



September 22, 2021 Governance Committee

Board of Trustees

Live Oak Center | Virtual Option

Sep 22, 2021 2:45 PM - 3:30 PM EDT

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Board of Trustees

Meeting Agenda

**Board of Trustees Meeting
Governance Committee
September 22, 2021, 2:45 - 3:30 p.m.
Live Oak Event Center**

Livestream: <https://ucf.zoom.us/j/95194078035?pwd=L0MzTmwzUGJIREVJTW9HSzNrOFIUQT09>
Webinar ID: 951 9407 8035
Passcode: 286051

Conference call number: 1-301-715-8592; Meeting ID: 951 9407 8035

AGENDA

- | | |
|--|---|
| 1. Call to Order and Welcome | Michael Okaty, <i>Chair, Governance Committee</i> |
| 2. Roll Call | Tanya Perry, <i>Legal Services Coordinator</i> |
| 3. Minutes of the June 16, 2021 meeting | Chair Okaty |
| 4. Minutes of the June 16, 2021 Compensation and Labor Committee | Chair Okaty |
| 5. Action | Chair Okaty |
| GOVC – 1 | Board Policies Update
Chair Okaty
Youndy Cook, <i>Interim Vice President and General Counsel</i> |
| GOVC – 2 | Amendments to Chapter 5 University Regulations
Youndy Cook |
| GOVC – 3 | Adoption of University Regulation UCF-5.0065
Involuntary Withdrawal Procedures; Mandated Assessment
Youndy Cook |
| GOVC – 4 | Amendments to University Regulation UCF-3.001
Non-Discrimination; Affirmative Action Programs
Youndy Cook |
| GOVC – 5 | Election of Board Member to Central Florida
Clinical Practice Organization
Youndy Cook |
| GOVC – 6 | Appointment of Board Members to Limbitless
Solutions
Youndy Cook |



Board of Trustees

Meeting Agenda

	GOVC – 7	Appointment of Board Member to UCF Athletics Association Youndy Cook
	GOVC – 8	Nomination of Darin Edwards for Honorary Doctoral Degree of Public Service Youndy Cook
	GOVC – 9	Approval of the University of Central Florida Bonus Plan <i>Maureen Binder, Associate Vice President and Chief Human Resources Officer</i>
6. Information		
	INFO – 1	FY22 Work Plan and Charter Review Chair Okaty
	INFO – 2	Assignment of Ex-Officio Board Member to UCF Research Foundation Youndy Cook
7. New Business		Chair Okaty
8. Adjournment		Chair Okaty



UNIVERSITY OF CENTRAL FLORIDA

Board of Trustees
Governance Committee Meeting
June 16, 2021
Virtual Meeting

MINUTES

CALL TO ORDER

Trustee Michael Okaty, chair of the Governance Committee, called the meeting to order at 12:45 p.m. Committee members Joseph Conte, Meg Hall, Joseph Harrington, Alex Martins and Chair Seay (*ex-officio*) attended virtually. Trustees Tiffany Altizer, Bill Christy, and Jeff Condello also attended virtually.

MINUTES

Trustee Martins made a motion to approve the minutes from the April 14, 2021, Governance Committee meeting. Trustee Harrington seconded the motion. The committee unanimously approved the minutes of the April 14, 2021, Governance Committee as submitted.

NEW BUSINESS

New Board Committee Structure (GOVC-1)

Chair Okaty presented the topic of board committee restructuring. This topic was discussed at both the February and April Governance Committee meetings. The proposed action would dissolve the current committee structure and all current committee charters and, effective July 1, 2021, adopt the new committee structure with new charters for each committee, with the recognition that the Audit and Compliance Committee charter would remain the same. Trustee Martins made a motion to approve GOVC-1 and Trustee Hall seconded. Trustee Harrington voiced concerns about the faculty and student representatives not being included in the Executive Committee. Trustee Harrington made a motion to rename the Executive Committee as Strategic Planning Committee and amend the charter to include the student and faculty member trustee representatives as members of that committee. The motion was not seconded and the motion failed. Trustee Conte voiced concerns about the timing of this restructuring. Trustee Conte made a motion to postpone GOVC-1 for consideration until the August Governance Committee meeting and Trustee Harrington seconded. Trustees Conte and Harrington voted in favor and Trustees Okaty, Hall, and Martins voted against, and the motion failed. President Alexander Cartwright explained the purpose of the Executive Committee and stated that the faculty and students would never be excluded from strategic planning. Chair Seay reminded the committee of why the Executive Committee was created and why the Strategic Planning Committee was dissolved. Chair Okaty called for a vote on

