by:**

Scott Cole, Vice President and General Counsel

**Supporting Documentation:**

Attachment A: Proposed Amended Regulation UCF-6.007 (redline)

Attachment B: Proposed Amended Regulation UCF-6.008 (redline)

**Facilitators/Presenters:**

Youndy Cook, Deputy General Counsel

## Attachment A

### **UCF-6.007 Traffic/Parking Regulation and Enforcement.**

(1) General Information.

(a) Definitions.

1. The term “vehicle” shall include bicycles, motorcycles, automobiles, trucks, and other mobile equipment.
2. High Efficiency Vehicles: Vehicles which run on rechargeable batteries and gasoline engines combined or which use one or more electric motors or other non-fossil fuel for momentum. Only these vehicles will be allowed to park in spaces that have signs and/or stenciling that state “Hybrid Vehicles Only” or “HEV Parking Only”. Only Electric Vehicles which require electricity for power may park in the parking spaces designated “Electric Vehicles Only”. Vehicles parked in these spaces must be in the charging mode. Maximum time allowed in Electric Vehicle Only spaces is 4 hours. Valid UCF parking permits must be displayed.
3. Decals and hang tags: Printed labels or hang tag permits issued by the university evidencing vehicle registration. For the purposes of this regulation, the words “decal”, “hang tag”, and “permit” are synonymous.
4. Campus: Campus includes the Orlando/Main Campus and the specialized campuses: UCF Downtown, Academic Health Sciences and Rosen College of Hospitality Management.

- (b) The University Parking and Transportation Advisory Committee serves as the principal advisory body to the president through the Vice President for Administration and Chief Operating Officer, recommending policies and regulations that govern traffic and parking on the UCF campus. The committee shall consist of two (2) faculty members selected by the Faculty Senate Parking Advisory Committee; two (2) students appointed by the president of Student Government Association; two (2) staff members appointed by USPS Staff Council; one (1) Administrative and Professional employee appointed by the vice president for Administration and Finance. The Vice President for Administration and Chief Operating Officer will appoint one additional member to serve as chair. The term of service shall be two (2) years, staggered with the exception of student members, who

shall serve for one year. The committee may elect a vice-chair to serve in the absence of the chair.

- (c) The University Parking Citation Appeals Committee is composed of up to two faculty (2) members, four (4) students, two (2) university employees and one (1) chair. The University Parking Citation Appeals Committee has jurisdiction over violations of the university's parking regulations. In those cases heard before it, this committee will render decisions adjudicating guilt and will impose appropriate monetary or restrictive penalties. The University Parking Citation Appeals Committee reports to the Vice President for Administration and Chief Operating Officer.
- (d) Applicability – The provisions of this regulation shall apply at all times to vehicles that are operated or parked on the UCF campus. The fines, penalties and other sanctions against persons in violation of the provisions of this regulation will be enforced as follows:
  - 1. In the case of a vehicle registered with the Department of Parking and Transportation, the university shall assess fines for parking violations against the person in whose name the vehicle is registered with Parking and Transportation Services.
  - 2. In the case of a vehicle not so registered, assessments for parking violations shall be made against the operator if it is determined that the operator at the time of the violation is associated with the university and, in fact, should have registered the vehicle with the Department of Parking and Transportation.
  - 3. If a vehicle is not registered with the university and the operator is not associated with the university, fines will be assessed against the vehicle's state registration vehicle certificate holder.
- (e) Responsibility – Unless otherwise noted, the Department of Parking and Transportation is responsible for the implementation and enforcement of this regulation and for resolution of disputes with regard to the university's parking and traffic regulations.
- (f) Authorizations.
  - 1. Operation of a motor vehicle upon any UCF campus is a privilege granted by the university. All vehicles parked on any university campus must be currently

registered with the Department of Motor Vehicles and display a valid license tag. UCF adheres to Florida State Statutes regarding vehicle registration expiration dates.

2. The university is authorized and reserves the right to regulate the use of any of its vehicle parking facilities for the exclusive use of designated groups or individuals.
3. Any individual possessing a valid driver's license may operate a properly registered motor vehicle on the UCF campus in accordance with the provisions of these regulations.
4. UCF police officers, community service officers (CSOs) and parking enforcement personnel are authorized to issue a university parking and traffic citation to any person or vehicle violating university parking and traffic regulations.
5. Vehicles are subject to immobilization or being towed from the campus, depending upon the need for such action, as set forth in these regulations.
6. UCF assumes no responsibility for vehicles, or their contents, parked on campus.
7. The University of Central Florida utilizes license plate recognition hardware and software (LPR) for parking systems management and enforcement as of 2019.

(2) Registration Regulations.

- (a) All motor vehicles parked on the UCF campus must be registered with the Department of Parking and Transportation and have the appropriate parking permit properly displayed while parked on campus. This includes vehicles used by evening and special students. Exceptions to this requirement are as follows:
  1. Vehicles displaying "government" license plates.
  2. Properly identified Government officials, such as FBI, ATF, US Customs, etc., who park on campus on official business, whose vehicles do not display an official government tag or other governmental markings, may be issued a one day parking permit free of charge. These permits may be issued at either the Visitor and Parking Information Center or the Department of Parking and Transportation.

3. Construction personnel and contractors engaged in projects on campus may park within the designated fenced enclosure of the construction site without a UCF parking permit.
  4. Visitors shall comply with subparagraph (i)15 below.
- (b) Registration of more than one automobile and one motorcycle is permissible by paying full price for each permanent decal or hang tag. A hang tag permit transferable from automobile to automobile is also available; however hang tags cannot be transferred from an automobile to a motorcycle.
  - (c) The vehicle registration year begins September 1 and ends August 31 the following year. Each vehicle must be registered with permit properly displayed no later than the first day of classes of each semester.
  - (d) All individuals who register their vehicles at the university must register them online. Registrants may pay for their parking permits online with a credit card, Knight Cash, or pay for them in person at the Department of Parking and Transportation in Parking Garage B.
  - (e) Decal Display – Issued decals are to be permanently affixed to the registered vehicle. Decals must be affixed either to the left rear bumper or on the outside of the rear windshield of the driver’s side. Motorcycle decals must be affixed to the right front fork. Decals not affixed in accordance with instructions will result in a citation for improper display.
  - (f) Hang tag permits must be displayed on the rear-view mirror with the permit number and expiration date visible and legible from the exterior of the vehicle.
  - (g) Registrants must register their own vehicle. The Department of Parking and Transportation must be notified of any change in ownership or license plate number.
  - (h) Permanent decals are not transferable between individuals or vehicles. Upon sale or other disposal of a registered vehicle, the permanent decal must be destroyed unless the registrant wishes to purchase a replacement decal. If the registrant wishes to purchase a replacement decal, the registrant must remove the original decal from the disposed vehicle and return it (or sufficient fragments thereof, including the decal number) to the Department of Parking and Transportation as proof that the original decal is no longer in use.
  - (i) Parking permits are sold or issued under the following guidelines:



1. Only the university president, vice presidents, associate vice presidents, assistant vice presidents, deans and others as approved by the University Parking and Transportation Advisory Committee are eligible to purchase “A” permits. An “A” permit authorizes parking in a 24-hour reserved space, as well as in any other legal parking space on campus that is not reserved for 24 hours daily use. Only a limited number of 24-hour reserved spaces are available.
2. Except as provided otherwise above in subparagraph (i)1, employees with salaries >\$50,001 must purchase “B” permits. “B” permits authorize parking in designated “B”, “C”, and “D” parking areas or in any unreserved parking garage on the campus. Employees with salaries < \$50,000 may purchase either a “B” or “C” permit, but they must park in the type of facility designated by the permit they choose, or in any unreserved parking garage. Category of permit must be selected when the permit order is placed. Full-time employees who are also enrolled in classes are not eligible to purchase student “D” permits.
3. All non-student OPS employees may purchase “B” or “C” permits based on the aforementioned criteria, but they must park in the type of facility designated by the permit they choose, or in any unreserved parking garage on the campus.
4. Eligible non-UCF employees of the Research Park and on-campus vending/retail establishments must purchase only “C” permits. A “C” permit authorizes parking in designated “C” and “D” areas only, or in any unreserved parking garage on the campus.
5. All students who do not live on campus may purchase only “D” permits. “D” permits authorize parking in designated “D” parking areas only or in any unreserved parking garage on the campus. Graduate Teaching Assistants, Graduate Research Assistants and all other student OPS employees must purchase only “D” permits.
6. All students, staff and faculty parking motorcycles, mopeds, or motor scooters on campus must purchase motorcycle (“MC”) permits. “MC” permits authorize parking in designated motorcycle spaces only.

7. Residential students who reside in the Apollo, Libra, Nike, Hercules, and Neptune communities must purchase only “R” permits. “R” permits are restricted to “R” designated parking areas between the hours of 7:00 a.m. and 5:30 p.m. Monday through Friday; however, any unreserved parking space may be used at all other times. Posted overnight and game day restrictions apply.
8. Residential students who reside in the Lake Claire community must purchase only “RL” permits. “RL” permits are restricted to “RL” designated parking areas between the hours of 7:00 a.m. and 5:30 p.m. Monday through Friday; however, any unreserved parking space may be used at all other times. Posted overnight and game day restrictions apply.
9. Residential students who reside in the Towers at Knights Plaza must purchase only “KP” permits. “KP” permits are restricted to parking garage E or G between the hours of 7:00 a.m. and 5:30 p.m. Monday through Friday; however, any unreserved parking space or garage may be used at all other times. Posted overnight and game day restrictions apply.
10. Employees and students at the Rosen College of Hospitality Management and UCF Downtown campus must purchase a permit of the appropriate classification (“B”, “C”, or “D”) which may be used for parking on the UCF main campus, the UCF Downtown campus, the Academic Health Sciences campus, and the Rosen campus in “B”, “C”, or “D” lots as their permit designates.
11. Valencia employees and students must purchase a “V” permit of the appropriate classification (“BV”, “CV”, or “DV”) which may be used for parking on the UCF Downtown campus, the UCF main campus, the Rosen Campus, and the Academic Health Sciences campus in “B”, “C”, or “D” lots as their permit designates.
12. Employees and students of the Academic Health Sciences Campus must purchase a “M” permit of the appropriate classification (“BM”, “CM”, or “DM”). “M” permits allow parking at the Academic Health Sciences Campus, UCF main campus, the Rosen Campus, and the UCF Downtown Campus in “B”, “C”, or “D” lots as their permit designates.

13. Employees of the Athletics Department, UCF Convocation Corporation (UCFCC), and the Arena, may be issued “F” permits. Approval to purchase an ‘F’ permit must be granted by a designee of the Athletics Department or UCFCC. An “F” permit authorizes parking in parking garage F or any other parking lot or unreserved parking garage that is equivalent to the permit they are issued. “F” permits may be red or blue.
14. Special guests of the university, including but not limited to fully retired UCF employees, eligible campus ministry personnel and State Auditors, shall be issued “G” permits, subject to the availability of such permits. A “G” permit authorizes parking in any legal parking space on campus other than those reserved twenty-four (24) hours a day. Requests for this permit shall be submitted to the Department of Parking and Transportation. Retirees who return to work in a full-time position with benefits are not eligible to receive a “G” permit. “G” permits, whether decal or hang tag, are assigned to the retiree or other eligible person(s) for their use only and may not be transferred to another person. Such transference constitutes fraud and the permit may be revoked. Further, additional permit issuance may be prohibited to the retiree as well as any other individual involved with the use of said permit. A replacement fee may be assessed for a “G” permit that is reported lost.
15. Vendor permits are available to vendors who conduct business on the university campus. University departments located off campus may purchase vendor permits for short term, official business only. Vendor permits allow for parking for short term (2 hours) for use of Service Vehicles Only spaces for close parking access to buildings to load or unload materials, supplies, and/or equipment. For all other usage, including any parking exceeding 2 hours, Vendor permits allow use of any “C” or “D” parking lot or unreserved parking garage spaces. Vendor permits are not intended to be used to provide convenient parking or an alternative to purchasing a parking permit. Departments that purchase vendor permits are specifically prohibited from allowing students to use the permits for non-vendor functions, e.g. to go to class or attend campus events. If heavy lifting of materials is not required, a UCF staff hang tag may be purchased instead. Vendors who need a permit on

an infrequent basis may purchase a daily permit that can be used as a vendor permit. In such cases vendors must inform Parking and Transportation Services personnel of their need for a vendor parking permit. Departments found in violation of this regulation will have their vendor permit confiscated and rescinded for the balance of the parking year, and may be designated as ineligible for purchase/re-issue of a vendor permit for a period up to one year.

16. Visitors to the campus shall purchase a daily visitor's parking permit at the Visitors and Parking Information Center ~~or the Department of Parking and Transportation~~. This permit is to be displayed on the vehicle as instructed and authorizes parking in student ("D") parking lots and unreserved parking garages unless otherwise directed by parking services personnel. Daily permits are valid from time of purchase until 11:59 p.m. of the date purchased. Visitors may also purchase a virtual permit online at [www.parking.ucf.edu](http://www.parking.ucf.edu). A virtual permit authorizes parking in all student parking lots and unreserved parking garages. Visitors may also park in any ~~metered parking space~~ short-term, timed parking space by paying the appropriate ~~parking meter~~ fee for the time requested. Short-term, timed spaces ~~Meters~~ may be enforced 24 hours a day, unless otherwise posted.
17. Individuals who possess a valid Disabled Veteran (DV) license plate are exempt from the parking permit fee provided the DV license plate is registered in their name.
18. Persons holding current, permanent state-issued disabled placards, or temporary state disabled placards are required to purchase a UCF parking permit of appropriate classification, i.e., "B," "C," or "D," or "Daily Visitor" to park on the campus. Disabled persons with such appropriate permits may park in any available disabled parking space on the campus, including unreserved parking garages, except for those spaces that are restricted, such as designated twenty-four hour reserved or service parking spaces.
19. Temporary parking permits must be obtained when an unregistered substitute vehicle is being parked on campus. A temporary permit may be obtained at the Visitors and Parking Information Center or at the Department of Parking and Transportation during business hours. A temporary permit for substitute

vehicles is issued at no charge and allows the same parking privileges as does the permanent decal for which it substitutes. A temporary permit shall be issued for a maximum period of seven (7) days. A maximum of six (6) temporary permits may be issued to a vehicle in a single semester. Failure to obtain a temporary permit will result in a citation for no permit. A temporary permit shall be displayed on the vehicle rearview mirror facing forward.

20. Patients of UCF Student Health Services and UCF Counseling Center or Wellness and Health Promotion Services:

- a. Student Health Services: Both a valid UCF parking permit and Health Services parking pass must be properly displayed when parking in Health Services patient spaces. The Health Services pass must be obtained from the reception desk located in Student Health Services.
- b. Counseling Center: Both a valid UCF parking permit and Counseling Center parking pass must be properly displayed when parking in the Counseling Center patient spaces. The Counseling Center pass must be obtained from the reception desk located in the Counseling Center.
- c. Biofeedback Clients: Both a valid UCF parking permit and Biofeedback Center parking pass must be displayed when parking in the Biofeedback client spaces. The Biofeedback pass must be obtained from Wellness and Health Promotion Services.

21. Replacement permits:

- a. Replacement permits are issued for \$14.08 plus tax for a multi-semester permit and \$7.04 plus tax for a one semester permit. Proof of sale of the vehicle or return of the original permit is required. If a permit is stolen, a stolen parking permit affidavit must be filed and signed before the replacement permit may be issued.
- b. When the original permit or sufficient remnants thereof, is not returned or proof of sale is not provided, the replacement fee shall be the full fee in effect at the time of the replacement. The full fee also applies to permits to replace those that are reported lost.

(3) Parking Regulations.

- (a) The responsibility of locating a legal parking space rests with the motor vehicle operator. Lack of a convenient space shall not be considered as a valid excuse for violation of any parking regulation. The fact that a person parks or observes others parking in violation of any parking regulation without being cited does not mean that the regulation is not in effect.
- (b) Except as noted herein, all parking regulations apply twenty-four (24) hours a day, seven (7) days a week and parking areas are restricted to specific decal or decals as designated by posted signs or curb markings. However, between the hours of 5:30 p.m. and 7:00 a.m. any vehicle with a valid parking permit may use any “B” (Faculty), “C” (Staff) or “D” (Student) parking space except where otherwise specified by appropriate signs or markings. “A” (Reserved 24 hours), “Service Vehicle Only” parking spaces, and disabled parking spaces shall not be used at any time except by vehicles with decals or certification authorizing use of these specific spaces.
- (c) Short-term, timed Metered parking is enforced twenty-four hours a day, seven days a week. Drivers of all vehicles using short-term, timed metered spaces are responsible for paying the posted ~~meter~~ fees.
- (d) The following parking practices are specifically prohibited:
  - 1. Parking on lawns, landscaped areas, sidewalks, or other areas not specifically designated by signs or curb markings as parking areas. The absence of a “No Parking” sign does not mean parking is permissible in an area.
  - 2. Double parking, parking any portion of a vehicle outside designated lines or beyond a post or other delineation device indicating a valid parking space or row.
  - 3. Blocking traffic, other parked vehicles, service areas or spaces, roadways, crosswalks, or wheelchair access aisles and ramps.
  - 4. Parking in an access lane. An access lane is any area that is not designated as a parking space and that provides an avenue for traffic flow.
  - 5. Except as noted in paragraphs (b) and (c) above, parking in any space designated for decals other than the one displayed on the vehicle.
  - 6. Parking in a short-term, timed metered space after the purchased amount of time has expired.

7. Unauthorized parking in 24-hour reserved “A” parking spaces.
8. Unauthorized parking in designated service areas.
9. Parking an unregistered vehicle without a valid parking permit anywhere on the UCF campuses.
10. Failure to display parking permits properly: not permanently affixed, improperly placed, or not displayed on the vehicle for which purchased.
11. Failure to cancel registration or to destroy parking decal upon disposal of the registered vehicle.
12. Unauthorized or fraudulent use of a parking permit.
13. Parking a bicycle, electric bicycle, scooter, skateboard, or any micro-mobility device in a motor vehicle space, on disabled ramps, in areas designated by signs as no bicycle parking, on sidewalks or crosswalks, or in any way to impede ingress or egress of a building.
14. Parking a motorcycle in a motor vehicle space, or any space not designated as motorcycle parking.

(4) Disposition of Parking Citations.

- (a) Payments of non-contested parking citations must be received by the Department of Parking and Transportation within ten (10) business days from the date of citation issue. A late charge of \$10.00 shall be assessed each citation if payment is received after the ten (10) business day period. Payments shall be made by mail, in person, by telephone, online (at [www.parking.ucf.edu](http://www.parking.ucf.edu)), or by deposit in campus fine collection boxes. Campus fine collection boxes are yellow and located throughout the campus.
- (b) Once a citation has been placed on the vehicle, Parking and Transportation personnel have no further responsibility of notification.
- (c) Fifty (50) or more coins used in any parking related transaction delays processing and will not be accepted as a form of payment.
- (d) Any person who alleges being unjustly ticketed shall appeal the citation online at [www.parking.ucf.edu](http://www.parking.ucf.edu) within ten (10) business days from the date the citation was issued. The Director of the Department of Parking and Transportation or an authorized designee shall eliminate late charges or dismiss the citation altogether if it is determined to have been issued in error. Appeals not sustained by the director or authorized designee shall be heard by the Parking Citation Appeals Committee.

Individuals requesting personal appeals shall be notified of their scheduled hearing date at the time his or her appeal is submitted online. A reminder of the notification will be emailed to the appellant prior to the scheduled appeal date. Written appeals shall be reviewed by a Parking and Transportation Services sub-committee made up of representatives from parking enforcement, maintenance, management, general staff and students. All appellants shall be notified by email of the committee's decision subsequent to the appeal being heard. Fees assessed due to a vehicle's immobilization may not be appealed.