the original motion to approve GOVC-1. Trustees Okaty, Hall, and Martins voted in favor, and Trustees Conte and Harrington voted against, and the motion passed for GOVC-1 to move to the full Board.

Board Chair and Vice Chair Nominations (GOVC-2)

Okaty presented the nominations that were received for the roles of Chair and Vice Chair and gave a history of the nomination process. The Governance Committee is responsible for, among other things, preparing a slate of officers to be presented to the full Board for action. Trustee Martins recused himself from this item, as required by the committee charter. Chair Okaty invited a motion to present a slate for consideration of Trustee Martins for Chair and Trustee Mills for Vice Chair. Trustee Conte so moved, but prior to a second being made discussion occurred. Trustee Harrington moved to present all current nominees to the full board for consideration. Youndy Cook, Interim Vice President and General Counsel, pointed out the requirements of the committee charter to present a slate consisting of a single name for each role. A discussion concerning the definition of slate was had and Cook indicated that, in addition to the committee charter language, past practice has been to present only a single person for each officer role. Trustee Harrington said he would like to amend the Governance Committee Charter to allow the presentation of multiple individuals for each role, but no motion was proffered. Trustee Conte restated the pending motion to present the slate of Trustee Martins for Chair and Trustee Mills for Vice Chair. At that point, Trustee Harrington seconded the original motion, and the motion passed unanimously (with the exception of Trustee Martins, who recused himself from the vote per the committee charter).

Tenth Amended and Restated Bylaws of the University of Central Florida Board of Trustees (GOVC-3)

Youndy Cook, Interim Vice President and General Counsel, presented the proposed amendments to the Board of Trustees Bylaws. The bylaws were last amended on October 22, 2020. The proposed edits provide consistency with other governing documents that were updated in the last year and clarify operating procedures for Board of Trustees agenda changes. Chair Okaty asked for a motion to approve the proposed amendments and to waive the ten day requirement to notice trustees of bylaws amendments. Trustee Martins made the motion and Trustee Conte seconded. Cook noted that section 6.2 committee structure would not be updated per the discussion from GOVC-1. Trustee Martins made a revised motion to adopt the bylaws as presented except for any provisions related to committee structure and waive the ten day noticing requirement. Trustee Conte seconded. Trustee Harrington questioned the possibility of postponing this item until the next committee meeting. Trustee Harrington also made a motion to add language clarifying whether the vacancy term would count as a first term for Board Chair. Cook pointed to the language of the statute; with some discussion, it was felt that filling a vacancy would not count as a full two-year term under the statute. Trustee Harrington withdrew his motion. Chair Okaty called for a vote on the pending motion. The motion passed unanimously.

UCF Foundation Bylaws Amendments (GOVC-4)

Jennifer Cerasa, Senior Associate General Counsel, presented the proposed amendments to the bylaws for the UCF Foundation. Trustee Conte inquired about the combining of the Real Estate and Finance Committees and Cerasa stated that the committees almost always work in tandem so their combination is meant to help streamline the process. Trustee Conte made a motion to accept the amendments and Trustee Harrington seconded. The motion was approved unanimously.

Professional Employer Organization Arrangement and Formation of CFCPO Subsidiary (GOVC-5)

Dr. Deborah German, Vice President for Health Affairs and Dean of College of Medicine, introduced the topic of utilizing a professional employer organization (PEO) for the management of payroll, benefits, and other employee-related administrative responsibilities for non-faculty clinical and administrative employees at UCF Health and HealthARCH. Danny Cavallo, Chief Financial Officer of College of Medicine, presented an overview of the PEO arrangements and the benefits that it would provide to help achieve UCF Health's financial sustainability. Jeanette Schreiber, Chief Legal Officer of College of Medicine, outlined the PEO structure and the proposed formation of a single-member, member-managed subsidiary of CFCPO. Trustee Conte made a motion to implement the College of Medicine's proposed PEO arrangement for non-faculty administrative and clinical employees, including the proposed subsidiary under CFCPO. Trustee Harrington seconded the motion. The motion was approved unanimously.