- (e) The decisions of the Parking Citation Appeals Committee shall be based upon the provisions set forth in this regulation and extenuating circumstances, if any, and are final and binding, except as set forth herein. A student may request a second level of appeal by submitting a written appeal with the Student Government Association's Judicial Council within ten (10) business days upon receiving notification that the original appeal to the Parking Citation Appeals Committee was heard and denied. The Student Government Association is responsible for establishing the appeal procedure for this second level of appeal. The decision of the Judicial Council is final and binding and no further appeals shall be permitted. For purposes of this appeal process, "student" shall be defined to mean a person enrolled in classes at UCF as of the date of the parking citation.
- (f) The following reasons will not be accepted by the Judicial Council as grounds to dismiss or reduce a citation. This is not an all-inclusive list:
  - 1. Disagreement with the traffic and parking regulations
  - 2. Ignorance of the regulation
  - 3. Stated inability to find a permitted parking space
  - 4. Operation of the vehicle by another person
  - 5. Tardiness to class and/or appointment
  - 6. Inability to pay fine (lack of money)
  - 7. Displayed expired permit
  - 8. Traffic congestion
  - 9. Stated perception that designated parking area is not safe
  - 10. To delay paying the fine for an appealed citation
  - 11. Unsupported evidence of direction by any university official



12. Failure to attend the scheduled personal appeal or notify Parking Services twenty-four (24) hours in advance of the hearing of the inability to attend.

- (g) Students should consider the following when choosing to file an appeal with the Judicial Council:
1. Make sure the reason for the appeal is not one of those listed in subsection (f) above.
  2. The student must prepare a concise written and/or oral statement not to exceed five minutes.
  3. The Judicial Council will contact the student within three (3) business days to schedule a hearing. The case will be scheduled within ten (10) business days upon the Judicial Council receiving notice of the appeal. If the student does not appear for the hearing in person before the Judicial Council, the original decision of the Parking Appeals Committee will be sustained. The Director of Parking and Transportation Services does not have the authority to overturn the decision of the Judicial Council.

(5) Vehicle Immobilization.

- (a) Vehicles are subject to immobilization under the following circumstances:
1. The vehicle has accumulated three or more unpaid parking citations, or unpaid citations totaling \$200.00 or more in fines.
  2. Possession of, using, or displaying a fraudulent/unauthorized parking permit. Violators may also be subject to referral to the Office of Student Conduct.
  3. For law enforcement purposes, in which case an immobilization release fee may not be charged.
- (b) Cost of release from immobilization is \$50.00 and payment of all unpaid citations. Citations issued up to time immobilization are not allowed to be appealed. Release is available from Parking Services personnel Monday through Friday 7:30 a.m. to 9:00 p.m.

(6) Tow away – Vehicles are subject to being towed from campus at the owner's expense under the following circumstances:

- (a) The vehicle is parked in a hazardous manner, blocking traffic, roadways, crosswalks, sidewalks, disabled ramps, or creating a hazard such as leaking gasoline.
- (b) The vehicle is parked in a space reserved twenty-four (24) hours per day.

- (c) When arrangements to release an immobilized vehicle have not been made within forty-eight (48) hours of the original immobilization.
- (d) When the vehicle is abandoned on campus for any reason whatsoever for more than forty-eight (48) hours.
- (e) When immobilization is not appropriate due to vehicular construction.
- (f) When the vehicle owner has previously removed or attempted to remove an immobilization device without authorization.
- (g) When the vehicle is parked in a parking lot or garage during posted time restrictions.

(7) Revocation of Campus Parking Privileges – The Director of the Department of Parking and Transportation shall revoke the privilege of any person to park a vehicle on campus for a period of one year when it is determined that:

- (a) That person falsifies or willfully misrepresents vehicle registration information.
- (b) That person, whether the owner or operator, displays a fraudulent permit on a vehicle.
- (c) That person has accumulated six (6) or more parking citations during an academic year.

(8) Administrative Penalty for Non-Payment of Parking Citations – A violator who is delinquent in the payment of parking citations shall not be permitted to register for class, drop or add classes, receive transcripts or diplomas, or purchase another permit until the debt has been satisfactorily resolved.

(9) Traffic Regulations.

- (a) State Uniform Traffic Control Law, Chapter 316, F.S., as well as Chapter 320 F.S., is in effect on campus at all times.
- (b) Campus speed limits are 10 mph in parking lots and parking garages and 30 mph on roads unless otherwise posted.
- (c) It is a violation to drive or park in an opposing direction than indicated by signs, flow of traffic or directional arrows.
- (d) Back in parking is not allowed in any parking lots or garages.
- (e) Parking bicycles, scooters or vehicles on grass or on sidewalks not used as access areas is a violation. Conveyances used by disabled persons are exempt from this regulation.

- (f) State of Florida Uniform Traffic citations issued on campus by university police officers are referred to appropriate local government courts for disposition.

*Authority: BOG Regulation 1.001. History—New 3-22-76, Amended 8-19-82, 5-5-83, 8-14-83, Formerly 6C7-6.07, Amended 8-1-88, 9-20-89, 8-12-90, 7-21-91, 10-11-92, 9-8-93, 9-15-96, 8-14-02, 12-8-03, 8-14-05, 6-27-06, 8-15-06, 6-25-07, 7-31-08, Formerly 6C7-6.007, Amended 7-1-09, 6-24-10, 7-7-11, 3-16-12, 7-23-13, 9-2-14, 6-22-15, 7-5-16, 6-23-17, 5-24-18, 5-16-19, \_\_\_\_\_-20.*

Attachment B

**UCF-6.008 Vehicle Registration Fees; Parking Violation Fines.**

(1) Vehicle Registration Fees. All fees, as posted, do not include applicable State Sales Taxes. Vehicle permit fees are subject to change at the beginning of each academic year. There is no refund for a parking permit once it is issued.

(a) Decal fees for the ~~2020-21~~~~2019-20~~ academic years and going forward are:

Classification	Multi-semester	1 Semester
B	\$303.60	\$152.29
BM	\$303.60	
BV	\$303.60	\$152.29
C	\$181.01	\$ 90.98
CM	\$181.01	
CV	\$181.01	\$90.98
D	\$90.03	\$ 45.01
DM	\$90.03	
DV	\$90.03	\$45.01
G	No charge	No charge
KP	\$135.04	\$67.52
MC	\$46.93	\$23.94
R	\$135.04	\$67.52
RL	\$135.04	\$67.52

(b) Hangtag fees for the ~~2020-21~~~~2017-18~~ academic years and going forward are:

Classification	Multi-semester	1 Semester
A	\$1029.58	\$514.79
AV	\$1029.59	\$512.79
B	\$318.78	\$159.39
BM	\$318.78	
BV	\$318.78	\$159.39
C	\$190.06	\$95.03
CM	\$190.06	
CV	\$190.06	\$95.03
D	\$94.53	\$47.27

DV	\$94.53	\$47.27
KP	\$141.79	\$70.90
R	\$141.79	\$70.90
RL	\$141.79	\$70.90
V	\$47.89 monthly or \$478.87 annually from date of purchase	

(c) Additional Parking Fees:

1. Daily Visitor: \$5.00 per day.
  - a. Daily Visitor permits after 5:30 p.m.: \$3.00
  - b. Daily Visitor permits are valid from the time of purchase until 11:59 p.m. the same day.
2. Temporary, No Charge (available to current permit holders only).
3. ~~Timed, short-term~~~~Metered~~ parking spaces: \$1.00 per hour.
4. Pay-by-space (Visitors Lot Only): \$1.00 per hour for a 2-hour maximum.
5. Replacement permits are issued for \$14.08 plus tax for a multi-semester permit and \$7.04 plus tax for a one semester permit. Proof of sale of the vehicle or return of the original permit is required.
6. EV charging stations are provided for electric vehicles. Vehicles parked in the EV charging station spaces must display a valid UCF parking permit and be in charging mode. Vehicles will be assessed \$1.00 per each hour they are charging up to 4 hours. There will be a 30 minute time frame to remove the vehicle from the EV charging space. The fee will increase incrementally by \$1.00 for each hour parked at the charging station beyond the initial four (4) hours. (Example - at hour 5.5 the fee will increase to \$2.00 per hour; at hour 6.5 the fee will increase to \$3.00 per hour, and so forth).

- (d) Special Provisions. Per University regulation UCF-6.007 2(i)(7)-(9), all on-campus students who reside in Apollo, Libra, Nike, Hercules, Neptune communities (R permits), Lake Claire residents (RL permits) and Towers at Knights Plaza (KP permits) are eligible to purchase only those designated permits associated with their residencies. Vehicles displaying these associated decals or hang tags are restricted to their designated residential parking areas between the hours of 7:00 a.m. and

5:30 p.m. Monday through Friday. Unreserved campus parking spaces may be used by these vehicles outside those days and times.

- (e) Students who are enrolled in the programs offered by the Center for Multilingual Multicultural Studies (CMMS) are eligible to purchase a seven (7) week permit designated as “DIT”. The fee for each seven (7) week permit will be \$25 + state sales tax.

(2) Schedule of Parking Violation Fines.

- | (a) Violation   | Fine     |
|---|----------|
| Unregistered or No Valid Permit                           | \$30.00  |
| Improper Display of Permit                                | \$20.00  |
| Unauthorized or Fraudulent Use of Permit                  | \$100.00 |
| Expired License Plate                                     | \$40.00  |
| Parking in a Disabled Space Without Proper Permit         | \$250.00 |
| Blocking a Disabled Ramp                                  | \$250.00 |
| Unauthorized Parking in a 24-Hour Reserved Space          | \$50.00  |
| Blocking Traffic or a Roadway                             | \$30.00  |
| Parking in a Service Vehicle Space Without Proper Permit  | \$35.00  |
| Parked Out of Assigned Area                               | \$25.00  |
| Expired Meter or Overtime in a Pay-by-Space Parking Space | \$20.00  |
| Parking in an Undesignated Area                           | \$30.00  |
| Parked Facing Traffic/Backed in parking space             | \$20.00  |
| Immobilization Fee  | \$50.00  |
| Any Other Parking Violation Not Herein Specified          | \$20.00  |
- (b) All parking violation fines are due within 10 business days. Fines not paid within ten (10) business days, will accumulate a \$10.00 late fee.
  - (c) Administrative Fees: A fee may be applied in lieu of the original citation fee(s) when the appellant is found to have committed the violation but the appeals committee deems it reasonable to waive a portion of the fee.
    1. Immobilization (Boot) Fee: \$50.00
    2. Impoundment Fee (for bicycles): \$20.00

- (d) The following violations may be considered for waiver only on the first occurrence; subsequent violations will be charged at the full citation fee and are not eligible for a waiver.
1. Failure to display a valid parking permit: \$10.00
  2. Failure to display a valid license plate: \$10.00

*Authority: BOG Regulations 1.001 and 7.003. History—New 7-1-09, Amended 8-12-10, 7-7-11, 6-29-12, 7-23-13, 7-9-14, 7-1-15, 6-23-17, 5-24-18, 5-16-19, \_\_\_\_\_-20.*

**UCF BOARD OF TRUSTEES  
Governance Committee  
June 17, 2020**

**Title:** Amendments to Chapter 5 University Regulations

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**Background:**

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.”

**Issues to be Considered:**

The University proposes to amend several regulations related to students and student organizations, including regulations setting out the student and student organization conduct procedures and the regulation articulating the academic behavior standards and process. Each change in each regulation is tracked in the attached. In many of the regulations, references to Office of Student Conduct have been changed to Student Conduct & Academic Integrity to reflect to new office name. The following highlights other proposed changes in each Regulation:

Regulation UCF-5.006 Student Rights and Responsibilities - updating references to university policy 2-004 “Prohibition of Discrimination, Harassment and Related Interpersonal Violence;” revising language related to medical emergencies.

Regulation UCF-5.007 Office of Student Conduct; Scope; Student Conduct Records – moving language regarding medical emergencies arising out of alcohol and other drug use to this regulation from two different regulations.

Regulation UCF-5.008 Rules of Conduct – moving medical emergency language to Regulation UCF-5.007; updating disruptive conduct prohibition; updating the rule of conduct prohibiting misuse or unauthorized use of university facilities and grounds to cross-reference definition in University Regulation UCF-4.036; updating the provisions related to hazing and stalking. Additionally, adding new language to the sections on academic misconduct, disruptive conduct, and larceny/property damage.

Regulation UCF-5.009 Student Conduct Review Process; Sanctions – making small updates related to Deferred Disciplinary Suspension and process deadlines.

Regulation UCF-5.010 Student Conduct Appeals – updating and reorganizing the provisions of the Community ReEngagement and Educational Development Program.

Regulation UCF-5.011 Scope; Authority; Principles of Group Responsibility; Violations of Law and Rule of Conduct Violations; Registered Student Organizational Conduct Records – updating the title; adding language regarding medical emergencies which was previously located in different regulations; revising the scope of these organizational principles; and making changes in the appeal process.

Regulation UCF-5.012 Organizational Rules of Conduct – updating the prohibitions on provision of false or misleading information and disruptive conduct; adding references to university policy in prohibitions related to discriminatory and sexual harassment; and updating the prohibition on hazing. Additionally, removing language regarding medical emergencies which is proposed for placement in Regulation UCF-5.011.



Regulation UCF-5.013 Organizational Conduct Review Process; Sanctions; Appeals – updating the provisions of the student organization Community ReEngagement and Educational Development Program; changing the deadline for final determinations to be issued; and make a small change regarding organizational suspension.

Regulation UCF-5.015 Student Academic Behavior Standards – adding deferred disciplinary suspension as an informal hearing outcome option; updating deadlines at different points in the process.

These regulations were posted online May 15, 2020, for public comment. Two public comments were received, the university reviewed them and does not feel that any changes to the language of the regulation are warranted.

**Alternatives to Decision:**

Do not amend University Regulations UCF-5.006, 5.007, 5.008, 5.009, 5.010, 5.011, 5.012, 5.013, and 5.015.

**Fiscal Impact and Source of Funding:**

N/A

**Recommended Action:**

Approve amendments to University of Central Florida Regulations UCF-5.006, 5.007, 5.008, 5.009, 5.010, 5.011, 5.012, 5.013, and 5.015.

**Authority for Board of Trustees Action:**

Board of Governors regulation 1.001

**Contract Reviewed/Approved by General Counsel:**

N/A

**Committee Chair or Chairman of the Board approval:**

Chair Bill Yeargin has approved adding this item to the agenda.

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**Submitted by:**

Scott Cole, Vice President and General Counsel

**Supporting Documentation:**

- Attachment A: Proposed Amended Regulation UCF-5.006 (redline)
- Attachment B: Proposed Amended Regulation UCF-5.007 (redline)
- Attachment C: Proposed Amended Regulation UCF-5.008 (redline)
- Attachment D: Proposed Amended Regulation UCF-5.009 (redline)
- Attachment E: Proposed Amended Regulation UCF-5.010 (redline)
- Attachment F: Proposed Amended Regulation UCF-5.011 (redline)
- Attachment G: Proposed Amended Regulation UCF-5.012 (redline)
- Attachment H: Proposed Amended Regulation UCF-5.013 (redline)
- Attachment I: Proposed Amended Regulation UCF-5.015 (redline)

**Facilitators/Presenters:**

Youndy Cook, Sr. Deputy General Counsel

Attachment A

**UCF-5.006 Student Rights and Responsibilities**

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

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

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

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

(3) Definitions.

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

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

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

individuals involved in university-sponsored/related activities as Responsible Employees on a case-by-case basis.

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

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

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

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

Smoking of any kind is prohibited in all facilities and areas of the UCF campus.

(5) Medical Emergencies. The University of Central Florida highly encourages students and registered student organizations to call for medical assistance whenever an individual experiences severe intoxication/impairment or serious injury after consuming alcohol and/or drugs. Students and registered student organizations may be reluctant to call for help for themselves or others due to potential involvement from ~~the UCF Police Department~~law enforcement officials or ~~the Office of Student Conduct~~SCAI. 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~~law enforcement officials 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~~SCAI Rules of Conduct Controlled Substance and Drug Violations and Alcoholic Beverages section and the Organizational Rules of Conduct section.

(6) Student Care Services. 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. Student Care Services staff review referrals from students, faculty, staff and/or other parties who are concerned about behavior exhibited by a student. The goal of Student Care Services is to intervene and support the student before a situation reaches crisis level. Student Care Services staff 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. Student Care Services staff will assist the student in coordinating with campus resources currently being utilized and will work with the student to monitor progress. Depending upon the circumstances, the referring person may receive feedback about the student's action plan. Students have the right to inspect and review all information submitted to Student Care Services.

(7) Student of Concern Team. In order to support student success, the University may utilize additional campus resources to assist the student. This may include collaboration with the Student of Concern Team (SOCT), a multidisciplinary group that reviews potential concerns



presented by the UCF community regarding student behavior. The SOCT offers additional knowledge of university resources and procedures and may make further recommendations regarding action plan items for student success. Students of concern are presented to the team at the discretion of the Office of Student Rights and Responsibilities and/or Student Care Services.

- (a) The team may enlist the services of various campus units on an as needed basis, including but not limited to Counseling and Psychological Services, Student Health Services, Academic Services, Housing and Residence Life, First Year Advising and Exploration, Student Conduct, and the University of Central Florida Police Department.
- (b) The role of Student Health Services and Counseling and Psychological Services on the Student of Concern Team will be consultative in nature. When the involved student has been a patient or client of either agency, the staff representative 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.
- (c) Student Care Services staff has 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.

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

- (a) The Assistant Dean of Students or designee will convene the team members in order to review each case and decide on the best course of action. The team is comprised of the following persons and/or their designee(s): Student Health Services Executive Director, Counseling and Psychological Services Director, UCF Police Department Chief, Student Care Services Associate Director, ~~Office of Student Conduct~~ and Academic Integrity Director, Associate Dean for Academic Services, Housing and Residence Life Director, Deputy General Counsel, Assistant Dean of Students and Student Development and Enrollment Services Associate VP and Dean of Students.

- (b) Various campus units may enlist the services of the team. These include but are not limited to Student Accessibility Services, Recreation and Wellness Center, Wellness and Health Promotion Services, Office of Fraternity and Sorority Life, Athletics, Alcohol and Other Drug Intervention Services, Undergraduate Studies, and Graduate Studies.
- (c) The role of the Student Health Services Executive Director and the Counseling and Psychological Services Director on the Crisis Team will be consultative in nature. When possible, the Student Health Services Executive Director and the Counseling and Psychological Services Director will not confer on a case for which they are (or have been) serving in a direct provider relationship with the involved student. When the involved student has been a client at UCF Counseling and Psychological Services, the Counseling and Psychological Services Director or designee will maintain the confidentiality of the student's clinical information and will make recommendations for action based solely upon the information provided in the meeting or as guided by clinical and licensure best practices.

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

- (a) Once a report is received regarding a UCF student hospitalization via the Baker Act or the Marchman Act, Student Care Services may utilize the mandated assessment session(s) to evaluate a 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 staff member and the student to inform the student of their rights and responsibilities regarding the incident.

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

(10) Involuntary Withdrawal Procedure.

- (a) Introduction.
  - 1. The University of Central Florida is committed to ensuring equality of educational opportunity while cultivating an environment that is safe for the campus community and supportive of student learning. The University will seek to intervene where a student's behavior interferes with the rights of others within the University community or where the student presents a

significant risk of harm to the health, safety, well-being and/or property rights of others. In such situations, safety and security concerns are paramount, and the University must react as promptly as feasible under the circumstances. University officials may consider a number of reasonable security and health and safety measures, including, but not limited to, requesting emergency assistance and seeking psychiatric evaluation, hospitalization, and treatment for mental illness as appropriate under the law. Additionally, the University may determine that it is necessary for the student to be involuntarily withdrawn from the University for the protection of others. This section outlines the procedures to be used by the University in making an involuntary withdrawal decision.