Appointment of Board Members to UCF Foundation (GOVC-6)

Cook presented the appointment of individuals elected to the UCF Foundation Board of Directors. After a review of records, it was noted that several individuals were approved unanimously by the UCFF Board on June 4, 2020 but were not brought forward to the Board of Trustees for additional approval at that time. Terms for these individuals began on July 1, 2020. Additionally, the UCFF Board approved unanimously to elect additional directors on June 10, 2021 with terms beginning on July 1, 2021. Trustee Harrington made a motion to retroactively approve the Foundation's 2020 elected directors and also approve the 2021 elected directors. Trustee Conte seconded. The motion was approved unanimously.

Appointment of Board Member to Central Florida Clinical Practice Organization (GOVC-7)

Cook presented the appointment of Dr. Naveed Sami to the CFCPO Board of Directors due to the departure of a previous board member. Dr. Sami was elected pursuant to the CFCPO bylaws to a term which expires in the third quarter of 2022. CFCPO is a 501(c)(3) tax exempt organization formed to serve as a support entity for the College of Medicine's clinical mission. It is not a direct support organization, but it follows a similar review process to ensure full transparency and oversight in alignment with the president's goal of building a culture of trust, engagement, and accountability. Trustee Harrington made a motion to approve the appointment of Dr. Sami to the CFCPO board and Trustee Conte seconded. The motion was approved unanimously.

Appointment of Board Member to UCF Stadium Corporation (GOVC-8)

Cook presented the appointment of Gerald Hector, Senior Vice President for Administration and Finance, to the UCF Stadium Corporation Board of Directors as Board Chair and *ex-officio* officer. Hector was appointed by the President to fill this position for the term specified in the UCFSC bylaws. Trustee Conte made a motion to approve the appointment and Trustee Harrington seconded. The motion was approved unanimously.

Appointment of Board Member to UCF Academic Health (GOVC-9)

Cook presented the appointment of Gerald Hector to the UCF Academic Health Board of Directors as *ex-officio* officer. The UCFAH bylaws provide that the University's Chief Financial Officer or designee will serve *ex officio* on the corporation's Board of Directors. Trustee Conte made a motion to approve the appointment and Trustee Hall seconded. The motion was approved unanimously.

Amendments to University Regulations UCF-2.003 Admission of Graduate Students (GOVC-10)

Cook presented the proposed amendments to university regulation UCF-2.003. These proposed amendments were also discussed in the Educational Programs Committee. Trustee Harrington commented on expensive transcript requirements for international students. Trustee Harrington made a motion to approve the proposed regulation amendments as presented and Trustee Hall seconded. The motion was approved unanimously.

Amendments to University Regulations UCF-2.029 Patents, Trademarks, and Trade Secrets (GOVC-11)

Cook presented the proposed amendments to university regulation UCF-2.029. The only amendment is to add language to paragraph (3)(b) to clarify that if the inventor is employed by UCF solely to teach in an adjunct capacity, subsection (3)(b)(i) does not apply. A motion was made by Trustee Harrington to approve the proposed regulation amendments and Trustee Hall seconded. The motion was approved unanimously.

Amendments to University Regulations UCF-3.040 Benefits and Hours and Work and UCF-3.042 Separations of Employment (GOVC-12)

Cook presented the proposed amendments to two university regulations UCF-3.040 and UCF-3.042. Trustee Hall made a motion to approve the proposed regulation amendments and Trustee Conte seconded. The motion was approved unanimously.

Amendments to University Regulations UCF-4.034 University Direct Support Organizations (GOVC-13)

Cook presented the proposed amendments to university regulation UCF-4.034. The proposed changes will bring the regulation into better alignment with Board of Governors regulation 9.011 and will also better align with the recently approved Resolution on Presidential Authority. Trustee Harrington made a motion to approve the proposed regulation amendments as presented, with the addition of “sexual orientation” in paragraph (3)(d). Trustee Conte seconded. The motion was approved unanimously.

Amendments to University Regulations UCF-5.016 Student Academic Appeals (GOVC-14)

Cook presented the proposed amendments to university regulation UCF-5.016. Trustee Harrington inquired as to if Student Government Association was consulted on these revisions. Dr. Theodorea Berry, Vice Provost and Dean of College of Undergraduate Studies, confirmed that the prior SGA administration thoroughly reviewed the changes. Trustee Conte made a motion to approve the proposed regulation amendments and Trustee Hall seconded. The motion was approved unanimously.

Update on Emergency Student Conduct Regulations Planning (INFO-1)

Cook presented an update on planned updates to the university’s student conduct process regulations as a result of House Bill 233 (HB233). HB233 passed during the 2021 regular legislative session and is expected to take effect July 1. The new law requires changes to university regulations concerning student conduct processes. Due to the short timeframe to implement these significant changes to existing procedures and due to the need to coordinate university regulation changes with changes that the Florida Board of Governors will be making in their governing regulation, the university will announce its regulation updates initially through the emergency regulation process. No emergency regulation can be

effective for a period longer than 90 days; therefore, the university will utilize the standard regulation development procedure to bring final regulations to the Board for approval.

Campus Parking Options for Volunteers and Visitors (INFO-2)

Cook presented an update to the committee on a topic that was raised at the April Governance Committee meeting concerning the cost to volunteers to park on campus. Trustee Harrington still has concerns regarding parking for low paid volunteers. Gerald Hector, Senior Vice President for Administration and Finance, commented that debt service coverage ratios must be maintained and a steady stream of revenue is required to meet these requirements. Trustee Harrington and Hector will speak offline about this further.

ADJOURNMENT

The meeting adjourned at 2:42 p.m.

Reviewed by:

Michael Okaty
Chair, Governance Committee

Date

Respectfully submitted:

Mike Kilbride
Associate Corporate Secretary

Date



UNIVERSITY OF CENTRAL FLORIDA

**Board of Trustees
Compensation and Labor Committee
June 16, 2021**

MINUTES

CALL TO ORDER

Chair Joseph Conte called the meeting to order at 9:55 a.m. The following committee members attended the meeting: Chair Joseph Conte, Vice Chair Michael Okaty, Trustee Alex Martins, and board chair Beverly Seay. Trustees Joseph Harrington, John Miklos, Tiffany Altizer, and Meg Hall also attended the meeting.

MEETING MINUTES

The minutes of the February 10, 2021, meeting were unanimously approved as submitted. Trustee Martins moved to approve and Vice Chair Okaty seconded.

NEW BUSINESS

Presidential Assessment and Incentive Plan (CLC-1). Committee Chair Conte introduced Maureen Binder, Associate Vice President and Chief Human Resources Officer, who summarized her work on the initiative with Segal, Inc. and Board Chair Seay. Binder presented background information regarding BOG and BOT requirements for presidential assessment as well as President Cartwright's employment agreement, which provides for an annual incentive award, up to 50% of his base pay, based on the accomplishment of his annual goals. As a reminder, Ms. Binder noted the President's annual goals were approved during the August 12, 2020, meeting.

Board Chair Bev Seay then provided detail on the assessment and incentive plan, including the assessment criteria, incentive goals and weighting, and process and timeline. The committee voted unanimously to recommend approval of the assessment instrument and incentive plan for Fiscal year 2020-21. Vice Chair Okaty moved to approve, and Trustee Martins seconded. Binder noted that updated criteria for Fiscal Year 2021-22 will be proposed to the Governance Committee in October.

CLOSING COMMENTS

There being no additional new business, Chair Conte adjourned the meeting at 10:10 a.m.