2. This involuntary Withdrawal Procedure will be applied in a nondiscriminatory manner, and decisions will be based on consideration of the student's conduct, actions, and statements and not on knowledge or belief that the student has a disability.
  3. The purpose of the Involuntary Withdrawal Procedure is for the University to be able to take urgent action when circumstances present a Significant Risk based on reasonably available information at the time. It will be necessary for the University to act promptly and for the benefit of the community as a whole, even if that means that, in consideration of later-presented information, the procedure ultimately concludes in favor of the student's continued enrollment (with or without conditions). Where the involuntary withdrawal procedure is invoked but the student is permitted to continue enrollment with no conditions, the University will take reasonable steps to assist the student in resuming their academic endeavors with as little disruption as feasible under the circumstances.
- (b) Direct Threat. When a student's behavior is deemed to pose a direct threat risk to the health and safety of the community, the Associate Vice President and Dean of Students ("Dean of Students") or their designee may initiate an involuntary withdrawal of the student on behalf of the university. The Dean of Students or designee will consult with the University Crisis Team before a final decision is made on the involuntary withdrawal of the student. A student poses a Direct Threat

when the student's behavior poses a "Significant Risk" to the health or safety of the student or others, or of significant property damage, or of substantial disruption to the lawful activities of others or the educational process or orderly operation of the University, and reasonable modifications of policies, practices, or procedures will not sufficiently mitigate the risk. Significant Risk is defined as the high probability of harm, threats of harm, or disruption and not just a slightly increased, speculative, or remote risk of such. Significant Risk is identified based on information that is reasonably available at the time of consideration. Information may be provided to the University through different means, including an incident report to Office of Student Rights and Responsibilities (OSRR), a police report, information provided following a hospitalization, or any other reliable source.

(c) Interim Involuntary Withdrawal.

1. A student may be involuntarily withdrawn from the University on an interim basis ("Interim Involuntary Withdrawal") if the Assistant Dean of Students or designee determines, based upon information reasonably available at the time, that the student poses a Direct Threat as defined above. A student will remain on Interim Involuntary Withdrawal pending the outcome of the Interim Involuntary Withdrawal Review. An Interim Involuntary Withdrawal may be imposed prior to a meeting of the University Crisis Team.
2. A student will be notified of Interim Involuntary Withdrawal through a written notice outlining the Interim Involuntary Withdrawal procedure, including the time, date, and location of the Interim Involuntary Withdrawal Review.
3. A student under Interim Involuntary Withdrawal shall be given an opportunity to present information to the University Crisis Team within three (3) business days from the effective date of the Interim Involuntary Withdrawal, to review the following issues only:
  - a. The reliability of the information concerning the student's behavior and,
  - b. Whether or not the student's behavior poses a Direct Threat, as defined above.

4. If upon conclusion of the Interim Involuntary Withdrawal review, the University Crisis Team determines the student will remain on Interim Involuntary Withdrawal based on the above defined issues, the University Crisis Team will proceed with the Involuntary Withdrawal procedures as outlined below.
- (d) Involuntary Withdrawal – Notice to Student. A student subject to Involuntary Withdrawal is entitled to the following:
1. Notice of intent to remove the student pursuant to this policy stating the reasons for the proposed action.
  2. The opportunity to examine the psychiatric or other evaluations provided to the University Crisis Team and to discuss them.
  3. The opportunity to present relevant information for consideration of his/her case personally, or by a licensed mental health professional working with that student, if the student is not capable of self-representation.
  4. The opportunity to have an advisor of the student's own choice accompany the student to any meetings or proceedings described in this procedure. The advisor may not present on behalf of the student or otherwise participate in the meeting or proceeding.
  5. The right to appeal.
- (e) Involuntary Withdrawal – Meeting of the University Crisis Team. The Assistant Dean of Students or designee will call a meeting of the University Crisis Team no earlier than five (5) business days after notifying the student of the proposed Involuntary Withdrawal. The student will be notified of the time, date, and location of the University Crisis Team meeting. The student may be present at this meeting and may present information in support of him/herself. Following the student's presentation, the team shall meet in a confidential deliberation. At the conclusion of this confidential deliberation, the team shall make a recommendation to the Dean of Students or designee, based upon the Team's review of all available information at the time of the meeting, as to whether the University should:
1. involuntary withdraw the student due to Direct Threat;
  2. make no changes to the student's status;

3. allow continued enrollment with conditions; or
  4. if the student is on Interim Involuntary Withdrawal at the time, reinstate the student with or without conditions.
- (f) Involuntary Withdrawal – Notifying Student of Recommendation and Decision. The Dean of Students or designee will make a final decision regarding the student’s enrollment status based on the totality of information available to the University and considering both the University Crisis Team’s recommendation and any information presented by the student. The Dean of Students or designee will notify the student in writing within two business days of the final decision regarding the student’s enrollment status.
- (g) Involuntary Withdrawal – Appeal. In the event a student disagrees with the decision of the Dean of Students or designee, the student may appeal the decision. The appeal must be made in writing to the Vice President for SDES, or designee, within three (3) business days after the date of the notification to the student of the decision. A student may appeal the decision based on one or more of the following criteria:
1. Irregularities in fairness and stated procedures that could have affected the outcome of the decision.
  2. Discovery of new and significant information that could have affected the outcome and that was not known or could not reasonably have been discovered and/or presented at the time of the meeting.
  3. The outcome is extraordinarily disproportionate to the reported behavior. The Vice President of SDES or designee, shall, within three (3) business days, sustain the initial decision or return the case to the University Crisis Team for re-consideration. The Vice President’s decision to sustain the initial decision is final action. If the matter is returned for re-consideration, the process will resume at the step outlined in subsection (e), above.
- (h) Upon being involuntarily withdrawn, the student may no longer enroll in classes, may not be an active member of a registered student organization, may no longer use University facilities, must vacate University owned housing, may no longer be permitted on University property, and may not be employed by UCF. Additionally, an involuntarily withdrawn student may be entitled to whatever refunds of tuition,

fees, and room and board charges as would be appropriate given the timing of the withdrawal.

- (i) 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 Dean or Students or designee with documentation from an appropriate healthcare provider of their choice who has conducted a proper assessment of the student and concluded that the student is ready and able to safely return to the University and does not pose a Direct Threat as defined above. . In cases where the Dean of Students or designee has imposed other conditions for readmission, it is the responsibility of the student to provide documentation of compliance with such conditions.
  - (j) A student who is considered for but ultimately not subject to Involuntary Withdrawal may be subject to conditions on continued enrollment at the University. In such cases, the student will be provided with a written summary of any such conditions and must meet all conditions in order to maintain student status. A student who fails to meet such conditions may be later subject to involuntary withdrawal by the Dean of Students or designee, or may be subject to charges through the University's Student Conduct Review Process for failure to comply.
  - (k) The current voluntary medical withdrawal process should not be used to handle withdrawals where a Direct Threat is evident or where a violation of the Rules of Conduct has allegedly occurred. Information for students seeking a medical withdrawal is available in the Catalog.
  - (l) As a general principle, the University prefers to use the Student Conduct Review Process in instances of misconduct, without regard to whether the student has a physical or mental condition that might be contributing to the misconduct. The Involuntary Withdrawal Procedure is to be employed in those situations in which the regular Student Conduct Review Process is not applicable or, due to safety concerns, cannot be applied in a sufficiently timely fashion.
- (11) Title IX Policy and Procedure.
- (a) Federal law, specifically Title IX of the Education Amendments of 1972 (Title IX), prohibits discrimination on the basis of sex in education programs or



activities. Title IX prohibits sex discrimination against students, staff and faculty— which includes acts of sexual misconduct, stalking and relationship violence. Title IX also prohibits retaliation for making a good faith report of sex discrimination or participating in or being a party to any proceeding involving sexual misconduct and/or interpersonal violence. A closely related federal law, Section 304 of the Violence Against Women Act (“Campus SaVE Act”), requires universities to increase transparency about the scope of sex-related violence on campus, guarantee victims enhanced rights, provide for standards in institutional conduct proceedings, and provide campus wide prevention education and awareness programming.

- (b) The University of Central Florida is committed to fostering an environment in which all members of our campus community are safe, secure, and free from sex discrimination, including sexual misconduct, stalking, and relationship violence, listed and defined in the Rules of Conduct (UCF-5.008) and Organizational Rules of Conduct (UCF-5.012). Our community expects that all interpersonal relationships and interactions – especially those of an intimate nature – be grounded upon mutual respect and open communication. When learning of conduct or behavior that may not meet these standards, community members are expected take an active role in promoting the inherent dignity of all individuals. [For a more exhaustive list of the community’s rights and expectations as it relates to Title IX Policy and Procedures, please reference University Policy 2-004.1 Prohibition of Discrimination, Harassment and Related Interpersonal Violence.](#)
- (c) The university encourages any faculty, staff, student or non-student who thinks that he or she has been subjected to sex discrimination or retaliation by another student, member of the faculty or staff, or third party affiliated with the University to immediately report the incident to the Office of Institutional Equity.
- (d) The University strives to promote the safety and well-being of all students and employees. This information is applicable to students and employees regardless of their sexual orientation, gender identity, or gender expression.
- (e) Rights of the Complainant and the Respondent. Any individual (“Complainant”) who discloses having been subjected to sex discrimination, including sexual

assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, retaliation, or complicity, and any individual or registered student organization (“Respondent”) who has been accused of sex discrimination, including sexual assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, retaliation, or complicity, are afforded the following rights throughout the university’s investigative process and the student conduct review process. These rights provide a fair process for both parties while also ensuring Complainant’s protections under Title IX and the Campus SaVE Act. These rights are in addition to the rights afforded in the student conduct review procedures outlined in [University Policy 2-004.1 Prohibition of Discrimination, Harassment and Related Interpersonal Violence, and referenced in UCF-5.009 \(students\) and UCF-5.013 \(student organizations\) of the University Regulations.](#)- Complainant and Respondent rights include the following.

1. Both the Complainant and Respondent are permitted to have an advisor or support person accompany them throughout the university’s investigative process and student conduct review process. This person will not represent the Complainant or Respondent, address witnesses, investigator(s), the hearing body, any other party, or otherwise directly participate throughout the university’s investigative process and/or student conduct review process. In addition, if the selected person is a witness, the person cannot be an advisor or support person.
2. Both the Complainant and the Respondent have the right to remedial and protective measures and shall be notified of available assistance at the University.
3. Both the Complainant and Respondent will have equal opportunity to present relevant witnesses and other information during the investigative process and during a formal hearing. Prior to the initiation of the student conduct review process, the investigator has the discretion to determine the relevance of any proffered evidence and to include or exclude certain types of evidence. In general, the investigator will not consider statements of personal opinion, rather than direct observations or reasonable inference

from the facts, or statements as to any party's general reputation for any character trait.

4. If the investigative process results in a recommendation to initiate the student conduct review process, both the Complainant and Respondent will receive notice to attend a preliminary conference meeting with ~~the Office of Student Conduct~~ SCAI and be informed of the available resolution options in the student conduct review process.
5. During the Student Conduct Review Process, both the Complainant and Respondent shall be informed of the Administrative Hearing Officer assigned to the case and shall have the opportunity to challenge the impartiality of the individual within three (3) business days of notification.
6. Both the Complainant and Respondent will be afforded similar and timely access to any information made available through the investigative process and/or that will be used during the student conduct review process.
7. If the matter proceeds to a formal hearing, both the Complainant and Respondent may submit a list of proposed questions related to the alleged incident to be asked during the formal hearing. The relevancy of proposed questions will be determined by the hearing body. During a formal hearing, all questions shall be asked through the hearing body. Both Complainant and Respondent should not be questioned directly by one another.
8. Both the Complainant and Respondent will have equal opportunity to present relevant witnesses and other information during the investigative process, ~~and a formal hearing. Such evidence, as deemed relevant to the investigation and used in authoring the investigative findings report, shall be presented during the student conduct review process.~~ Relevancy and timeliness will be determined by the investigator(s) ~~and/or hearing body.~~ All evidence and witnesses must be submitted by the Complainant and Respondent no later than the conclusion of the investigative findings report review period prior to the report being sent to the Deputy Title IX Coordinator for Students for review.

9. Both the Complainant and Respondent will have equal opportunity to present relevant witnesses and other information during a formal hearing review process. Neither the Complainant ~~and/or~~ Respondent ~~may will not~~ have irrelevant past conduct, including sexual history, discussed during the formal hearing. The issue of relevancy shall be determined by the hearing body.
10. Both the Complainant and the Respondent will be provided access to participate, during the entire formal hearing in person, via videoconference, by telephone, or by other means available.
11. At least five (5) business days before the formal hearing, the Complainant may submit a written statement describing the impact of the Prohibited Conduct on the Complainant and expressing a preference about the sanction(s) to be imposed. At least five (5) business days before the formal hearing, the Respondent may submit a written statement explaining any factors that the Respondent believes should mitigate or otherwise be considered in determining the sanction(s) imposed. ~~The Office of Student Conduct~~ SCAI will ensure that the Complainant and the Respondent each have an opportunity to review any statement submitted by the other party before the formal hearing. The purpose of the statement(s) is to assist the hearing body in proposing a sanction. Therefore, the statement(s) will be given to the hearing body for consideration only if the hearing body makes a proposed finding of in violation on one or more allegations of sexual misconduct and/or interpersonal violence addressed in the formal hearing.
12. Both the Complainant and Respondent will be informed, concurrently and in writing, of the outcome of the investigative process, the Student Conduct Review Process, and the outcome of the appeal process, in accordance with federal guidelines.
13. Both the Complainant and the Respondent have the right to appeal the outcome of the Student Conduct Review Process on the basis outlined in the applicable Student Conduct Appeals section UCF-5.010 (individual student UCF-5.013 (registered student organizations)).

14. Both the Complainant and Respondent will be given periodic status updates throughout the investigative process and the Student Conduct Review Process.
- (g) Administrative hearing officers and panel members who hear cases of sex discrimination (including sexual harassment, sexual misconduct, stalking, and/or relationship violence) receive annual training on how to conduct fair and impartial hearings for these types of cases.

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

Attachment B

**UCF-5.007 ~~Office of Student Conduct and Academic Integrity~~; Scope; Student Conduct Records; Medical Emergencies (Alcohol & Drug)**

(1) Scope

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

(2) Authority

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

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

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

(4) **Student Conduct Records**

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

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

(6) Medical Emergencies. The University of Central Florida highly encourages students to call for medical assistance whenever an individual experiences severe intoxication or serious injury after consuming alcohol and/or other drugs. Students may be reluctant to call for help for themselves or others due to potential involvement from ~~the UCF Police Department~~law enforcement officials or ~~the Office of Student Conduct~~SCAI. 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~~law enforcement officials 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.~~

- (a) University of Central Florida students who receive medical attention due to drug and/or alcohol related emergencies may be exempted from disciplinary action by the Director of SCAI following the Director's review of the circumstances. Students exempted by the Director from disciplinary action in this manner will be referred for assessment and follow-up services in lieu of the student conduct review process.
- (b) Students who receive medical assistance for drugs and/or alcohol emergencies may receive exemption for violations of the Rules of Conduct Section 10(a)-10(d) and/or 11(a)-11(c); however, exemption for other Rules of Conduct violations may not be granted. The Director of SCAI or designee reserves the right to review each incident individually to determine whether the student will be exempt from disciplinary action. The Director of SCAI or designee 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.
- (c) Students who seek medical assistance on behalf of another student impaired by drugs and/or alcohol may be exempted by the Director of SCAI from disciplinary action for violations of the Rules of Conduct Section 10(a)-10(d) and/or 11(a)-11(c). However, exemption for other violations of the Rules of Conduct will not be granted.



(d) For parental notification regarding alcohol and/or other drug-related incidents, refer to the Parental Notification Policy on SCAI website: <http://osc.sdes.ucf.edu/notification>.

(e) Additional information regarding alcohol and/or other drug-related emergencies can be found on the SCAI website at <https://osc.sdes.ucf.edu/medicalemergencies/>.

*Authority: BOG Regulations 1.001 and 6.0105. History - Formerly 6C7-5.0041, New 6-18-09. Amended 9-5-13, 11-20-14, 10-29-15, 7-28-16, 7-20-17, 7-19-18, \_\_\_\_\_-20.*

## Attachment C

**UCF-5.008 Rules of Conduct**

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

## (1) Academic Misconduct

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

- (g) Any student who knowingly helps another violate academic behavior standards is also in violation of the standards.
- (h) Soliciting assistance with academic coursework and/or degree requirements. The solicitation of assistance with an assignment, lab, quiz, test, paper, etc., without authorization of the instructor of record or designee is prohibited. This includes but is not limited to asking for answers to a quiz, trading answers, or offering to pay another to complete an assignment. It is considered Academic Misconduct to solicit assistance with academic coursework and/or degree requirements, even if the solicitation did not yield actual assistance (for example, if there was no response to the solicitation).

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

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

(3) Disruptive Conduct

- (a) Any act that impairs, interferes with, or obstructs the orderly conduct, processes, and functions of the University or any part thereof or the rights of one or more individuals.
- (b) Any act which deliberately impedes or interferes with the normal flow of pedestrian and vehicular traffic.
- (c) Any act which intentionally interferes with the election processes of any University registered student organization or sponsored student group.
- (d) Misuse of any University safety equipment, firefighting equipment, or fire alarms.
- (e) A false report of an explosive or incendiary device, which constitutes a threat or bomb scare.

- (f) Breach of peace: an act, which aids, abets, or procures another person to breach the peace on the University premises or at University sponsored/related functions.
- (g) Failure to comply with oral or written instruction from duly authorized University officials (i.e. faculty, staff, administration, residence hall staff) acting within the scope of their job duties or law enforcement officers acting in the performance of their duties, including failure to identify oneself to these persons when requested to do so.
- (h) Failure to produce identification upon request by a University official (i.e. faculty, staff, administration, residence hall staff), acting within the scope of their job duties or law enforcement officers acting in the performance of their duties.
- (i) Hindering or interfering with the student conduct review process by failing to obey the notice from a university official to appear for a student conduct meeting or hearing; and/or attempting to discourage an individual's proper participating in, or use of, the student conduct review process.
- (j) Violation of any other University regulation or policy as described in the UCF Regulations, UCF Policies and Procedures, or University department publicized policy.
- (k) Failure to comply with applicable law and University regulations and procedures for solicitation and fundraising activities on campus.

(4) Harmful Behavior

- (a) Physical harm or threat of physical harm to any person. This harmful behavior policy may not apply in those instances where it is found that a student is acting in self-defense.
- (b) Verbal, digital, or written abuse, threats, intimidation, coercion and/or other conduct that endangers the health, safety, or wellbeing of others, or which would place a reasonable person in fear of bodily injury or death. This definition, however, shall not be interpreted to abridge the rights of the University community to freedom of expression protected by the First Amendment of the United States Constitution and any other applicable law.
- (c) Discriminatory Harassment: defined as verbal, physical, electronic, or other conduct based on a protected category (such as race, color, religion, national origin, gender equity, et al), which, due to the severity and pervasiveness of the conduct and its targeted nature on the basis of a protected category, (i) has the purpose or effect of creating an objectively intimidating, hostile or offensive educational or work environment; and (ii)

has the purpose or effect of unreasonably interfering with an individual's employment, schooling, or business with the University. Harassment under this provision is conduct that would constitute harassment under federal or state civil rights laws or under University ~~Regulation Policy 2-004.1UCF-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 conduct not of a sexual nature that is repeated, unwanted conduct toward or contact with another person that would cause a reasonable person to fear for the person's safety or the safety of others, or to experience substantial 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) Invasion of Privacy and Unauthorized Recording.
  1. Making, using, disclosing or distributing a recording of a person in a location or situation in which that person has a reasonable expectation of privacy and is unaware of the recording or does not consent to it; and any other conduct that constitutes an invasion of the privacy of another person under applicable laws and regulations. Such conduct includes, without limitation, unauthorized recording of personal conversations, images, meetings or activities.
  2. Unauthorized recording of a class or of organizational or University meetings, where there exists a legal expectation of privacy, and any use, disclosure, or distribution of any such recording.
  3. Engaging in acts of voyeurism, including but not limited to peeping or surreptitiously recording another in a bathroom.
  4. Any notice, consent or other requirement under applicable laws and regulations must be fulfilled in connection with authorizing, making, using, disclosing or distributing any recording, where there is a legal expectation of privacy.

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

(5) Sexual Misconduct and/or Interpersonal Violence

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

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

- d. Duration of Consent - Consent must be ongoing throughout sexual activity, for each sexual act, and can be withdrawn at any time.
    - i. Within each sexual encounter, there may be separate individual sexual acts involved. Consent to one act by itself does not constitute consent to another act. If verbal consent is not given, ongoing active participation is required for consent.
    - ii. The existence of a dating or sexual relationship between the persons involved, or the fact of past sexual relations have occurred between the parties, is not an indicator of consent for any current or future sexual encounter.
    - iii. An individual who seeks to withdraw consent must communicate, through clear words or actions, a decision to cease the sexual activity. Once consent is withdrawn, the sexual activity must cease immediately.
  - e. Scope of Consent - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
2. Sexual Contact – includes but is not limited to the following behaviors:
- a. Touching, kissing, fondling (whether over or under clothing) of an individual for the purpose of sexual gratification; and/or
  - b. contact, however slight, between the mouth, anus or sex organ of one individual with either the anus or sex organ of another individual; and/or
  - c. contact, however slight, between the anus or sex organ of one individual and any other object.
- (b) Sex Harassment: Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions for Discriminatory Harassment as defined in 5.008(4)(c), are present. This is conduct that would constitute sexual harassment under federal or state civil rights laws or under University ~~Regulation UCF-3-004~~Policy 2-004.1 Prohibition of Discrimination, Harassment and Related Interpersonal Violence. Sexual Harassment may include inappropriate touching, acts of sexual violence, suggestive comments and public display of pornographic or suggestive

calendars, posters, or signs where such images are not connected to any academic purpose. A single incident of nonconsensual sexual contact (as defined above) may be sufficiently severe to constitute sexual harassment.

- (c) **Gender-Based Harassment:** Discriminatory harassment that is based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions for Discriminatory Harassment as defined in UCF-5.008(4)(c) are present.
- (d) **Obscene or Indecent Behavior:** Exposure of one's body in such a manner that another party reasonably could be offended or to display sexual behavior which another person reasonably finds offensive.
- (e) **Voyeurism:** Trespass, spying, or eavesdropping for the purpose of sexual gratification.
- (f) **Solicitation of a Minor:** soliciting sexual acts from a minor by oral, written, or electronic means.
- (g) **Child Pornography:** possessing, producing or the dissemination of child pornography
- (h) **Relationship Violence:** Relationship Violence includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Relationship Violence may include sexual assault, stalking, and physical assault. Relationship Violence may involve a pattern of behavior used to establish power and control over another person through fear and intimidation or may involve one-time conduct. A pattern of behavior is typically determined based on the repeated use of words and/or actions and inactions in order to demean, intimidate, and/or control another person. This behavior can be verbal, emotional, and/or physical and may be directed towards the former partner, their property, or other individuals. Examples of Relationship Violence may include, but are not limited to: slapping; pulling hair; punching; damaging another person's property; driving recklessly to scare someone; name calling; humiliating another person in public; harassment directed toward a current or former partner or spouse; and/or threats of abuse, such as threatening to hit, harm, or use a weapon on another (whether Complainant or acquaintance, friend, or family member of the Complainant), or other forms of verbal threats.



- (i) **Stalking:** Stalking under this provision occurs where a person engages in a course of conduct of a sexual nature that is directed at a specific person under circumstances that would cause a reasonable person to fear for the person's safety or the safety of others, or to experience substantial emotional distress. A "course of conduct" is two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property. Stalking includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact. Stalking may include, but is not limited to: non-consensual communications (face to face, telephone, e-mail); threatening or obscene gestures; surveillance/following/pursuit; showing up outside the targeted individual's classroom or workplace; sending gifts and/or notes (romantic, bizarre, sinister, or perverted); and/or making threats.
- (j) **Sexual Exploitation:** Sexual Exploitation is purposely or knowingly doing or attempting to do any of the following:
  - 1. Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
  - 2. Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
  - 3. Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
  - 4. Subjecting another person to human trafficking; or
  - 5. Exposing another person to a sexually transmitted infection or virus without the other's knowledge.
- (k) **Complicity:** Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act prohibited by the Rules of Conduct Section UCF-5.008(5).
- (l) Any attempted acts of sexual misconduct and/or interpersonal violence defined above are also violations of this policy.

(6) Larceny/Property Damage

- (a) Unauthorized use, possession, or theft of property or service. Such property may be personal or public.
- (b) Damaging or defacing of University property or the property of another person whether or not it is on University premises.
- (c) Tampering with or damaging fire safety equipment.

(7) Hazing

- (a) Hazing is any action or situation that recklessly or intentionally endangers the mental or physical health and/or safety of a student for purposes including but not limited to: initiation or admission into, association or affiliation with, any registered student organization or other group whether or not officially recognized by the University operating under registration with the University or any student group operating with official sanction of the University. Hazing in violation of Florida Statutes may result in felony charges. A student may commit an act of hazing whether the student is a prospective, current, or former member of the organization or group. The actions of active, associate, new and/or prospective members, former members, or alumni of a student organization or group may be considered hazing under this rule.
- (b) Hazing includes 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) Hazing includes any activity which could subject the individual to extreme mental stress such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or any other activity that could adversely affect the mental health or dignity of the individual.
- (d) Hazing includes forcing, pressuring, or coercing, the student into violation of University policies or federal, state, or local law.
- (e) Hazing includes soliciting a person to commit or being actively involved in the planning of any act of hazing as defined above where the act of hazing creates a substantial risk of physical injury or death to the person(s) hazed.
- (f) It is not defense to an allegation of hazing that:

1. the consent of the victim had been obtained;
2. the conduct or activity that resulted in the death or injury of a person was not part of any official organizational event or otherwise sanctioned or approved by the student organization; or
3. the conduct or activity that resulted in the death or injury of a person was not done as a condition of membership into a student organization.

(g) Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

(8) Misuse or Unauthorized Use of Facilities and Grounds

- (a) Misuse or unauthorized use of classroom or laboratory facilities, or University property (as defined by University Regulation UCF-4.036).
- (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 University Regulation UCF-4.036.
- (c) Unauthorized entry or attempted entry to any University facility property (as defined by University Regulation UCF-4.036).
- (d) Unauthorized possession, duplication or use of keys to any University premises property (as defined by University Regulation UCF-4.036).

(9) Misconduct at University Sponsored/Related Activities

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

(10) Controlled Substance and Drug Violations

- (a) Possessing, consuming, or attempting to possess cannabis in any amount.
- (b) Cultivating, manufacturing, or attempting to obtain cannabis in any amount.
- (c) Possessing, consuming, cultivating, manufacturing, or attempting to possess any controlled substances other than cannabis, except as expressly permitted by law.
- (d) Selling or distributing cannabis or any other controlled substances other than alcohol.
- (e) Possessing or attempting to possess any drug related paraphernalia.

- (f) Misconduct under the influence of controlled substance(s) and/or drugs other than alcohol.

NOTE: Students who receive medical attention due to drug related emergencies and/or students who call for help on behalf of another student who may be experiencing a drug related emergency may be exempt from disciplinary action. Information regarding exemptions under this rule for drug related emergencies can be found in University Regulation UCF-5.007 and the Student Conduct and Academic Integrity website:

<http://osc.sdes.ucf.edu/medicalemergencies>.

~~(g) Drug Emergencies – University Expectations for Individuals~~

- ~~1. University of Central Florida students who receive medical attention due to drug-related emergencies may be exempt from disciplinary action as part of the conditions for drug emergencies after review by the Director of the Office of Student Conduct. Students eligible for exemption will be referred for assessment and follow-up services in lieu of the student conduct review process.~~
- ~~2. Students who receive medical assistance for drug-related emergencies may receive exemption for violations of the Rules of Conduct Section 10(a)–10(f); however, exemption for other Rules of Conduct violations may not be granted. The Director of the Office of Student Conduct reserves the right to review each incident individually to determine whether the student will be exempt from disciplinary action. The Director of the Office of Student Conduct maintains the right to recommend additional requirements for students who are referred for assessment and fail to meet the requirements of their assessment. For subsequent incidents, appropriate interventions will be handled on a case-by-case basis.~~
- ~~3. Students who seek medical assistance on behalf of another impaired student may be exempt from disciplinary action for violations of the Rules of Conduct Section 10(a)–10(f). However, exemption for other Rule of Conduct violations may not be granted.~~
- ~~4. For parental notification regarding medical transports for drug-related incidents, refer to the Parental Notification Policy on the Office of Student Conduct website <http://osc.sdes.ucf.edu/notification>.~~

~~5. Additional information regarding alcohol and/or drug related emergencies can be found on the Office of Student Conduct website: <http://osc.sdes.ucf.edu/medicalemergencies>.~~

(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.

NOTE: Students who receive medical attention due to alcohol related emergencies and/or students who call for help on behalf of another student who may be experiencing a drug related emergency may be exempt from disciplinary action. Information regarding exemptions under this rule for drug related emergencies can be found in University Regulation UCF-5.007 and the Student Conduct and Academic Integrity website: <http://osc.sdes.ucf.edu/medicalemergencies>.

~~(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(e); 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(e). However, exemption for other Rule of Conduct violations may not be granted.~~

~~4. For parental notification regarding medical transports for alcohol-related incidents, refer to the Parental Notification Policy in the on the Office of Student Conduct website: <http://osc.sdes.ucf.edu/notification>.~~

~~5. Additional information regarding alcohol and/or drug-related emergencies can be found on the Office of Student Conduct website <http://osc.sdes.ucf.edu/medicalemergencies>.~~

(12) Possession of Weapons and/or Dangerous Material

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

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

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

(14) Misuse of Computing and Telecommunications Resources

- (a) Theft or other abuse of computer facilities and resources
- (b) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- (c) Unauthorized transfer of a file.

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

(15) Gambling

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

(16) University Student Residence Violations. Violation(s) of any Department of Housing and Residence Life policy, rule or regulation published in hard copy or available electronically via Department of Housing and Residence Life website. A charge under this provision must include a specific citation of which Housing policy or policies the charged student has violated.

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

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

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



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

- (a) The Director of ~~the OSC~~SCAI will refer all information warranting disciplinary action and assign the case to the appropriate staff member. ~~The Office of Student Conduct~~SCAI 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~~SCAI has six months to charge a student with a violation of the Rules of Conduct. ~~The Office of Student Conduct~~SCAI 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~~SCAI to discuss the charges. If the student fails to attend that conference, a hold may be placed on the student's record, preventing them from registering for future classes until the matter is resolved. Students who leave the university or withdraw from a class before a disciplinary matter is resolved may be prohibited from future enrollment until such time as the matter is resolved. The student will receive information regarding the Student Conduct Review Process, including the student's rights during the process, an opportunity to inspect and/or review the information known at the time charges are prepared, and notice on how to contact the Student

Government Association Judicial Advisor. At the conclusion of the meeting, ~~the Office of Student Conduct~~SCAI recommends an option for resolution of the disciplinary charges.

(2) Options for Resolution of Disciplinary Charges.

- (a) Case Dismissal: The Director of ~~the OSC~~SCAI 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) Mediation: Depending on the nature and severity of the alleged violation, ~~the Office of Student Conduct~~SCAI 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~~SCAI. Mediation will not be a resolution option for cases involving allegations of incidents of sexual misconduct and/or interpersonal violence.
- (c) Informal Hearing: At the discretion of ~~the Office of Student Conduct~~SCAI, 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~~SCAI 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, Disciplinary Probation, or Disciplinary Deferred Suspension) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not resolved informally, the case will be resolved through a formal hearing. The outcomes from

an informal hearing process (decision of responsibility and recommended sanctions) are final and are not eligible to be appealed (UCF-5.010).

- (d) Formal Hearing: If an alleged violation of the Rules of Conduct is not dismissed or otherwise resolved, then ~~the Office of Student Conduct~~SCAI 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~~SCAI. For cases of sexual misconduct and/or interpersonal violence, the hearing shall also be open to the complainant and advisor. In cases of alleged Academic Misconduct, the student is required to have an academic integrity ~~panel~~ hearing as stated in UCF-5.015.

Formal notification shall include:

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

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

(a) Panel Hearings.

1. A panel to consider an individual case shall be randomly selected by ~~the Office of Student Conduct~~SCAI 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~~SCAI to chair the hearing and report the proposed finding(s) and recommended sanctions, if any, to the Director of ~~the OSC~~SCAI or designee.
2. At hearings conducted by a panel, an ~~Office of Student Conduct~~SCAI staff member shall act as an advisor to the panel. The Director of ~~the OSC~~SCAI 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 OSCSCAI~~ 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 OSCSCAI~~ 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 OSCSCAI~~ or designee to alter proposed sanctions or remand a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

(b) Administrative Hearings

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

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

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

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

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

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

- (c) All hearings shall be conducted on the basis that the charged student is not in violation until the preponderance of evidence proves otherwise. At a hearing, the technical rules of evidence applicable to civil and criminal cases shall not apply. The burden of proof in a student conduct hearing is not on the student charged with a violation of the Rules of Conduct.
- (d) The student may inspect any information presented in support of the charges at least three (3) business days before the formal hearing. The University also has the right to review any information the student intends to use at least three (3) business days before the formal hearing. Only such information that is determined “Relevant Information” will be made part of the hearing record.
- (e) The university cannot compel any person to attend a formal hearing. However, all parties may arrange for witnesses to voluntarily present Relevant Information during the proceeding. The student may hear and question adverse parties who testify at the hearing.
- (f) The student shall not be forced to present self-incriminating information; however, the University is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal case. The University’s formal hearing is not a criminal or judicial proceeding and is designed to address student behavior; therefore, alleged violations of the UCF Rules of Conduct will be addressed independently of any outcome imposed by the courts for a criminal offense.
- (g) The proposed finding, as well as the Director of ~~the OSCSCAI~~’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) Should the student fail to attend the scheduled formal hearing, the hearing will be held in the student’s absence and the proposed findings, including any recommended sanctions, will be made using the information available at the time of the scheduled formal hearing.

- (i) Only if the proposed finding of the hearing body is that the student is in violation, will prior conduct history be reviewed and potentially affect proposed sanctioning.
- (j) The results of any formal hearing shall be made available to the charged student within ~~seven (7)~~ten (10) business days following the hearing. Should the ~~OSCS~~SCAI need additional time, the deadline can be extended by the Director of ~~the OS~~SCAI or designee by notifying the charged student. For academic integrity cases, the results of any formal hearing shall be made available to the charged student within ~~fourteen~~fifteen (14~~5~~) business days following the hearing. The Director of ~~the OS~~SCAI or designee shall notify the charged student in writing of the need for additional time.
- (k) 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(1~~1~~9) will apply in addition to the procedures of the Student Conduct Review Process outlined above.

(6) Sanctions.

- (a) Disciplinary Warning - An official warning that the student's behavior is in violation of the UCF Rules of Conduct, and that if the student is subsequently found in violation of a rule while on 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 Disciplinary Suspension or Disciplinary 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. While on Disciplinary Probation, a hold will be placed on a student's record for record keeping purposes.

- (c) **Deferred Disciplinary Suspension** - Deferred Disciplinary 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 Disciplinary 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 Disciplinary Suspension, the student will be officially suspended from the university, but the suspension will be deferred, meaning that the student may continue to attend classes. The suspension will be enforced for failure to complete any assigned educational sanctions by the deadline(s) and/or for any subsequent violation of the Rules of Conduct, unless the Director of ~~the~~ OSCAI determines otherwise in exceptional circumstances. If the student is found in violation for any subsequent-violation(s) of the Rules of Conduct that occurred while on Deferred Disciplinary Suspension status, including failure to complete any assigned educational sanctions by the deadline(s), the student will be suspended for a minimum of one (1) semesters, in addition to the educational sanctions imposed for the subsequent violation. Students placed on Deferred Disciplinary Suspension will have a conduct overlay placed on their transcripts for the period of time that the Deferred Disciplinary Suspension is in effect. The conduct overlay is a notation indicating that the student is not in good standing. Deferred Disciplinary Suspension may include the denial of specific university privileges, including but not limited to loss of good standing, which may become a matter of record; denial of the privilege to occupy a position of leadership or responsibility in an University registered student organization, publication, or activity, or ability to represent the University in an official capacity or position; trespass of University facilities or other areas of campus

or contact with another specified person(s). The duration of any Deferred Disciplinary Suspension period and the specific restrictions imposed will be determined by ~~the OSCSCAI~~ on a case-by-case basis. While on Deferred Disciplinary Suspension, a hold will be placed on a student's record for record-keeping purposes.

- (d) Disciplinary Suspension - A student involved in an offense warranting consideration of action more serious than Deferred Disciplinary Suspension 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 OSCAI~~. 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 OSCSCAI~~ or designee shall consider whether the suspension creates an undue hardship on the disciplinary suspended student in regard to considerations that include, but are not limited to, the medical needs of the student. Students placed on Disciplinary Suspension will have a conduct overlay placed on their transcript for the period of time that the Disciplinary Suspension is in effect.—The conduct overlay is a notation indicating that the student is not in good standing. 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 – Disciplinary Dismissal is a sanction which removes the student from the individual's academic program and separates the student from the University for a period of at least two years and up to seven years. A dismissed

student has none of the rights or privileges of a student of the University. Following 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 Associate Vice President and Dean of Students or designee. This may include restricted access to campus and/or other specified activities. Students placed on Disciplinary Dismissal will have a conduct overlay placed on their transcript for the period of time that the Disciplinary Dismissal is in effect. The conduct overlay is a notation indicating that the student is not in good standing. Further, while on Disciplinary Dismissal, a hold will be placed on a student's record for record keeping purposes. All assigned educational sanctions must be completed prior to the conclusion of Disciplinary Dismissal; otherwise the Disciplinary Dismissal will remain in effect.

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

*Authority: BOG Regulations 1.001 and 6.0105. History - Formerly 6C7-5.0041, New 6-18-09.  
Amended 9-5-13, 3-5-15, 10-29-15, 7-28-16, 7-20-17, 1-18-18, 7-19-18, 7-18-19, \_\_\_\_\_-20.*

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 ten (10) business days after the date the student was notified of the decision by the Director of ~~the~~Student Conduct and Academic Integrity (SCAI)-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, the appellate officer may: deny the appeal, thus sustaining the initial decision; alter the sanction(s); or return the case for a new hearing. Any decision by the appellate officer to alter sanctions or return a case for new hearing shall be accompanied by a concise and explicit written statement that explains the basis for that decision
- (e) The appellate officer should issue a written decision to the student's appeal within twenty (20) business days of receipt of the appeal. Should the appellate officer require additional time for review beyond the twenty (20) business days, the

appellate officer shall notify the charged student in writing of the need for additional 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) ~~SCAI~~~~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 OSCAI~~'s or designee's final decision letter.

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

(a) Complainants and Respondents in matters involving allegations of sexual misconduct and/or interpersonal violence (as defined above in Regulation UCF-5.008(5)) may appeal the finding(s) and sanction(s) imposed from 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 Complainant are notified of the decision by the Director of ~~the OSC~~~~SCAI~~ 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, 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, the appellate officer may: deny the appeal, thus sustaining the initial decision; alter sanction(s); or return the case for a new hearing.
- (e) The appellate officer should issue a written decision to the student's appeal within twenty (20) business days of receipt of the appeal. The written decision shall issue to both the Complainant and the Respondent. Should the appellate officer require additional time for review beyond the twenty (20) business days, the appellate officer shall notify the Complainant and Respondent in writing of the need for additional time. Decisions of the appellate officer reflect final university 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.

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

- (a) The Community ReEngagement and Educational Development (CREED) Program is designated for a student to have the opportunity to demonstrate that in the period following the conclusion of the Student Conduct Review Process, they have taken steps to become a productive and engaged member of the UCF Community.
- (ab) Upon completion of one semester of Disciplinary Probation, Deferred Disciplinary Suspension, or Disciplinary Suspension, and completion of all educational ~~requirements~~sanctions, a student ~~has the opportunity to~~can request a review of their disciplinary ~~probation~~-status through the Community ReEngagement and Educational Development (CREED) Program. Students who have a Z Designation on their transcript are eligible to apply once the duration of their Disciplinary Suspension has ended and all educational sanctions are complete.