Reviewed by:

Joseph Conte
Chair
Compensation & Labor Committee

Date

Submitted by:

Mike Kilbride
Associate Corporate Secretary

Date



Board of Trustees Governance Committee | September 22, 2021

GOVC-1: Board Policies Update

☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: September 23, 2021

Purpose and Issues to be Considered:

The Governance Committee is responsible for reviewing and recommending to the Board amendments to the Board's governing documents and policies. The Office of the General Counsel and the Board Office conducted a review of the Board's non-financial policies currently in effect and recommend the actions described below. The Administration and Finance Division is currently conducting a review of the Board's financial policies and will present recommended changes in those policies to the Committee at the November 16, 2021, meeting.

The proposed policy revisions and actions are outlined below:

Naming of Buildings and Facilities: This policy is required by Board of Governors Regulation 9.005 and outlines when the naming of university facilities must be approved by the Board of Trustees. In addition, it directs University Advancement and the UCF Foundation to adopt additional policies to address donor recognition, which includes naming. The proposed policy revisions are to require the University to adopt a university naming policy and procedure, while deferring to the UCF Foundation to enact, as needed, its own policies to address gift acceptance and recognition to donors.

Presidential Performance and Compensation Review: This policy outlines the policy and process associated with the University President's review. The policy provides for an annual review of the President's performance by the Compensation and Labor Committee. It also directs the Board of Trustees to assess the quality of the relationship between the President and the Board of Trustees, together with the President's performance and compensation, every three years. The recommended policy changes update the committee's name to reflect the new committee structure and align the policy with the updated Presidential Assessment and Incentive Plan.

Policy on Use of Stadium: This policy requires the Board of Trustees to approve the use of the football stadium for events other than the following: 1. Home football games (including any conference game in which UCF is a participant) and practices for the UCF football team; 2. Homecoming events such as a concert; 3. National presidential campaign events; and 4. events with anticipated attendance of less than 10,000. The proposed changes to the policy update the stadium name, remove the application form, and streamline procedure for reviewing a proposed event in the stadium. The format of the document is also changed to align better with other Board policies.

Request for Release of Direct Support Organization Records: Under a previous version of the statute governing direct support organizations, Florida Statutes section 1004.28, this policy served as a standing request for certain limited categories of direct support organization documents, making them subject to public disclosure requests. The law was subsequently changed to no longer provide for a waiver of the public records exemption in this manner, and instead the statute change clarified that any documents requested by the Board of Trustees remain confidential and exempt. The proposed action

is to repeal the Request for Release of Direct Support Organization Records policy in its entirety and rely instead on Florida law as to public records requests for Direct Support Organization records.

Presidential Selection Process: Process Guide for the University of Central Florida: This policy outlines the process for selecting a new University President. This policy was adopted prior to the Board of Governors' adoption of BOG 1.002 "Presidential Search and Selection" in June 2016. The Board of Governors' regulation fully governs the search process according to the criteria set forth in the regulation. The proposed action is to repeal the Presidential Selection Process: Process Guide for the University of Central Florida policy in favor of the controlling Board of Governor's regulation.

Background Information:

The Board of Trustees has adopted certain Board policies that are in addition to the policies that are adopted by the University Policy Committee. Board policies have been added over the years but have not been comprehensively reviewed in recent years. There are currently 11 Board policies, 8 of which are considered non-financial and the subject of this item.

Three of the existing non-financial Board policies have no proposed changes: the Resolution on Presidential Authority, the Board Conflict of Interest Statement and Disclosure Form, and the Delegation of Authority to Senior Management Official policies. The Resolution of Presidential Authority, which was recently updated, addresses what matters must be heard by the Board of Trustees versus what matters may be decided by the President. The Board Conflict of Interest Statement and Disclosure Form, also recently updated, sets forth the process of annual disclosure by Trustees of any potential or actual conflict of interest. The Delegation of Authority to Senior Management Official delegates administration of the classified program to the University President and permits him to consult with certain individuals who have been cleared at the facility clearance level.

The existing non-financial Board policies, together with the adoption date and most recent amendment date, are:

Resolution on Presidential Authority

Adopted: October 22, 2020; Last Amended: February 18, 2021

Board Conflict of Interest Statement and Disclosure Form

Adopted: June 18, 2020

Delegation of Authority to Senior Management Official

Adopted: July 18, 2019; Last Amended: September 19, 2019

Naming of Buildings and Facilities

Adopted: September 15, 2016

Presidential Performance and Compensation Review

Adopted: November 30, 2004; Last Amended: March 21, 2013

Policy on Use of Stadium

Adopted: September 17, 2009

Request for Release of Direct Support Organization Records

Adopted: March 16, 2017



Presidential Selection Process and Leadership Statement

Developed: December 2010; Last Amended: July 18, 2019

Recommended Action:

Recommend approval of the proposed amendments to the following Board policies:

- Naming of Buildings and Facilities
- Presidential Performance and Compensation Review
- Policy on Use of Stadium

Recommend dissolving the following Board policies:

- Request for Release of Direct Support Organization Records
- Presidential Selection Process and Leadership Statement

Alternatives to Decision:

- 1) Decline the recommended amendments and dissolution of Board policies.
- 2) Propose additional amendments to Board policies.

Fiscal Impact and Source of Funding:

N/A

Authority for Board of Trustees Action:

BOG Regulation 1.001 University Board of Trustees Powers and Duties

Contract Reviewed/Approved by General Counsel ☐ N/A ☒

Committee Chair or Chair of the Board has approved adding this item to the agenda ☒

Submitted by:

Youndy Cook, Interim Vice President and General Counsel

Supporting Documentation:

Attachment A: Naming of Buildings and Facilities

Attachment B: Presidential Performance and Compensation Review

Attachment C: Policy on Use of Stadium

Attachment D: Request for Release of Direct Support Organization Records

Attachment E: Presidential Selection Process and Leadership

Facilitators/Presenters:

Youndy Cook

Jennifer Cerasa, Senior Associate General Counsel

Karen Monteleone, Assistant Vice President, Board Relations

**UNIVERSITY OF CENTRAL FLORIDA
BOARD OF TRUSTEES
POLICY**

01-2016

Naming of Buildings and Facilities

Pursuant to Board of Governors regulation 9.005, this Board policy applies to the naming of any university facility for any individual(s) or group(s) who have made significant contributions to the University of Central Florida or the State of Florida.

The university president or his designee will be responsible for the implementation of this board policy.

POLICY STATEMENT

The naming of any university facility must be approved by the University of Central Florida Board of Trustees as a noticed, non-consent agenda item.

Non-gift related honorary naming of a university facility should be reserved for individuals who have made significant contributions to the University of Central Florida (UCF) or to the State of Florida or to the fields of education, government, science or human betterment and who are of recognized accomplishment and character. Honorary naming of a university facility is not allowed for any active board member or employee of the ~~SUS-Florida~~ Board of Governors or for any active employee, student, or trustee of the university.

Gift-related naming of a university facility requires a donation which makes a significant contribution to the cost of the university facility or to the cost of significant improvements to an existing university facility.

~~UCF is responsible for adopting and maintaining a university policy outlining the process for approving a naming of a university facility, as well as a process for naming any university or university direct support organization owned or controlled asset. Any proposed naming should include consultation and approval by the Vice President for Advancement and the President of the university. The University of Central Florida Advancement Division and the University of Central Florida Foundation are responsible for the applicable donor recognition of gifts made to benefit the University. UCF Advancement and the UCF Foundation will~~ may maintain additional policies and procedures as needed for the acceptance, vetting, and recognition of gifts. ~~The university may adopt other policies necessary or useful to the implementation of this board policy.~~

DEFINITIONS

University Facility. A university facility is any university- or state-owned building, road, bridge, park, recreational complex, or other similar facility at the University of Central Florida. University facility also includes any educational sites, as that term is defined by Board of Governors Regulation 8.009, operated by the University of Central Florida.

History: New 01-2016.

Authority: BOG Regulations 1.001 and 9.005

Presidential Performance and Compensation Review Policy

~~Third~~Fourth Amended Policy

~~March 2013~~

September 2021

This policy supplements Florida Board of Governors regulations ~~and provides that requires~~ an annual ~~assessment evaluation~~ of the president's performance, goals, and compensation by the UCF Board of Trustees. It details the purposes and process by which the president's performance and compensation shall be reviewed on an annual basis. It further requires that a comprehensive ~~review evaluation~~ of the president's performance and compensation shall normally occur at three-year intervals.