1. Students who have been found In Violation of a Rule of Conduct that required an investigation by the Office of Institutional Equity (OIE) are ineligible to apply for relief under the CREED Program.
  2. Students who have been found In Violation of a Rule of Conduct that had a substantially negative impact on a person or group of people, as determined by SCAI, are ineligible to seek relief under the CREED Program.
- (~~cb~~) Requests ~~should~~must be submitted to the Director of ~~the OSC~~SCAI or designee via an online CREED Program submission form available at [www.osc.sdes.ucf.edu/creed](http://www.osc.sdes.ucf.edu/creed). This request can only be submitted once a semester.
- (~~d~~) The Director of SCAI or designee will review applications submitted before the semesterly deadline(s) during the application review period(s). Information on application deadlines and review periods can be found at [www.osc.sdes.ucf.edu/creed](http://www.osc.sdes.ucf.edu/creed). The Director of SCAI or designee shall conduct a preliminary review to ensure that the student's request meets the necessary eligibility and application requirements. The Director of SCAI or designee must communicate the finding of the preliminary review of the application as well as the date and time of the CREED Review Meeting that has been scheduled for a committee to conduct a review of the student's application, if applicable. The student has three (3) business days from when the Director of SCAI or designee sent their preliminary findings to request an alternate date and time of the CREED Review Meeting.
- (~~e~~) ~~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).~~
- (~~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.~~
- ~~(eg)~~ 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 their disciplinary ~~probation~~ status should be altered or terminated or why the Z Designation should be removed from the student's transcript. 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 will be given ten (10) business days to produce ~~requested~~ the information and/or documentation. Upon receipt of the requested information and/or documentation, the committee will reconvene the ~~CREED~~ Review Meeting with the student.
- ~~(hf)~~ After the meeting, the committee will issue a recommendation to the Director of ~~the OSCSCAI~~ or designee. The Director of ~~the OSCSCAI~~ or designee will

provide a final decision to the student in writing within ~~seven (7)~~ten (10) business days of receiving the recommendation.

(ig) If the request is denied by the Director of ~~the OSCSCAI~~ or designee the final 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.

(jh) 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 with all educational sanctions completed in full.

(b) A student conduct record may be sealed upon the successful submission and review of appropriate paperwork to ~~the Office of Student Conduct~~SCAI.

(c) The factors influencing the decision by the Director of ~~the OSCAI~~ 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, 7-20-17, 1-18-18, 7-18-19, \_\_\_\_\_-20.*

Attachment F

**UCF-5.011 Scope; Authority; Principles of Student Group Responsibility; Violations of Law and Rule of Conduct Violations; ~~Registered Student Organizational Conduct Records; Medical Emergencies (Alcohol & Drug)~~**

(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~~ a group. ~~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. On University premises; or
  - 2. During or while participating in University and/or organization sponsored 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. The Florida Board of Governors Regulation 6.021 requires each university to establish an anti-hazing policy as part of the student code of conduct.

- (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-5.006(3).

(4) Principles of ~~Registered-Student~~ ~~Organization-Group~~ 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 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 individuals 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~~ law enforcement officials or ~~the Office of Student Conduct and Academic Integrity (SCAI)~~. 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~~ law enforcement officials 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~~ SCAI Rules of Conduct Controlled Substance and Drug Violations and Alcoholic Beverages section and the Organizational Rules of Conduct section.

- (a) -Alcohol Emergencies - University Expectations for Student Groups. Student groups may be eligible for exemptions from disciplinary action when a

representative of an organization at a student group event calls for emergency assistance on behalf of a person experiencing an alcohol related emergency. Student groups that seek medical assistance for alcohol emergencies may receive exemption for violations of the Organizational Rules of Conduct Section UCF-5.012 6(a)-6(f); however, exemption for other Organizational Rule of Conduct violations may not be granted. Student groups may be eligible for this exemption on a case by case basis at the discretion of the Director of SCAI. Additional information regarding alcohol emergencies can be found at the SCAI website.

(b) Drug-Related Emergencies - University Expectations for Student Groups. Student groups may be eligible for exemptions from disciplinary action when a representative of an organization at a student group event calls for emergency assistance on behalf of a person experiencing a drug-related emergency. Student groups that seek medical assistance for drug-related emergencies may receive exemption for violations of the Organizational Rules of Conduct Section UCF-5.012 7(a)-7(d); however, exemption for other Organizational Rule of Conduct violations may not be granted. Student groups may be eligible for this exemption on a case by case basis at the discretion of the Director of SCAI. Additional information regarding drug-related emergencies can be found at the SCAI website.

(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~~ Principles of Student 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 organization's or other student group's conduct case record will be maintained in ~~the Office of Student~~

~~Conduct~~SCAI. 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~~SCAI 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~~SCAI.

- (b) Release of Records. The release of registered student organization and other student group disciplinary records will be governed by applicable federal and state laws regarding the privacy of education 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, 7-20-17, \_\_\_\_\_-20.*

## 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. The prohibition on hazing found in Section (10), below, shall apply equally to registered student organizations and other student groups, whether or not officially recognized by the University. 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~~ a student group; accordingly, the rules below. ~~The Organizational Rules of Conduct, set out below, apply to registered student organization conduct and~~ will not be used to impose discipline for a student group's ~~the~~ lawful expression of ideas. Specific restrictions on time and place of meetings and assemblies are found in other University regulations or policies and student groups are expected to follow those restrictions. The following is a non-exhaustive list of prohibited conduct for which disciplinary action may be taken at the University of Central Florida. The following offenses, or the aiding, assisting, condoning, or attempting to commit these offenses, constitute violations of the Organizational Rules of Conduct.

## (1) Theft, Disregard for Property

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

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

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



- (d) Deliberately and purposefully providing false or misleading verbal or written information about another person.
- (e) Falsification, distortion, or misrepresentation of information during an investigation, the student conduct review process, including knowingly initiating a false complaint

(3) Disruptive Conduct

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

(4) Harmful Behavior

- (a) Physical violence towards another person or group.
  - (b) Discriminatory Harassment: Defined as verbal, physical, electronic, or other conduct based on a protected category (such as race, color, religion, national origin, et al.) which, due to the severity and pervasiveness of the conduct and its targeted nature on the basis of a protected category, (i) has the purpose or effect of creating an objectively intimidating, hostile or offensive educational or work environment; and (ii) has the purpose or effect of unreasonably interfering with an individual's schooling or employment with the University. Harassment under this provision is conduct that would constitute harassment under federal or state civil rights laws, ~~or~~ under University Regulation UCF-3.001, or University ~~and~~ Policy 2-004.1 and Prohibition of Discrimination, Harassment and Related Interpersonal Violence ~~Policy~~.
  - (c) Bullying: Defined as behavior of any sort (including communicative behavior) directed at another, that is severe, pervasive, or persistent, and is of a nature that would cause a reasonable person or group in the target's position substantial emotional distress and undermine his or her ability to work, study, or participate in University life or regular activities, or which would place a reasonable person in fear of injury or death.
  - (d) Verbal, digital, or written abuse, threats, intimidation, coercion and/or other conduct that endangers the health, safety or well-being of another person or group, or which would place a reasonable person in fear of bodily injury or death. This definition, however, shall not be interpreted to abridge the rights of the University community to freedom of expression protected by the First Amendment of the United States Constitution and any other applicable law.
  - (e) Failure to respect the privacy of other individuals.
  - (f) Retaliation against or harassment of Complainant(s), other person(s) alleging misconduct, or anyone who participates in an investigation of harassment.
  - (g) Condoning or encouraging acts of harmful behavior as defined above or failing to intervene on an act of harmful behavior while it is occurring.
- (5) Sexual Misconduct and/or Interpersonal Violence

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

constitute consent to another act. If verbal consent is not given, ongoing active participation is required for consent.

ii. The existence of a dating or sexual relationship between the persons involved, or the fact of past sexual relations have occurred between the parties, is not an indicator of consent for any current or future sexual encounter.

iii. An individual who seeks to withdraw consent must communicate, through clear words or actions, a decision to cease the sexual activity. Once consent is withdrawn, the sexual activity must cease immediately.

e. Scope of Consent - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.

2. Sexual Contact – includes but is not limited to the following behaviors:

a. Touching, kissing, fondling (whether over or under clothing) of an individual for the purpose of sexual gratification; and/or

b. contact, however slight, between the mouth, anus or sex organ of one individual with either the anus or sex organ of another individual; and/or

c. contact, however slight, between the anus or sex organ of one individual and any other object.

(b) Sexual Harassment: Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions for Discriminatory Harassment as defined in 5.012(4)(b) are present. This is conduct that would constitute sexual harassment under federal or state civil rights laws, ~~or under~~ University Regulation UCF-3.001, or University Policy 2-004.1 Prohibition of Discrimination, Harassment and Related Interpersonal Violence. Sexual Harassment may include inappropriate touching, acts of sexual violence, suggestive comments and public display of pornographic or suggestive calendars, posters, or signs where such images are not connected to any academic purpose. A single

incident of nonconsensual sexual contact (as defined above) may be sufficiently severe to constitute sexual harassment.

- (c) **Gender-Based Harassment:** Discriminatory harassment that is based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions for Discriminatory Harassment as defined in UCF-5.012(4)(b) are present.
- (d) **Obscene or Indecent Behavior -** Exposure of one's body in such a manner that another party reasonably could be offended or to display sexual behavior which another person reasonably finds offensive.
- (e) **Voyeurism -** Trespass, spying, or eavesdropping for the purpose of sexual gratification.
- (f) **Solicitation of a Minor –** soliciting sexual acts from a minor by oral, written, or electronic means.
- (g) **Child Pornography –** possessing, producing or the dissemination of child pornography
- (h) **Stalking** occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for the person's safety or the safety of others, or to experience substantial emotional distress. A "course of conduct" is two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property. Stalking includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact. Stalking may include, but is not limited to: non-consensual communications (face to face, telephone, e-mail); threatening or obscene gestures; surveillance/following/pursuit; showing up outside the targeted individual's classroom or workplace; sending gifts and/or notes (romantic, bizarre, sinister, or perverted); and/or making threats.

- (i) Sexual Exploitation: Sexual Exploitation is purposely or knowingly doing or attempting to do any of the following:
    - 1. Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
    - 2. Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
    - 3. Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
    - 4. Subjecting another person to human trafficking; or
    - 5. Exposing another person to a sexually transmitted infection or virus without the other's knowledge.
  - (j) Complicity: Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act prohibited by the Organizational Rules of Conduct UCF-5.012(5).
  - (k) Any attempted acts of sexual misconduct and/or interpersonal violence defined above are also violations of this policy.
- (6) Alcohol Related Misconduct
- (a) Use and/or possession of alcoholic beverages, except as expressly permitted by law and University regulations/policies.
  - (b) Sale and/or distribution of alcoholic beverages, except as expressly permitted by the law and University regulations/policies.
  - (c) Furnishing or causing to be furnished any alcoholic beverage to any person under the legal drinking age.
  - (d) Behavior under the influence of alcohol.
  - (e) Furnishing or causing to be furnished any alcoholic beverage to any person in a state of noticeable intoxication.
  - (f) Failure of a registered student organization to take all necessary steps to see that no person under the legal drinking age possesses alcoholic beverages at functions it sponsors or within any property or transportation it owns, operates, and/or rents.

~~(g) Alcohol Emergencies – University Expectations for Registered Student Organizations: Registered student organizations may be eligible for exemptions from disciplinary action when a representative of an organization at a registered student organizational event calls for emergency assistance on behalf of a person experiencing an alcohol-related emergency. Registered student organizations that seek medical assistance for alcohol emergencies may receive exemption for violations of the Organizational Rules of Conduct Section 6(a)–6(f); however, exemption for other Organizational Rule of Conduct violations may not be granted. Registered student organizations may be eligible for this exemption on a case-by-case basis at the discretion of the Director of the OSC. Additional information regarding alcohol emergencies can be found at the Office of Student Conduct website.~~

NOTE: 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. Information regarding exemptions under this rule for alcohol related emergencies can be found in University Regulation UCF–5.011 and the Student Conduct & Academic Integrity website: <http://osc.sdes.ucf.edu/medicalemergencies>.

(7) Drug Related Misconduct

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

NOTE: 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 a drug related emergency. Information regarding exemptions under this rule for drug related emergencies can be found in University Regulation UCF – 5.011 and the Student Conduct and Academic Integrity website: <http://osc.sdes.ucf.edu/medicalemergencies>.

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

(9) Gambling

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

(10) Hazing-

- (a) Hazing is any action or situation that recklessly or intentionally endangers the mental or physical health and/or safety of a student for purposes including but not limited to initiation or admission into, or association or affiliation with, any registered student organization or other group whether or not officially recognized by the University—operating under registration with or official sanction of the University. Hazing which violates Florida Statutes may result in felony charges. A student may commit an act of hazing whether the student is a prospective, current, or former member of the organization or group. The actions of active, associate, new and/or prospective members, former members, or alumni of a registered student organization or other student group may be considered hazing under this rule.
- (b) Hazing includes 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) Hazing includes any activity that could subject the individual to extreme mental or physical stress such as sleep deprivation, forced exclusion from social contact,



forced conduct that could result in extreme embarrassment, or any other activity that could adversely affect the mental or physical health or dignity of the individual.

- (d) Hazing includes forcing, pressuring, coercing, or requiring the violation of University policies, federal, state, or local law.
- (e) Hazing includes soliciting a person to commit or being actively involved in the planning of any act of hazing as defined above where the act of hazing creates a substantial risk of physical injury or death to the person(s) hazed.
- (f) It is not a defense to an allegation of hazing that:
  - 1. the consent of the victim had been obtained;
  - 2. the conduct or activity that resulted in the death or injury of a person was not part of any official organizational event or otherwise sanctioned or approved by the student organization or group; or
  - 3. the conduct or activity that resulted in the death or injury of a person was not done as a condition of membership into a student organization.
- (g) Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

(h) All student groups, whether or not registered with the University and whether or not officially recognized by the University are subject to the same hazing prohibitions set out in this section (10). With regard to student groups that are not registered students organizations, and against which there is an allegation of hazing, the principles of group responsibility and scope provisions of University Regulation 5.011(1)(b), (1)(c), and (4) shall apply, as well as the conduct proceeding procedures of University Regulation 5.013.

(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, tests, quizzes, labs, instruction sheets, homework, study guides, handouts, etc.

(d) Knowingly helping any student violate academic behavior standards.

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

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

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

(c) Informal Hearing: At the discretion of ~~the Office of Student Conduct~~SCAI, 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~~SCAI staff member and accept responsibility for the charges of violation of the Organizational Rules of Conduct. At the informal level the matter will be settled by the following outcomes: punitive sanction (organizational warning, organizational probation, organizational probation with restrictions, deferred organizational suspension) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not settled informally, the case will be resolved through a formal hearing.

(d) Formal Hearing: If an alleged violation of the Organizational Rules of Conduct is not dismissed or otherwise resolved, then ~~the Office of Student Conduct~~SCAI 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~~SCAI, 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~~SCAI 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~~SCAI to hear organizational cases. One panel member shall be selected by ~~the Office of Student Conduct~~SCAI to chair the hearing and report the proposed finding(s) and sanction(s), if any, to the Director of ~~the OSC~~SCAI or designee.

2. At hearings conducted by a panel, an ~~Office of Student Conduct~~SCAI staff member shall act as an advisor to the panel. The Director of ~~the OSC~~SCAI 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~~SCAI 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~~SCAI 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~~SCAI 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~~SCAI 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~~SCAI staff member shall act as an advisor to the administrative hearing

officer. The Director of ~~the OSCSCAI~~ 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 OSCSCAI~~ 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 OSCSCAI~~ 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 OSCSCAI~~ or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

(c) Conduct of Formal Hearings - the following is furnished as a guide to the events in a formal hearing. Please note that all formal hearing proceedings are recorded. The recording is part of the official record of the hearing and no other recordings are permitted.

1. Reading of charges.
2. Registered student organization response of "in violation" or "not in violation."
3. Presentation of information in support of the charges.
4. Opening statement by the charged registered student organization.
5. Questioning of the charged registered student organization by the hearing body.
6. Presentation and questioning of witnesses in support of the charges.
7. Presentation and questioning of witnesses by the charged registered student organization.
8. Final questions of the charged student organization by the hearing body.
9. Closing remarks by the charged registered student organization.
10. Hearing is brought to a close.
11. Registered student organization is scheduled for a meeting to discuss the hearing body's proposed finding(s) and recommended sanction(s), if any.

(d) Deliberations by the panel or the administrative hearing officer are not part of the hearing and are confidential. Deliberations occur after the closure of the hearing and are not recorded.



- (e) Case Record for Formal Hearing - The case record shall consist of the following items:
1. A copy of the formal charges in writing.
  2. A recording of the formal hearing.
  3. All staff memoranda submitted.
  4. All items of physical or written documentation submitted, provided such items are not returned to a rightful owner. In that case, photographs or other facsimiles shall be made before return.
  5. The Director of ~~the OSCSCAI~~'s decision.

- (f) Student Conduct Board members for panel and administrative formal hearings are selected through an annual application and interview process with the exception of the justices from the Student Government Association Judicial Branch. All Student Conduct Board members, including justices, receive annual training from ~~the Office of Student Conduct~~SCAI. 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~~ SCAI shall maintain a list of impartial advisors and resources available to the registered student organization.
- (c) All hearings shall be conducted on the basis that the charged registered student organization is not in violation until the preponderance of evidence proves otherwise. At a student conduct organizational hearing, the technical rules of evidence applicable to civil and criminal cases shall not apply. The burden of proof in a student conduct hearing is not on the registered student organization charged with a violation of the Organizational Rules of Conduct.
- (d) The registered student organization's chief officer or designee may inspect any information presented in support of the charges. Information may be presented in support of the charged student organization.

- (e) The University cannot compel any person serving as a witness to attend a registered student organizational hearing. However, all parties to a registered student organizational conduct hearing may arrange for witnesses to voluntarily present relevant information during the proceeding. Pertinent information may be accepted as information for consideration by the person or body conducting the registered student organizational formal hearing. The registered student organization may hear and question adverse witnesses who testify at the registered student organizational formal hearing.
- (f) The registered student organization shall not be forced to present information that incriminates its individual members; however, the University is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal prosecution.
- (g) Should the registered student organization fail to attend the scheduled formal hearing, the hearing will be held in the registered student organization's absence and the proposed findings, including any recommended sanctions, will be made using the information available at the time of the scheduled formal hearing.
- (h) The proposed finding(s), as well as the Director of ~~the OSC~~SCAI'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.
- (i) Only if the proposed finding(s) of the hearing body is that the registered organization is in violation, will prior conduct history be reviewed and potentially affect the proposed sanctioning.
- (j) The final decision shall be furnished in writing to the registered student organization within ~~fourteen (14)~~fifteen (15) 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)~~. Should SCAI need additional time, the deadline can be extended by the Director of SCAI or designee by notifying the charged organization.
- (k) 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(10) will apply in addition to the procedures of the Student Conduct Review Process.

(6) Sanctions for Registered Student Organizations

- (a) Organizational Warning: An official warning that the organization's behavior is in violation of the Organizational Rules of Conduct and that if the organization is subsequently found in violation of a rule, subsequent action may be more severe.
- (b) Organizational Probation: A period of time during which any further violation of the Organizational Rules of Conduct puts the registered student organization's status with the University in jeopardy. Restrictive conditions may also be imposed as part of organizational probation and will vary according to the severity of the offense. Restrictive conditions may include barring or limiting some or all of the organization's activities and/or privileges (including, but not limited to: social activities; intramural competition; organizational competition; Homecoming; eligibility to receive any University award or honorary recognition; privilege to occupy a position of leadership or responsibility in any University registered student organization governing body, publication, or activity; or ability to represent the University in an official capacity or position). If a registered student organization is found "in violation" for another violation of the Organizational Rules of Conduct while on organizational probation, more severe sanctions may be imposed.
- (c) Organizational Deferred Suspension – Organizational deferred suspension is used for offenses found serious enough to warrant organizational suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. Organizational deferred suspension is a designated period of time during which a registered student organization is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Organizational Rules of Conduct. During an organizational deferred suspension, the registered student organization will be officially suspended from the University, but the organizational suspension will be deferred, meaning that the registered student organization may continue to operate with sanction-specific restrictions. Organizational suspension will be enforced should the registered student

organization fail to complete any of the assigned sanctions by the deadline(s) and/or for any subsequent violation of the Organizational Rules of Conduct unless the Director of ~~the OSCSCAI~~ determines otherwise in exceptional circumstances. If the registered student organization is found in violation for any ~~subsequent~~-violation of the Organizational Rules of Conduct that occurred while on deferred suspension status, including failure to complete any assigned sanctions by the deadline(s), the registered student organization will be suspended for a minimum of two (2) semesters in addition to any educational sanctions imposed for the subsequent violation. Registered student organizations on organizational deferred suspension may be limited in their abilities to represent the ~~u~~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 OSCSCAI~~ on a case-by-case basis.