Annual ~~Review~~Evaluation

Purpose

The purpose of the ~~annual review evaluation~~ is to enable the president to strengthen his or her performance, to enable the president and the board of trustees to reset mutually agreeable goals, and to inform annual decisions on compensation adjustments and other terms of employment.

Responsibility

It shall be the responsibility of the board of trustees to assess the president's performance, goals, and compensation annually. ~~The board delegates to the UCF Compensation and Labor Governance Committee, as its members shall mutually decide and within the parameters of this policy,~~ the responsibility for organizing and conducting the process with the president.

Process

The president shall provide a written management review statement ~~and annual self-assessment to trustees for the further review and in a format and timetable mutually agreed upon with the Compensation and Labor Committee. Normally consideration of the committee. Normally,~~ unless revised by the ~~Governance~~ eCommittee in consultation with the president in the intervening period, the statement format will remain the same year-~~to-~~ year. In addition, the board chair shall request participation from the chair of the Board of Governors, who may involve the ~~C~~ehancellor, during the annual evaluation process. This participation will include a review of the president's responsiveness to the Board of Governors' strategic goals and priorities, and the president's compliance with system-wide regulations. The management review statement, any supplemental information the committee may have requested of the president, and any supplemental information the committee has developed shall be sent to all trustees and to the president before the board of trustees meeting at which the president's review, goals, and compensation will be acted upon. The president will attend this meeting. A staff member shall be assigned to work directly with the committee.

Outcomes

Note: Portions of this policy were selected from the following publication:

R. T. Ingram and W. A. Weary, *Presidential & Board Assessment in Higher Education Purposes, Policies & Strategies Appendix B Illustrative Board Policies and Procedures: Annual Presidential Performance Reviews* (Washington, D.C.: Association of Governing Boards of Universities and Colleges Publications, 2000), 57-58.

After the board's deliberation and action, minutes shall be published that document the review of the president's performance and compensation.

Note: Portions of this policy were selected from the following publication:

R. T. Ingram and W. A. Weary, *Presidential & Board Assessment in Higher Education Purposes, Policies & Strategies Appendix B Illustrative Board Policies and Procedures: Annual Presidential Performance Reviews* (Washington, D.C.: Association of Governing Boards of Universities and Colleges Publications, 2000), 57-58.

Comprehensive ~~Review~~Evaluation

Purposes

The purpose of the review is to strengthen the leadership of the president and board of trustees by assessing the quality of their relationship and the president's performance through an independently conducted process. The process seeks to gather, on a wide range of management and governance matters, the informed perceptions of leaders of major stakeholder groups, as well as those of the president and trustees.

Responsibility

It shall be the responsibility of the board of trustees to comprehensively assess the quality of the relationship between the president and the board; along with the president's performance and ~~compensation, at~~compensation, at three-year intervals. ~~In accordance with the parameters of this policy. The board delegates to the Compensation and Labor Governance Committee, as its members shall mutually decide and within the parameters of this policy,~~ the responsibility for organizing and conducting the review process with the president, using independent consultants. No consultants shall be connected directly or indirectly with the institution by present or past affiliation. The chair of the board of trustees and the president shall be consulted regarding the selection of the independent consultants. The final selection of the consultants shall be approved by the ~~Compensation and Labor Governance~~ Committee and by the board. Procedural details shall be decided upon by the ~~Compensation and Labor Governance~~ Committee with the consultants' advice and counsel, and within the parameters of this policy.

Process

The activities shall include personal interviews with appropriate individuals, internal and external to the institution, as agreed upon by the committee and consultants. In addition, the consultant shall request participation from the chair of the Board of Governors, who may involve the ~~Ce~~hancellor, during the evaluation process. This participation will include the president's responsiveness to the Board of Governors' strategic goals and priorities, and the president's compliance with system-wide regulations. The committee also shall provide any guidance on the general nature of the consultant's review. A staff member shall be assigned to work directly with the consultants and the committee.

The customary annual presidential management review shall be modified to be consistent with the advice of the consultants and committee. Prepared in advance of the review process, the statement shall provide a comprehensive picture of the institution's academic and financial status, along with other indicators of progress during the president's tenure. It should highlight particular achievements, as well as persistent institutional issues.