- (d) Organizational Suspension: While on organizational suspension the registered student organization loses its University recognition and/or registration for a temporary period of time. While an organization is suspended, it may not use University resources or participate as an organization in any University activities or events- unless authorized in writing in advance under conditions approved by the Director of SCAI or designee. Additional provisions may be assigned that further outline University expectations while on Organizational Suspension Status.
- (e) Revocation of UCF Registration: Permanent severance of the organization's relationship with UCF.
- (f) Recommendation for Charter Revocation: An official request to a national office that the local chapter's charter be revoked.
- (g) Educational Sanctions: In conjunction with any sanction listed above, a registered student organization found to have been in violation of any of the Organizational Rules of Conduct will be assigned educational sanctions that are proportional to the violation such as, but not limited to: reflective/research papers, classes/seminars, community service, restitution, interviews, etc. If a registered student organization has any outstanding educational sanctions at the conclusion of organizational probation or organizational suspension, the organizational probation or organizational suspension will remain in effect pending completion of the educational sanctions.

(7) Appeal within the Registered Student Organization Review Process

- (a) A student organization found in violation as a result of a hearing may appeal the finding(s) and sanction(s) imposed. The appeal must be made in writing to the appellate officer (VP of SDES or designee) within ~~seventen~~ (710) business days after the date the registered student organization was notified of the decision by the Director of ~~the OSCSCAI~~.
- (b) Registered student organizations may appeal the finding(s) and sanction(s) imposed on the basis of one or more of the following:
  - 1. Irregularities in fairness and stated procedures of the hearing that substantially affected the outcome of the hearing.
  - 2. Discovery of new and significant information that would be likely to change the outcome of the hearing and that was not known or could not reasonably have been discovered and/or presented at the time of the initial hearing.
  - 3. The sanction(s) are extraordinarily disproportionate to the violation(s).
- (c) On the appeal form, the registered student organization must state the reason(s) for appeal, the supporting facts, and the recommended solution. This is not a re-hearing of the conduct case. An appeal cannot be filed simply because a registered student organization is dissatisfied with the decision. Failure to describe the nature of the information in full detail in the appeal letter will result in the denial of an appeal.
- (d) The appellate officer shall first determine if sufficient grounds for appeal exist and then, if so, may either deny the appeal, thus sustaining the initial decision and sanction(s), or do one of the following:
  - 1. If the registered student organization alleges that the sanction was disproportionate to the violation(s) and the appellate officer finds the sanction to be disproportionate, the appellate officer may alter the sanction; or.
  - 2. If the registered student organization alleges that there was a defect in procedure or new information was presented which was sufficiently substantial to have affected the outcome and the appellate officer agrees, the appellate officer will order a new hearing.
- (e) The registered student organization shall receive a written decision to the appeal. There is no definitive timeline for receiving an appeal response. It depends on many factors including the complexity of the case and the information mentioned in the

appeal, as well as the appellate officer's appeal load at that particular time. Decisions of the VP of SDES or designee reflect final agency action.

- (f) Any decision by Appellate Officer to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
- (g) If the Appellate Officer upholds the original findings, the effective date of any disciplinary sanction(s) imposed will revert back to the date of the Director of ~~OSCAI~~'s final decision letter.

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

(a) The Community ReEngagement and Educational Development (CREED) Program is designated for a student organization to have the opportunity to demonstrate that in the period following the conclusion of the Student Conduct Review Process, they have taken steps to become a productive and engaged organizational member of the UCF Community.

(ab) Upon completion of one semester of the ~~o~~Organizational ~~p~~Probation ~~or~~ Organizational ~~Deferred Suspension~~ and upon completion of all educational sanctions/requirements, a registered student organization ~~has the opportunity to can~~ request modification of their organizational ~~probation~~disciplinary status through the ~~Community ReEngagement and Educational Development (CREED)~~CREED Program.

1. Registered student organizations that have been found in violation of a ~~Organizational Rule of Conduct that required an investigation by the Office of Institutional Equity (OIE)~~ are ineligible to apply for relief under the CREED program.

2. Registered student organizations that have been found in violation of a rule of ~~conduct that had a substantially negative impact on a person or group of people,~~ as determined by SCAI, are ineligible to seek relief under the CREED program.

(cb) Requests must be submitted to the Director of ~~the OSCAI~~ 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.~~

(de) 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 form, the Director of ~~the OSC~~ OSCAI or designee ~~will review to determine whether or not the registered student organization meets the criteria for review.~~ shall conduct a preliminary review to ensure that the registered student organization's request meets the necessary eligibility and application requirements. ~~—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 student.~~ The Director of SCAI or designee must communicate the finding of the preliminary review of the application as well as the date and time of the “CREED review meeting” that has been scheduled for a committee to conduct a review the registered student organization's application, if applicable. The organization has three (3) business days from when the Director of SCAI or designee sent their preliminary findings to request an alternate date and time for the “CREED review meeting.” ~~§-~~
- (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.~~
- (f) Prior to this meeting, the committee will have reviewed the packet and will prepare questions to be addressed, as well as provide the opportunity to further discuss why the registered student organization's organizational disciplinary 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. The registered student organization will be given ten (10) business days to produce the information and/or documentation the committee requested. Upon receipt of the requested information and/or documentation, the committee will reconvene the CREED review meeting with the registered student organization.
- (g) After the meeting, the committee will issue a recommendation to the Director of OSCAI or designee. The Director of SCAI or designee will provide a final decision to the registered student organization in writing within ten (10) business days of receiving the recommendation.
- (h) If the request is denied by the Director of SCAI or designee the decision shall include a concise and explicit written statement that explains the basis for that final decision.
- (i) There is no appeal process for a Registered Student Organization Disciplinary CREED Review meeting decision.

*Authority: BOG Regulations 1.001 and 6.0105. History - New 10-16-09, Amended 9-3-13, 10-29-15, 7-28-16, 7-20-17, 1-18-18, 7-19-18, 7-18-19, \_\_\_\_\_-20.*

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 and Academic Integrity (OSCAI) 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 OSCSCAI~~ or designee may review relevant information and consult with relevant parties regarding the incident in question.

- (a) The Director of ~~the OSCSCAI~~ will refer all information warranting disciplinary action to ~~the OSCOSCAI~~. ~~The OSCSCAI~~ 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 OSCSCAI~~ has six months to charge a student with a violation of academic misconduct. ~~The OSCSCAI~~ 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 OSCSCAI~~ to discuss the charges. If the student fails to attend the conference, a hold will be placed on the student's record, preventing them from registering for future classes until the matter is resolved. Students who leave the university or withdraw from a class before a

disciplinary matter is resolved may be prohibited from future enrollment until the matter is resolved. The purpose of this meeting is to provide the student with~~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 OSCSCAI~~ 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 OSCSCAI~~ 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 OSCSCAI~~, 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 ~~an~~ OSCSCAI 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, or deferred disciplinary suspension) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not resolved informally, the case will be resolved through a formal hearing. The outcomes from an informal hearing process (decision of responsibility and recommended sanctions) are final and are not eligible for appeal.
- (c) Formal Hearings: If an alleged violation of academic misconduct is not dismissed or otherwise resolved, then ~~the OSCSCAI~~ 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 OSCSCAI~~. 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
    - a. Administrative Academic Integrity formal hearings shall be conducted by one faculty member from the Student Conduct Board. The charged student shall be informed of the hearing officer assigned to the case and shall have the opportunity to challenge the impartiality of the individual within three (3) business days of notification. The student shall state in writing the basis for such challenge. A hearing officer so challenged will be excused; however, indiscriminate challenges shall not be permitted. In the event that a student has opted not to challenge the impartiality of a hearing officer prior to the allotted three (3) business days, the assigned hearing officer shall remain as scheduled.
    - b. At hearings conducted by an administrative hearing officer, ~~a~~ ~~an~~ ~~OSCSCAI~~ staff member shall act as an advisor to the administrative hearing officer. The Director of ~~the OSCSCAI~~ 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.

- c. The Director of ~~the OSCSCAI~~ 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 OSCSCAI~~ or designee accepts the proposed finding(s) of “in violation,” they may approve, mitigate or increase the sanctions proposed by the administrative hearing officer.
  - d. Any decision by the Director of ~~the OSCSCAI~~ 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.
- a. A panel to consider an individual case shall be randomly selected by ~~the OSCSCAI~~ from the Student Conduct Board and shall consist of at least one (1) faculty member, one (1) additional faculty or administrative staff member, and two (2) student members. One panel member shall be selected by ~~the OSCSCAI~~ to chair the hearing and report the finding(s) and recommended sanctions, if any, to the Director of ~~the OSCSCAI~~ or designee.
  - b. For panel hearings, an ~~OSCSCAI~~ staff member shall act as an advisor to the panel. The Director of ~~the OSCSCAI~~ 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.
  - c. The Director of ~~the OSCSCAI~~ 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 OSCSCAI~~ or designee accepts the proposed finding(s) of “in violation,” they may approve, mitigate or increase the sanctions proposed by the panel.
  - d. Any decision by the Director of ~~the OSCSCAI~~ 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. ~~The OSCSCAI~~ will report the outcome from the academic integrity hearing back to the instructor of record and department chair. In consultation with the college dean or designee, the instructor and the department chair will determine if further course or academic action should be imposed. If the undergraduate program recommends further course or program action, the undergraduate program must notify ~~the OSCSCAI~~ and Academic Services. Final results of the academic integrity hearing and/or course or program action must be made available to the student in writing within ~~fourteen~~ ~~(14)~~fifteen (15) business days following the date of the hearing.
2. Undergraduate students found “not in violation” will be notified within ~~fourteen~~ ~~(14)~~fifteen (15) business days. ~~The OSCSCAI~~ will report the findings back to the instructor, department chair, and college dean or designee. Students may have proposed course or academic action removed and the instructor may determine a new grade since no violation was found.
3. For graduate students found “in violation”, ~~the OSCSCAI~~ notifies the instructor, Associate Dean of Graduate Studies, and the Dean or designee of the Academic College in which the graduate student resides. The college dean or designee will in turn notify the graduate program that a student is in violation and ask if the program wishes to invoke any program-level academic action(s). The student’s graduate program will determine if program action is necessary. If deemed necessary, recommendation of program action will be made using the *Probation/Dismissal Form* and/or *Conditional Retention Plan*. This information will be forwarded to the College of Graduate Studies. ~~The OSCSCAI~~ will be notified if the graduate program recommends additional program action. The results of any hearing and/or program action should be available for the student within ~~fourteen~~ ~~(14)~~fifteen (15) business days.
4. For graduate students found “not in violation” of academic misconduct, ~~OSCSCAI~~ notifies the instructor, Associate Dean of Graduate Studies and the Dean or designee of the Academic College in which the graduate student

resides. The graduate student may have their proposed course or program action removed and the instructor may determine a new grade since no violation was found.

(f) Appeals:

1. Undergraduate or graduate students found “in violation” as the result of an academic integrity formal hearing may appeal the finding(s) and sanction(s) imposed by the Director of ~~the OSCSCAI~~. The appeal must be made in writing to the appellate officer (Provost or designee) within ~~seven (7)~~ten (10) business days after the date the student was notified of the decision by the Director of ~~the OSCSCAI~~. Students may appeal the finding and sanction(s) imposed on the basis of one or more of the following:
  - a. Irregularities in fairness and stated procedures of the hearing that could have affected the outcome of the hearing.
  - b. Discovery of new and significant information that could have affected the outcome of the hearing and which was not known or could not reasonably have been discovered and/or presented at the time of the hearing.
  - c. The sanction(s) are extraordinarily disproportionate to the violation(s).
2. Any decision by an appellate officer to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
3. The appellate officer should issue a written decision to the student’s appeal within twenty (20) business days of receipt of the appeal. Should the appellate officer require additional time for review beyond the 20 business days, the appellate officer will notify the charged student in writing of the need for additional time. Decisions of the Provost or designee reflect final agency action.
4. Any decision by the Provost or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.



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

(6) Z Designation for Undergraduate Student Academic Misconduct

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

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

*Authority: BOG Regulation 1.001. History – Formerly 6C7-5.0042, Amended 8-10-09, 9-4-12, 10-29-15, 7-28-16, 7-20-17, 1-18-18, 7-19-18, 7-18-19, \_\_\_\_\_-20.*

**ITEM: GOVC-6**

**UCF BOARD OF TRUSTEES  
Governance Committee  
June 17, 2020**

**Title:** UCF Board of Trustees Conflict of Interest Statement and Disclosure Form

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**Background:**

The Association of Governing Board (AGB) May 15, 2019 Report provided recommendations to reform overall governance of the UCF Board of Trustees. One recommendation was that the governance committee should assume responsibility for conflict of interest oversight. Accordingly, the Governance Committee Charter is being revised to specifically address this oversight responsibility. Additionally, this proposed update of the Board's Conflict of Interest Statement and Disclosure Form conforms to recommendations of the Florida Commission on Ethics.

The Board's Conflict of Interest Statement and Disclosure Form has been reviewed by the General Counsel and the Assistant Vice President for Compliance and Ethics, and counsel for the Florida Commission on Ethics for compliance with the Code of Ethics for Public Officers and Employees.

This recommendation was included in UCF's Post Investigation Action Plan as an item to be vetted through the Governance Committee. The revised Conflict of Interest Statement and Disclosure Form are attached for review and recommended adoption.

**Issues to be Considered:**

Whether the proposed Conflict of Interest Statement and Disclosure Form reflect the AGB report recommendations in meeting best practice standards and guidelines for compelling benefit.

How the committee plans to ensure conflict screening and oversight.

**Alternatives to Decision:**

Make suggested edits or recommendations to the proposed COI statement and/ or disclosure form.  
Decline to adopt the changes at this time.

**Fiscal Impact and Source of Funding:**

N/A

**Recommended Action:**

Recommend adoption of the revised Board Conflict of Interest Statement and Disclosure Form.

**Authority for Board of Trustees Action:**

University of Central Florida Board of Trustees Eighth Amended and Restated Bylaws, Section 8.1,  
Conflict of Interest Policy  
Code of Ethics for Public Officers and Employees, Section 112-311-112-326, Florida Statutes

**Contract Reviewed/Approved by General Counsel:**

N/A

**Committee Chair or Chair of the Board approval:**

Chair Yeargin has approved adding this item to the agenda.

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**Submitted by:**

Scott Cole, Vice President and General Counsel

**Supporting Documentation:**

Attachment A: Conflict of Interest Statement and Disclosure Form

**Facilitators/Presenters:**

Janet Owen, Vice President for Government Relations

Christina Serra, Assistant Vice President for Compliance and Ethics

Attachment A

**University of Central Florida  
Board of Trustees  
Conflict of Interest Statement & Disclosure Form**

**Introduction**

Section 8 of Article II of the Constitution of the State of Florida states: “A public office is a public trust.” As the governing board for the University of Central Florida, members of the UCF Board of Trustees serve the public trust. UCF Trustees are therefore expected to make decisions that are grounded in advancing the best interests of the public institution and the public good.

University trustees are generally involved in the affairs of other institutions and organizations. However, it is prescribed by law in the State of Florida that no public officer have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of his or her duties in the public interest.

This Conflict of Interest Statement incorporates relevant provisions of the Florida Constitution and the Florida Statutes addressing standards of ethical conduct for public officers and is applicable to each member of the UCF Board of Trustees.

**Definitions**

For the purpose of this Conflict of Interest Statement and Disclosure Form, the following definitions apply:

- A “conflict of interest” arises in situations in which regard for private interest tends to lead to the disregard of a public duty or interest.
- A “business entity” is any corporation, partnership, limited partnership, company, limited liability company, proprietorship, firm, enterprise, franchise, association, self-employed individual, or trust, whether fictitiously named or not, doing business in this state.
- A “business relationship” is a relationship in which a Trustee or a Trustee's spouse or child serves as an officer, director, or proprietor of, or has a material interest in an organization that does business with the University of Central Florida.
- A “material interest” is a direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity.

**Code of Ethics for Public Officers and Employees**

As public officers, Trustees have the responsibility to comply with the applicable provisions of the Code of Ethics for Public Officers and Employees contained in Chapter 112, Part III, Florida Statutes, relevant parts of which are included below.

**SOLICITATION OR ACCEPTANCE OF GIFTS.** Trustees may not solicit or accept anything of value, such as a gift, loan, reward, promise of future employment, favor, or service that is based upon any understanding that their vote, official action, or judgment will be influenced by such gift. Additionally, a Trustee is prohibited from soliciting a gift from a vendor doing business with the

university, a political committee, or a lobbyist who has lobbied the Trustee or the university within the past 12 months, or partner, firm, employer, or principal of the lobbyist.

**DOING BUSINESS WITH ONE'S AGENCY.** Trustees acting in their official capacity are prohibited from directly or indirectly purchasing, renting, or leasing any realty, goods, or services for the university from a business entity in which the Trustees or their spouses or children serve as an officer, partner, director, or proprietor or, have a material interest. Trustees, acting in their private capacity, are also prohibited from renting, leasing, or selling any realty, goods, or services to the university.

**UNAUTHORIZED COMPENSATION.** Trustees, their spouses, and minor children may not accept any compensation, payment, or thing of value when they know, or should know, that it was given to influence a vote or other official action.

**MISUSE OF PUBLIC POSITION.** Trustees may not corruptly use or attempt to use their official position or any property or resource that is within their trust, or perform their official duties, to secure a special privilege, benefit, or exemption for themselves or others.

**CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.** Trustees may not work for or contract with a business entity or agency regulated by or doing business with the university, subject to limited exceptions set forth in Florida Statutes. Trustees also may not work for or have a contractual relationship which will impede the full and faithful discharge of their public duties. Trustees may not create a continuing or frequently recurring conflict between their private interests and the performance of their public duties.

**DISCLOSURE OR USE OF CERTAIN INFORMATION.** Trustees (including former Trustees) may not disclose or use information not available to the general public and obtained by reason of their position for their personal benefit or for the personal benefit of any other person or business entity.

**SOLICITATION OR ACCEPTANCE OF HONORARIA.** Trustees are prohibited from soliciting honoraria related to their public office or duties as a Trustee for the university. Trustees are prohibited from accepting an honorarium from a political committee, a vendor doing business with the university, a lobbyist who has lobbied the university within the past 12 months, or the employer, principal, partner, or firm of such a lobbyist.

**BOARDS OF TRUSTEES.** No citizen member of a board of Trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

Accordingly, UCF Trustees have a continuing obligation to be familiar with Florida law regarding ethics and conflicts of interest, and to disclose to the Board Chair any personal, familial, or business relationships that might reasonably give rise to a conflict involving the university.

**Conflict of Interest Disclosure**

Trustees must annually acknowledge by execution of the attached Conflict of Interest Disclosure Form that they are in compliance with the letter and spirit of the University of Central Florida Board of Trustees' Conflict of Interest Statement and applicable laws.

**Disclosure Requirements**

On the Conflict of Interest Disclosure Form, Trustees annually report those relationships which they or members of their family maintain with organizations that do business with the University of Central Florida, or which could be construed to affect their independent, unbiased judgement in light of their decision-making authority and responsibility.

If a Trustee is uncertain of whether a particular relationship should be listed, the Board Chair and the University General Counsel should be consulted.

**Voting**

While Trustees are required to disclose all potential conflicts of interest as described above, Trustees are required to vote on all matters before the Board unless there is or appears to be a voting conflict of interest *as prescribed by law*. In the event of such voting conflict of interest, Trustees are not permitted to vote. In all other matters in which a conflict of interest is or may be present, Trustees will vote and the conflict will be disclosed at the meeting during which the matter involving the conflict of interest is being considered.

Such disclosure, indicating the nature of the conflict, must be made in a written memorandum filed with the person responsible for recording the minutes of the meeting, prior to the meeting in which consideration of the matter will take place, and must be incorporated into the minutes. Any such memorandum will become a public record upon filing, and will be immediately provided to the other members of the Board, and will be read publicly at the next meeting held subsequent to the filing of the memorandum.

**UNIVERSITY OF CENTRAL FLORIDA  
BOARD OF TRUSTEES  
CONFLICT OF INTEREST DISCLOSURE FORM**

This Conflict of Interest Disclosure Form is intended to protect you, the Board and the University of Central Florida by affording the university ample opportunity to anticipate any potential conflicts, and assure that all Board decisions are above reproach.

**Personal, Familial or Business Relationships**

- Do you have an existing or potential financial or other interest that impairs or might reasonably appear to impair your independent, unbiased judgment in the discharge of your duties as a member of the Board of Trustees of the University of Central Florida?

NO \_\_\_\_\_ YES \_\_\_\_\_ If yes, please describe:

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Please list any business entity that does business with or that may do business with the university AND either (a) that employs you or (b) with which you have a contractual relationship: \_\_\_\_\_

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- Does any member of your family have an existing or potential financial or other interest that impairs or might reasonably appear to impair your independent, unbiased judgment in the discharge of your duties as a member of the Board of Trustees of the University of Central Florida? For purposes of this question, a family member is defined as a spouse, a parent, a child, a sibling, and any other individual residing in your household.

NO \_\_\_\_\_ YES \_\_\_\_\_ If yes, please describe:

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Please list any business entity that sells, rents or leases any realty, goods or services to the university AND in which either (a) you (or your spouse or child) serves as an officer, partner, director or proprietor or (b) you or your spouse or child, or any combination of them, has a material interest. For purposes of this item, a "material interest" is a direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity:

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Outside Employment or Service

- Does any organization (in which you are or any member of your family is an officer, director, employee, member, partner, trustee, or controlling stockholder) have an existing or potential financial or other interest that impairs or might reasonably appear to impair your independent, unbiased judgment in the discharge of your duties as a member of the Board of Trustees of the University of Central Florida? For purposes of this question, a family member is defined as a spouse, a parent, a child, a sibling, and any other individual residing in your household.

NO \_\_\_\_\_ YES \_\_\_\_\_ If yes, please describe in an attachment.

Any Other Potential Issues or Conflicts

- To allow the Board and the university to monitor and promptly address any potential conflicts, please identify below any relationships, financial or personal, that may constitute conflicts or potential conflicts of interest;

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OR

\_\_\_\_\_ As of today's date, I have no financial, professional, or personal relationships that reasonably hold the potential for a conflict of interest involving my service as a University of Central Florida Trustee.

I am familiar with the UCF Board of Trustees Code of Ethics Policy as set forth in Article VIII of the Bylaws of the UCF Board of Trustees and pursuant to which this Disclosure Form is completed and signed. I have disclosed all potential conflicts of interest of which I am aware, and I agree to promptly file a further Conflict of Interest Disclosure Form if any new or additional matters subject to disclosure arise before my next annual Disclosure Form is due.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

*Please email, FAX, or mail this completed and signed form to the Office of Board Relations, boardoffice@ucf.edu; University of Central Florida, 4365 Andromenda Loop North, Millican Hall 326, Orlando, Florida 32816; FAX: (407) 823-2264.*

ITEM: GOVC-7

**UCF BOARD OF TRUSTEES**  
**Governance Committee**  
**June 17, 2020**

**Title:** Statement on Board Self-Assessment

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**Background:**

The AGB May 15, 2019 Report provided several recommendations to reform governance of the UCF Board of Trustees. The report recommends developing a self-assessment process tied to an annual Board retreat where strategic topics are discussed, including an assessment of the Board's overall performance.

Additionally, Section 4 of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) 2018 Principles of Accreditation requires governing boards to define and regularly evaluate their responsibilities and expectations as a Board.

The attached Statement on Board Self-Assessment provides a framework and timeline for administering a self-assessment survey, sharing the results, and implementing action items based on the Board's direction. This process will commence in the fall, beginning with the Governance Committee's discussion and approval of an electronic survey to be administered prior to the Board's spring retreat.

The Governance Committee charter will be updated to reflect the committee's role in leading a biannual, comprehensive, Board self-assessment process.

**Issues to be Considered:**

Whether the proposed Statement on Board Self-Assessment reflects the AGB report recommendations for best practice standards for assessing Board performance of a public higher education governing board.

If the Statement on Board Self-Assessment reflects the [SACSCOC principles for governing boards](#) as outlined in Section 4 of the Resource Manual for the Principles of Accreditation (pages 29-30).

**Alternatives to Decision:**

N/A

**Fiscal Impact and Source of Funding:**

N/A

**Recommended Action:**

Recommend approval of the Statement on Board Self-Assessment.

**Authority for Board of Trustees Action:**

N/A

**Contract Reviewed/Approved by General Counsel:**

N/A

**Committee Chair or Chair of the Board approval:**

Chair Bill Yeargin has approved adding this item to the agenda.

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**Submitted by:**

Scott Cole, Vice President and General Counsel

Karen Monteleone, Assistant Vice President for Board Relations

**Supporting Documentation:**

Attachment A: Statement on Board Self-Assessment

**Facilitators/Presenters:**

Scott Cole

Karen Monteleone

## Attachment A



UNIVERSITY OF CENTRAL FLORIDA

### **UCF Board of Trustees Statement on Board Self-Assessment**

This Statement on Board Self-Assessment provides a framework and timeline for administering a Board self-assessment survey, sharing the results, and implementing action items based on the Board's direction.

#### **Purpose**

According to the Association of Governing Boards (AGB), a high-functioning board is composed of members who make service to the institution and its effectiveness in fulfilling its public mission their top priority. Willingness to engage in a regular Board self-assessment is a sign of commitment to this fiduciary standard.

Additionally, Section 4 of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) 2018 Principles of Accreditation requires governing boards to define and regularly evaluate their responsibilities and expectations as a Board.

#### **Timeline and Presentation of Results**

Led by the Governance Committee, every two years the Board will engage in a comprehensive, Board self-assessment process. This process will commence in the fall, beginning with a discussion and approval of an electronic survey to be administered prior to the Board's spring retreat. The Board Office, in consultation with the president and Board chair, will administer the electronic survey and collect the results. The results will be distributed to the Board and president prior to the Board's spring retreat.

#### **Implementation of Action Items**

The Board Office, in coordination with the president and Board chair, will be responsible for the coordination and assurance that implementation of action items determined as an outcome of the assessment process are executed and tracked for appropriate follow-up.

*The UCF Board of Trustees is committed to practicing good governance and hereby accepts this statement as part of its role as a public higher education governing board.*

**ITEM: GOVC-8**

**UCF BOARD OF TRUSTEES  
Governance Committee  
June 17, 2020**

**Title:** Governance Committee Charter Amendments

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**Background:**

The May 15, 2019 report from AGB recommended that the Governance Committee should assume responsibility for structuring a process of board and trustee assessment and conflict of interest oversight. These functions are not currently outlined in the existing Governance Committee charter.

**Issues to be Considered:**

Amend the Governance Committee charter to outline the committee's responsibility to lead a board self-assessment process and have conflict of interest oversight.

**Alternatives to Decision:**

Decline the proposed amendments to the charter or make alternative recommendations.

**Fiscal Impact and Source of Funding:**

N/A

**Recommended Action:**

Approve the proposed amendments to the Governance Committee Charter.

**Authority for Board of Trustees Action:**

Board of Governors Regulation 1.001

**Contract Reviewed/Approved by General Counsel:**

N/A

**Committee Chair or Chair of the Board approval:**

Chair Bill Yeargin approved adding this item to the agenda.

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**Submitted by:**

Scott Cole, Vice President and General Counsel

**Supporting Documentation:**

Attachment A: Fifth Amended and Restated UCF Governance Committee Charter (redline)

Attachment B: Fifth Amended and Restated UCF Governance Committee Charter (clean copy)

**Facilitators/Presenters:**

Scott Cole

## Attachment A

### ~~Fifth~~<sup>Fourth</sup> Amended and Restated UCF Governance Committee Charter

#### 1. Overall Purpose and Objectives

The Governance Committee is appointed by the University of Central Florida Board of Trustees with the responsibility to:

- 1.1 propose for consideration by the full board a process by which presidents of the University of Central Florida would be selected
- 1.2 nominate a chair and vice chair of the University of Central Florida Board of Trustees for consideration by the full board
- 1.3 recommend candidates for designation as Trustee Emeritus for consideration by the full board
- 1.4 recommend candidates for designation as Honorary Doctor for consideration by the full board
- 1.5 review annually and recommend changes as necessary to the Board Bylaws.
- ~~1.6 review the self assessment that each committee performs~~
- 1.6 lead a biannual, comprehensive Board self-assessment process
- 1.7 review and provide recommendations to the Board regarding Board member education, including new member orientation and regularly scheduled board member training
- 1.8 inform members of corporate governance “best practices” and make recommendations to the Board and its committees
- 1.9 review and recommend to the Board the number and structure of committees
- 1.10 review and make recommendations regarding delegation of authority to the President
- 1.11 review and make recommendations regarding amendments to the bylaws of direct support organizations
- 1.12 review and approve university regulations
- 1.13 review and recommend changes as necessary to the Board’s conflict of interest statement and disclosure form.

1.1~~43~~ fulfill any other responsibilities as subsequently may be assigned by the University of Central Florida Board of Trustees and/or the board chair.

## 2. Authority

The board authorizes the committee to:

- 2.1 perform activities within the scope of its charter
- 2.2 engage advisors as it deems necessary to carry out its duties
- 2.3 have unrestricted access to management, faculty, and employees of the University of Central Florida and its direct support organizations and affiliates.

## 3. Organization/Membership

- 3.1 The chair of the board will appoint the chair and members of the committee.
- 3.2 The committee will consist of at least five members.
- 3.3 Members will serve on the committee until their resignation or replacement by the chair of the board.

### Meetings

- 3.4 A majority of the members of the committee will constitute a quorum for the transaction of business.
- 3.5 Meetings will be held not less than two times per year.
- 3.6 The committee will maintain written minutes of its meetings.
- 3.7 The committee may request special reports from members of the university or Direct Support Organization management personnel on topics that may enhance its understanding of their activities and operations as it relates to the committee's mission.

## 4. Governance

The committee will review the committee charter annually and discuss any required changes with the board to ensure that the charter is approved or reapproved by the board annually.

*Approved by the UCF Board of Trustees on June 18, 2020, ~~November 14, 2019~~.*

## Attachment B

### **Fifth Amended and Restated UCF Governance Committee Charter**

#### **1. Overall Purpose and Objectives**

The Governance Committee is appointed by the University of Central Florida Board of Trustees with the responsibility to:

- 1.1 propose for consideration by the full board a process by which presidents of the University of Central Florida would be selected
- 1.2 nominate a chair and vice chair of the University of Central Florida Board of Trustees for consideration by the full board
- 1.3 recommend candidates for designation as Trustee Emeritus for consideration by the full board
- 1.4 recommend candidates for designation as Honorary Doctor for consideration by the full board
- 1.5 review annually and recommend changes as necessary to the Board Bylaws
- 1.6 lead a biannual, comprehensive Board self-assessment process
- 1.7 review and provide recommendations to the Board regarding Board member education, including new member orientation and regularly scheduled board member training
- 1.8 inform members of corporate governance “best practices” and make recommendations to the Board and its committees
- 1.9 review and recommend to the Board the number and structure of committees
- 1.10 review and make recommendations regarding delegation of authority to the President
- 1.11 review and make recommendations regarding amendments to the bylaws of direct support organizations
- 1.12 review and approve university regulations
- 1.13 review and recommend changes as necessary to the Board’s conflict of interest statement and disclosure form.



- 1.14 fulfill any other responsibilities as subsequently may be assigned by the University of Central Florida Board of Trustees and/or the board chair.

## **2. Authority**

The board authorizes the committee to:

- 2.1 perform activities within the scope of its charter
- 2.2 engage advisors as it deems necessary to carry out its duties
- 2.3 have unrestricted access to management, faculty, and employees of the University of Central Florida and its direct support organizations and affiliates.

## **3. Organization/Membership**

- 3.1 The chair of the board will appoint the chair and members of the committee.
- 3.2 The committee will consist of at least five members.
- 3.3 Members will serve on the committee until their resignation or replacement by the chair of the board.

### **Meetings**

- 3.4 A majority of the members of the committee will constitute a quorum for the transaction of business.
- 3.5 Meetings will be held not less than two times per year.
- 3.6 The committee will maintain written minutes of its meetings.
- 3.7 The committee may request special reports from members of the university or Direct Support Organization management personnel on topics that may enhance its understanding of their activities and operations as it relates to the committee's mission.

## **4. Governance**

The committee will review the committee charter annually and discuss any required changes with the board to ensure that the charter is approved or reapproved by the board annually.

*Approved by the UCF Board of Trustees on June 18, 2020.*

**ITEM: GOVC-9**

**UCF BOARD OF TRUSTEES  
Governance Committee  
June 17, 2020**

**Title:** Post Investigation Action Plan for Items with Governance Committee Oversight

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**Background:**

The Audit and Compliance committee was charged by the Chairman of the Board of Trustees to develop a board plan for oversight of the implementation of recommendations from the inappropriate transfer of E&G funds to construction.

As requested by the Board of Trustees, University Audit and University Compliance, Ethics, and Risk accumulated all recommendations, sorted them by similarity, assigned a theme, ranked them by risk, and worked with leadership to assign the appropriate university staff and obtain an action plan with target completion dates for each recommendation. This plan was approved by the Board of Trustees on July 18, 2019. The action items in this plan have been sorted by board committee and distributed to the chair of each committee with oversight. Attachment A includes those items which are assigned to the Governance Committee.

**Issues to be Considered:**

Item 20: The board relations staff have been engaged in professional development opportunities for board professionals through the Association of Governing Boards (AGB). The team has also completed the AGB training modules. The president has communicated to the senior cabinet his expectations for materials and presentations to the Board. Those expectations include directly answering questions, taking responsibility for operations, and leveraging board member expertise.

Item 25: A statement on board self-assessment has been developed to provide a framework and timeline for administering a self-assessment survey, sharing the results, and implementing action items based on the Board's direction. Additionally, UCF's Conflict of Interest Statement and Disclosure Form were revised to conform to recommendations of the Florida Commission on Ethics. Both were reviewed by the General Counsel, the Assistant Vice President for Compliance and Ethics, and counsel for the Florida Commission on Ethics for compliance with the Code of Ethics for Public Officers and Employees.

Item 47: A Board Orientation and Development Plan was created to outline a phased approach for onboarding new trustees that also includes continuing education opportunities for all trustees. The phases are as follows: Governance Phase; System Phase; Institution Phase; and Continuing Education Phase.

**Alternatives to Decision:**

N/A

**Fiscal Impact and Source of Funding:**

N/A

**Recommended Action:**

Recommend marking Items 20, 25, and 47 complete on the Post Investigation Action Plan.

**Authority for Board of Trustees Action:**

BOG Regulation 1.001

**Contract Reviewed/Approved by General Counsel:** N/A

**Committee Chair or Chair of the Board approval:**  
Chair Bill Yeargin has approved adding this item to the agenda.

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**Submitted by:**  
Scott Cole, Vice President and General Counsel

**Supporting Documentation:**  
Attachment A: Post Investigation Action Plan for Items with Governance Committee Oversight

**Facilitators/Presenters:**  
Scott Cole  
Karen Monteleone, Assistant Vice President for Board Relations

## Attachment A

**Pending Recommendation List**  
**Post Investigation Action Plan**  
*As of April 27, 2020*

Item #	Summary Source	Source Detail	Recommendation	Risk Rating	Theme	Responsible Office	Responsible Person	Responsible BOT Committee	Action Plan	Action Plan Completion	Status	Completion Date
18	Association of Governing Boards	AGB May 15, 2019 Report	Committee support: Staff who support specific committees should consult with the committee chairs about the content and relevant strategic issues well in advance of finalizing agendas.	Medium	BOT & Staff Interaction	General Counsel	Scott Cole	Governance Committee	To be included in Board Operating Procedures 1.	Approved at July BOT Meeting.	Completed	July-19
20	Association of Governing Boards	AGB May 15, 2019 Report	Staff development: Since many of the staff are new in their positions, they should engage in professional development focused on accepted best practices as soon as practicable. A major goal of this developmental process would be to clarify the board's role as the highest governing authority at UCF and the staff's role in supporting the work of the board.	Medium	BOT & Staff Interaction	Board Office	Janet Owen	Governance Committee	In April 2019, the board relations team in the Office of the President attended the Association of Governing Boards Workshop for Board Professionals. The team has also completed the AGB online training modules. The Board Office staff will attend AGB's 2020 Workshop for Board Professionals and share highlights from the conference with committee support staff. The board relations team in the Office of the President also attended the May 2019 BOT retreat with AGB and BOG representatives. Board Office staff participated in the virtual version of AGB's Workshop for Board Professionals in April 2020 and continue to engage in conversations with peers regarding best practices for board governance in higher education. The board-staff relationship will continue to be articulated by a new President and his expectations for interacting with the Board.	The Board Office completed training in 2019 and 2020 and continues to engage in conversations with peers regarding best practices for board governance in higher education. This action plan item is now considered completed with the understanding that training is ongoing and will continue annually.	Completed	April-20
22	Association of Governing Boards	AGB May 15, 2019 Report	Leadership role of the chair: There is wisdom in the first and last word in the description of the chair as "first among equals." The chair is the leader of the board, is the sole official spokesperson for the board, and symbolizes through discourse and demeanor the seriousness and importance of the board. Board members should keep in clear focus that the board is a single entity as distinct from a body of separate voices. Nevertheless, with the exception of specific authority noted in the bylaws such as naming members of committees and committee chairs, the board chair has only one vote just like other members. Board members who fail to respect the role of the chair especially as the public spokesperson for the board and the controller of the time for debate during board discussions render the board less effective. The BOT should consider following the lead of high-performing boards in taking time to develop a code of board member behavior that embodies respect for the essential role of the chair, the duty of all members to seriously engage themselves in the work of the board, and the rules of transparency and decorum. (See Appendix C for The Ten Habits of Highly Effective Boards.)	Medium	Culture, Ethics, & Governance	Board Office	Janet Owen	Governance Committee	A draft statement of expectations for the Board was reviewed by the Nominating and Governance Committee at its October 22, 2019 meeting. The statement was then presented to the full board for adoption at the November 14, 2019 meeting.	The Board of Trustees Statement of Expectations approved by the BOT on November 14, 2019 satisfies this recommendation.	Completed	November-19
24	Association of Governing Boards	AGB May 15, 2019 Report	Governance Committee/Taskforce on Governance Reform: The current nominating and governance committee should be charged with a close examination of these and other recommendations with an eye toward implementation of changes in governance behavior—including, perhaps, the name of the committee. However, to give the governance reform work the energy and attention it deserves, consideration should be given to a special task group charged (during a three-month time frame) with implementing, assessing progress on, and reporting regularly to the board on accomplishment of specific reforms. (See Appendix A for a checklist of topics meriting governance committee oversight.)	Medium	Culture, Ethics, & Governance	Board Office	Janet Owen	Governance Committee	This recommendation will be lead by the Board of Trustees and Board Chair. In June 2019, the BOT chair directed the Audit and Compliance Committee to track and monitor post investigation recommendations from all sources. The committee could also recommend a taskforce of trustees assume this responsibility, or that a taskforce review certain categories of recommendations. At the October 22, 2019 meeting, the Nominating and Governance Committee discussed changing the name of the committee to the 'Governance Committee' to better reflect the work the committee is performing. The request to approve the name change was brought before the full Board on November 14, 2019 for approval.	The Board approved changing the name of the Nominating and Governance Committee to the 'Governance Committee' and approved the revised charter which reflects the change in the work the committee is performing. This satisfies this recommendation.	Completed	November-19

Governance Committee Meeting - New Business

**Pending Recommendation List**  
**Post Investigation Action Plan**  
*As of April 27, 2020*

Item #	Summary Source	Source Detail	Recommendation	Risk Rating	Theme	Responsible Office	Responsible Person	Responsible BOT Committee	Action Plan	Action Plan Completion	Status	Completion Date
25	Association of Governing Boards	AGB May 15, 2019 Report	Board self-assessment: A high-functioning board is composed of members who make service to the institution and its effectiveness in fulfilling its public mission their top priority. Willingness to engage in a regular self-assessment is a sign of commitment to this fiduciary standard. Board self-assessment is also required of Florida institutions by the regional accrediting body—as regional accreditors are demonstrating a focus on board governance among their periodic reviews. An annual retreat that includes self-appraisal, as well as discussion of strategic topics is highly recommended, as are more frequent checks on board performance, its working relationship with the president and staff, as well as the functioning of committees and similar topics. The UCF conflict of interest policy is adequate but relies heavily on self-reporting of conflicts or potential conflicts. It would be greatly strengthened by adherence to the best practices described in the AGB Board of Directors' Statement on Conflict of Interest with Guidelines on Compelling Benefits issued in 2013. (See Appendix D for more information.) A fully functioning governance committee should assume responsibility for structuring a process of board and trustee assessment and conflict of interest oversight.	Medium	Culture, Ethics, & Governance	Board Office	Janet Owen	Governance Committee	This recommendation will be lead by the Board of Trustees and Board Chair; however many good examples of board self assessment processes exist which the Board could model, including AGB and the UCF Foundation. The same is true for conflict of interest reporting. The Governance Committee could request examples of both for discussion at an upcoming meeting. The Board Office staff are meeting with the Sr. Associate Provost and SACSCOC Liaison, the Director and Assistant Director for Academic Compliance on October 24, 2019 to discuss the SACSCOC requirements for board self-assessment. Additionally, the Board Office has collected self-assessment survey questions from the UCF Foundation and other institutions. Consider adding specific responsibility for the development of board self-assessment tools to the Governance Committee Charter. Discussed at the Jan. 28 Governance Committee meeting that the office will present drafts for the self-assessment, COI policy, and new trustee orientation plan at the next Committee meeting on May 13. Those items would then be advanced to the full board for adoption at the June 18 meeting.		In Progress	June-20
41	Association of Governing Boards	AGB May 15, 2019 Report	Recording minutes: The minutes of board and committee meetings became much more detailed during the course of 2018. However, the appropriate board committee and staff should develop guidelines to ensure that minutes present a full and accurate report on board and committee deliberations and actions.	Medium	Policies & Procedures	General Counsel	Scott Cole	Governance Committee	To be included in Board Operating Procedures 1.	Approved at July BOT Meeting.	Completed	July-19
47	Association of Governing Boards	AGB May 15, 2019 Report	Board orientation and development: Orienting new members and reorienting longer-serving trustees is a standard best practice to enable newer board members to add value more quickly and the veterans to update their working awareness of the scope and limits of effective board responsibility and governance. A sound orientation program avoids the "drinking from a fire hose syndrome" just as it provides all of the relevant information a new member needs or requests. An ongoing development program polls members on their interests and proposes special workshops on the compelling issues for boards now and in the foreseeable future. Topics could well include technology and educational effectiveness, predictive analytics and student achievement, the evolving nature of the student body, maximizing athletics as a university asset, as well as such areas of risk as Title IX violations, cybersecurity, et cetera. As of the date of the drafting of this report, UCF has made AGB's online board orientation program available to all members of the UCF BOT.	Medium	Training & Awareness	Board Office	Janet Owen	Governance Committee	A draft orientation plan is nearing completion. This plan would have new trustees participate in a full day (or two half day) sessions with administration, deans, faculty, staff and students and provide a rich history of UCF and its goals, as well as the governance and fiduciary requirements from the AGB, BOG and BOT retreat. This plan would also include regular, ongoing trustee education and training on strategic issues throughout the year. The new board meeting format allows and welcomes these opportunities. Three Trustees have been onboarded with the newly developed BOT Orientation Agenda. The agenda was built to compliment the AGB orientation, BOG orientation, and continuing education the Trustees now receive with the new meeting format. Discussed at the Jan. 28 Governance Committee meeting that the office will present drafts for the self-assessment, COI policy, and new trustee orientation plan at the next Committee meeting on May 13. Those items would then be advanced to the full board for adoption at the June 18 meeting.		In Progress	June-20
50	Association of Governing Boards	AGB May 15, 2019 Report	In advance of meetings: Staff should arrange to discuss the agenda and materials in advance with the board chair and committee chairs to ensure the clarity and adequacy of the information provided.	Medium	Transparency & Pre-Approvals	General Counsel	Scott Cole	Governance Committee	To be included in Board Operating Procedures 1.	Approved at July BOT Meeting.	Completed	July-19

Governance Committee Meeting - New Business

**Pending Recommendation List**  
**Post Investigation Action Plan**  
*As of April 27, 2020*

Item #	Summary Source	Source Detail	Recommendation	Risk Rating	Theme	Responsible Office	Responsible Person	Responsible BOT Committee	Action Plan	Action Plan Completion	Status	Completion Date
51	Association of Governing Boards	AGB May 15, 2019 Report	Full disclosure: Prior to distributing materials, the president, senior legal counsel, and chief of staff along with other staff as appropriate should meet to discuss and confirm the completeness and accuracy of materials. The president should confirm in writing that to the best of his knowledge the materials disclose all relevant information, including legal issues and requirements, needed for board deliberations and action.	Medium	Transparency & Pre-Approvals	General Counsel	Scott Cole	Governance Committee	To be included in Board Operating Procedures 1.	Approved at July BOT Meeting.	Completed	July-19
52	Association of Governing Boards	AGB May 15, 2019 Report	Governance in the sunshine: Florida's embrace open meetings and records requirements mean that nearly all board discourse be open to the public. Board meetings at an institution as prominent as UCF attract broad attention from internal stakeholders, the media, and the public at large. The Trevor Colbourn Hall controversy magnifies this attention. In this environment, board members must develop the habit of openly and freely discussing serious strategic and occasionally divisive topics in public. Sticking to noncontroversial items or discussing serious matters superficially will not serve the board or the public. Given the recent spate of negative publicity, the board should not be concerned about a few more headlines about it tackling difficult topics.	Low	BOT & Staff Interaction	Board Office	Janet Owen	Governance Committee	This recommendation will be lead by the Board of Trustees and Board Chair; however it can be achieved by articulating a "Statement of Expectations" to guide individual and collective behavior. In terms of transparency, board meetings will be livestreamed beginning in July 2019. A draft statement of expectations will be reviewed by the Nominating and Governance Committee at its October 22, 2019 meeting. The statement will then be presented for full board adoption at the November 14, 2019 meeting. Additionally, the activation of an Executive Committee has allowed the board to focus on areas where the university has made a significant investment of resources and proactively engage a Trustee in working with staff to evaluate current strategies. The assigned Trustee is responsible to the board for providing regular updates and recommendations on the respective task force or area of focus.	The Board of Trustees Statement of Expectations approved by the BOT on November 14, 2019 satisfies this recommendation.	Completed	November-19
54	Association of Governing Boards	AGB May 15, 2019 Report	Staff responsibilities to the board: Develop a concise statement of the staff's role in supporting the board's governance authority and responsibilities to include attention to the completeness and transparency of materials provided to the board.	Low	BOT & Staff Interaction	General Counsel	Scott Cole	Governance Committee	To be included in Board Operating Procedures 1.	Approved at July BOT Meeting.	Completed	July-19
65	Board of Governors	Board of Governors January 31, 2019 Audit and Compliance Committee Meeting	Develop a policy for the BOT to verify agenda items that are supported by statute. NOTE: **This was not a recommendation from the BOG. President Whittaker informed them that this was an action we were taking.	Low	Transparency & Pre-Approvals	General Counsel	Scott Cole	Governance Committee	To be included in Board Operating Procedures 1.	Approved at July BOT Meeting.	Completed	July-19

**ITEM: INFO-1**

**UCF BOARD OF TRUSTEES  
Governance Committee  
June 17, 2020**

**Title:** Board Orientation and Development Plan

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**Background:**

The AGB May 15, 2019 Report provided several recommendations to reform overall governance of the UCF Board of Trustees. The report recommends creating a Board Orientation and Development Program that will orient new trustees and reorient longer-serving trustees to enable newer board members to add value more quickly and the veterans to update their working awareness of the scope and limits of effective board responsibility and governance.

The attached Board Orientation and Development Plan reflects a phased approach for onboarding new trustees and provides continuing education opportunities for all trustees.

The phases include:

- Governance Phase
- System Phase
- Institution Phase
- Continuing Education Phase

Ideally, the first three phases are completed within two months of a new trustee's appointment. The Continuing Education Phase is ongoing and includes regular educational opportunities provided through the full Board meeting format, workshops, retreats, the annual Board of Governors Trustee Summit and trustees' access to publications, webinars, and conferences offered by AGB and other higher education professional organizations.

This recommendation was included in UCF's Post Investigation Action Plan as an item to be vetted through the Governance Committee.

**Issues to be Considered:**

Whether the proposed Board Orientation and Development plan reflects the AGB report recommendations in meeting best practice standards for orienting and educating members of a public higher education governing board.

If the plan is comprehensive in ensuring members of the UCF Board of Trustees enter and continue their trusteeship with an understanding of their responsibilities as members of a public higher education governing board in the state of Florida. Additionally, if the plan thoroughly educates new and long-serving trustees in areas of the university where they will be asked to make decisions with significant fiscal and reputational impact.

**Alternatives to Decision:**

This item is being presented for feedback and discussion, but no action is requested.

**Fiscal Impact and Source of Funding:**

N/A

**Recommended Action:**

N/A

**Authority for Board of Trustees Action:**

N/A

**Contract Reviewed/Approved by General Counsel:** N/A

**Committee Chair or Chair of the Board approval:**

Chair Bill Yeargin has approved adding this item to the agenda.

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**Submitted by:** Karen Monteleone, Assistant Vice President, Board Relations

**Supporting Documentation:** Attachment A: Board Orientation and Development Plan

**Facilitators/Presenters:** Karen Monteleone



## Attachment A



# Trustee Orientation and Development

## OBJECTIVES

The Board of Trustees onboarding programs are designed to help trustees:

1. Educate new trustees on their role and responsibilities.
2. Build a foundation of knowledge and relationships necessary to effectively govern the University of Central Florida.
3. Participate fully in the Board's ongoing development as a cohesive, high-performing group.
4. Know and work within the unique constraints of a public governing body operating under Florida Sunshine Laws.

## MODULES

### ***Phase I, Governance Level Modules***

Association of Governing Boards New Trustee Orientation

- › This course for Board members includes an overview of essential principles of governance, Board responsibilities, and information about the Board-President partnership. It includes a specific module on open meetings and open records.
- › Modality: Online
- › Time Commitment: 2.5 to 3 hours

#### **1. Governance in Higher Education — Public Institutions**

- › Overview of Governance of Public Higher Education
- › The Role of Governance and Management
- › Shared Governance

#### **2. Fiduciary Duties of Governing Board Members — Public Institutions**

- › Fiduciary Duties
- › Care, Loyalty, and Obedience

#### **3. Responsibilities of Governing Boards — Public Institutions**

- › Understand and Support the Mission
- › The Chief Executive
- › Strategic Planning
- › Fiscal Integrity
- › Academic Oversight and Educational Quality

#### **4. Board Dynamics — Public Institutions**

- › Lesson 1: Autonomy and Academic Freedom
- › Overview of Academic Freedom
- › Engaging with Constituents
- › Board Policies and Operations
- › Board Culture
- › State Laws Governing Open Meetings and Open Records

**Phase II, System Level Modules**

Florida Board of Governors Annual Training Program

- › The Board of Governors has developed a training program for members of each state university Board of Trustees that addresses the role of such boards in governing institutional resources and protecting the public interest. Each trustee must participate in the training program within one year of appointment and reappointment to a university Board of Trustees. The program includes information on trustee responsibilities relating to all of the following:
  - » Meeting the statutory, regulatory, and fiduciary obligations of the Board.
  - » Establishing internal process controls and accountability mechanisms for the institution’s President and other administrative officers.
  - » Oversight of planning, construction, maintenance, expansion, and renovation projects that impact the university’s consolidated infrastructure, physical facilities, and natural environment, including its lands, improvements, and capital equipment.
  - » Establishing policies that promote college affordability, including ensuring that the costs of university fees, textbooks, and instructional materials are minimized whenever possible.
  - » Creation and implementation of institution-wide rules and regulations.
  - » Institutional ethics and conflicts of interest.
  - » Best practices for Board governance.
  - » Understanding current national and state issues in higher education.
- › **Modality: Face-to-face and/or virtual, when appropriate**
- › **Time Commitment: 2 hours**

**1. Governance, Ethics and Conflicts of Interest**

- › Article IX, Section 7, Florida Constitution
- › BOG and BOT Responsibilities
- › Sunshine Law
- › Public Records and Open Meetings
- › Ethical Considerations: Conflicts of Interest

**2. Academic and Student Affairs**

- › Introduction to Academic and Student Affairs
- › Strategic Planning
- › Academic Programs Overview (Board Regulations Chapter 8)
- › New Programs (Board Regulation 8.011)
- › Other Academic Program Actions (Board Regulations 8.013, 8.014, 8.012 and 8.002)
- › Educational Sites (Board Regulation 8.009)
- › Student-focused Regulations from Board Regulations (Board Regulations Chapter 6)
- › Textbook Affordability (Section 1004.085, F.S. and SUS 2025 Strategic Plan for Online Education)

**3. Online Education**

- › Online Education
- › Innovation and Online Committee
- › 2025 Strategic Plan for Online Education
- › Plan Initiatives
- › 2025 Strategic Plan for Online Education, continued

**4. Performance-based Funding**

- › Introduction to Performance-based Funding
- › Performance Funding History
- › Performance Funding Overview
- › Four Guiding Principles
- › Key Components
- › Performance Funding Metrics

**5. Tuition and Fees**

- › Introduction to Tuition and Fees
- › Tuition — Regulation 7.001
- › Fees — Regulation 7.003

**6. Internal Process Controls and Accountability Mechanisms**

- › Internal Process Controls and Accountability Mechanisms for Presidents and Finance Officers
- › Current Business Controls Review

## 7. University Operational Budgets

- › Introduction to University Operational Budgets
- › Operating Budgets — Regulation 9.007
- › BOT Oversight Responsibilities
- › Naming of Buildings and Facilities
- › Direct Support Organizations (Section 9.011 University DSOs)
- › Chapter 14 Construction Program (Chapter 14)
- › Chapter 17 Leasing
- › Chapter 18 Purchasing
- › Chapter 21 Campus Master Planning
- › BOT Facility Responsibilities Per Statute (Sections 1013.15, 1013.171, 1010.62 and 1013.31 F.S.)

## 8. Audit and Compliance

- › Introduction to Audit and Compliance
- › Chief Audit Executive Responsibilities (BOG Audit and Compliance Committee)
- › General Audit Coverage
- › Auditor General
- › Escalation of “Three-peat Audit Findings”
- › Office of Program Policy and Government Accountability (OPPAGA)
- › Independent Certified Public Accountants (CPAs)
- › Chief Audit Executives (CAEs)
- › University Internal Audit Coverage
- › Chief Audit Executive Responsibilities
- › Complaints of Waste, Fraud, or Financial Mismanagement (Regulation 4.001)
- › University Compliance (Regulation 4.003)
- › Chief Compliance Officers
- › Additional Information

## 9. Regulation Development

- › Introduction to Regulation Development
- › Regulation Development
- › The Process
- › Public Comment
- › Adoption and Select Regulations
- › Regulation Challenges
- › Emergency Regulations

## 10. National and State Issues in Higher Education

- › Introduction to National and State Issues in Higher Education: Academic Continuity and Campus Resiliency
- › Are State Universities Prepared?
- › Key Priorities
- › State-level Oversight
- › Academic Continuity
- › First Steps
- › Next Steps

## 11. Issue Trends in Higher Education

- › Introduction to National Trends in Higher Education
- › College Affordability
- › State Support
- › Student Debt
- › Campus Infrastructure
- › Student Mental Health
- › Student Mental Health Campus Solutions

### **Phase III, Institution Level Modules**

#### UCF Board of Trustees New Board Member Orientation

- › The UCF Board of Trustees New Board Member Orientation allows the Board Relations Office, Board Committee staff and other university personnel the opportunity to familiarize trustees with background on key topics related to your trustee role as well as Board fundamentals like Boardbook portal access, email, and meeting logistics.
- › Modality: Face-to-face
- › Time Commitment: 5 to 6 hours

#### **1. Welcome Meeting with the President**

#### **2. Governance and Legal Overview**

- › Governance:
  - » Historical Overview
  - » Governance Changes in the State of Florida
  - » University Governance
  - » The State Budget Process
  - » Legislative Session
  - » Performance-based Funding (system level overview)
  - » Pillars of Excellence
- › Legal:
  - » Sources of Board Authority
  - » Board of Trustee Bylaws
  - » Significant Florida Statutes for Board Members
  - » Fiduciary Duty of Trustees
  - » Florida Ethics Law
  - » Trustee Liability
  - » Board and Committee Meetings
  - » Ways for the Board to Take Action
  - » Role of the General Counsel

#### **3. The Academic Enterprise**

- › Academic Affairs Overview
- › UCF Numbers and Ranking
- › SUS Performance-based Funding and UCF's Metrics
- › SUS Preeminence Metrics
- › UCF Academic Dimensions
- › Educational Programs Committee

#### **4. The Financial Enterprise**

- › The Colors of Money: Financial Overview
- › University Board of Trustees Powers and Duties (BOG Regulation 1.001)
- › Board of Governors Legislative Budget Request (LBR) Process

- › Operating Budget Development
- › Education and General (E&G) (BOG Regulation 9.007)
- › Education and General (E&G) Carryforward
- › Education and General (E&G) Tuition and Fees
- › Auxiliary Enterprises
- › Contracts and Grants
- › Local Funds
- › Other Items Requiring Board of Trustee Review and Approval

#### **5. Direct Support Organizations**

- › UCF Academic Health (orientation held separately at the College of Medicine)
- › UCF Convocation Corporation
- › UCF Finance Corporation
- › UCF Stadium Corporation
- › UCF Research Foundation
- › UCF Athletics Association
- › UCF Foundation
- › Limitless Solutions

#### **6. Board Committee Briefings**

- › Committee staff will meet individually with their Committee Chair for an overview of the Committee Charter, a review of the committee's responsibilities, and a briefing on upcoming committee meeting agenda items.

#### **7. Board Portal and Technology Overview**

#### **8. Campus Tours and Individual Meetings with Senior Leadership**

- › The Board Relations Office can assist with campus tours or senior leadership meetings as requested by the new Board member.

## ***Phase IV, Continuing Education***

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### **UCF Board of Trustees Meetings**

- › The Board's meeting structure now supports an agenda that includes time for Board oversight, problem solving, and strategy discussions on key issues facing the university. The meetings also allow for educational opportunities and discussions on issues in higher education and how to position UCF for success.

### **UCF Board of Trustees Retreats and Workshops**

- › The Board conducts bi-annual retreats and workshops, which are scheduled for strategic discussion and presentations on emergent and compelling issues for boards. Additionally, workshops and retreats are used as an opportunity for the Board to have a focused and robust discussion to prepare for an upcoming action with significant effects on the university's fiscal and strategic future. Examples include the annual operating budget and the Board of Governors Accountability Plan.

### **Board of Governors Trustee Summit**

- › Each November, the Board hosts a Trustee Summit featuring national thought leaders and experts in the State University System to address an array of topics relevant to effective board leadership and elevating the ability of the state universities to accomplish their tripartite mission of teaching, research, and service.

### **Association of Governing Boards (AGB) National Conference on Trusteeship**

- › AGB has convened experts and practitioners for a formal, national conference with one purpose: to enable governing boards to future-proof colleges and universities. UCF Board of Trustees are encouraged to attend this conference as an opportunity for reinforcement of governing principles, ongoing education of best practices, and the opportunity for engagement with trustees from other institutions.

\* The timing of a new trustee appointment may not allow for orientations to be conducted in the order reflected above. However, ultimately, all orientation phases are completed.

› Updated April 2020