The committee also shall decide how best to communicate with the UCF community and the ~~Orlando metropolitan Central Florida~~ area before, during, and after this process. The committee is delegated the authority to set (1) the report's general written and oral format (for later submission to the committee, president, and board) and (2) the arrangement by which the consultants will be available to discuss their report with the president and ~~the~~ board.

Outcomes

The consultants will provide a comprehensive written report detailing the institution's progress and major achievements during the president's tenure. This shall include

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R. T. Ingram and W. A. Weary, *Presidential & Board Assessment in Higher Education Purposes, Policies & Strategies Appendix B Illustrative Board Policies and Procedures: Annual Presidential Performance Reviews* (Washington, D.C.: Association of Governing Boards of Universities and Colleges, 2000), 57-58.

substantive recommendations for the president and the board designed to strengthen UCF's management and governance.

Note: Portions of this policy were selected from the following publication:

R. T. Ingram and W. A. Weary, *Presidential & Board Assessment in Higher Education Purposes, Policies & Strategies Appendix B Illustrative Board Policies and Procedures: Annual Presidential Performance Reviews* (Washington, D.C.: Association of Governing Boards of Universities and Colleges Publication 2000), 57-58.

UNIVERSITY OF CENTRAL FLORIDA**BOARD OF TRUSTEES****POLICY ON USE OF STADIUM****Use of Stadium for Certain Large Events**

SUBJECT: Use of Bright House Networks Stadium	Effective Date:		Policy Number:	
	Supersedes:		Page	Of
	Responsible Authority: Board of Trustees		1	2

APPLICABILITY/ACCOUNTABILITY: POLICY STATEMENT:

It is the policy of the UCF Board of Trustees that uses of the ~~Bright House Networks~~ Stadium on the UCF campus that may have a significant impact on the surrounding community should be reviewed and approved by the board.

This policy applies to all uses of the stadium.

This policy does not apply to meetings held in such areas as the stadium concourse, ground level rooms, or Roth Tower. Events held outside of the stadium gates shall be subject to existing university event policies and regulations.

POLICY STATEMENT:

1. Except as otherwise provided in this policy, the stadium shall ~~only~~ be used for permitted uses.
2. Home football games and practices shall have priority over all other uses of the stadium.
3. Permitted use of the stadium other than home football games or practices shall require approval of the president or his designee.
4. All uses of the stadium must be coordinated with the UCF Athletics Association, Inc., which will advise the president or his designee about the appropriateness of the proposed use and whether the use could potentially damage the stadium turf or other stadium facilities.
5. All uses of the stadium other than permitted uses shall require ~~a majority plus one~~ vote approval of the Board of Trustees ~~who attend the Board meeting in which a quorum is~~

~~present~~. The president or his designee shall make a recommendation to the Board regarding the proposed use.

DEFINITIONS:

Board of Trustees: University of Central Florida Board of Trustees.

Permitted Uses:

1. Home football games (including any ~~C~~onference ~~USA-C~~hampionship ~~G~~ame in which UCF is a participant) and practices for the UCF football team;
2. Homecoming events such as a concert;
3. National presidential campaign events; and
4. Events with anticipated ~~actual~~ attendance of less than 10,000.

Stadium: ~~Bright House Networks~~The football Stadium located on the UCF Campus.

PROCEDURES:

Any organization or person desiring to hold an event at the Stadium located on the UCF campus shall submit a ~~completed application~~written request for use of the stadium to the ~~Vice President for Administration and Finance, who shall forward a copy to the~~ Vice President and Director of Athletics for review and comment. The written request should include details of the proposed use, and the vice president or designee will interact with the requestor to gather sufficient information to reasonably assess the requested use. The vice president will determine if the requested use is to be further considered and, if it is, what agreement with the requestor will be required and what university procedures and regulations may apply.

The vice president will forward a ~~copy summary~~ of the ~~Director of Athletics comments and the application use request, with any comments,~~ to the president or designee for ~~his~~ review and consideration. The president or designee may approve, which in the case of permitted uses shall be made by the president or his designee. Applications Requests for uses other than permitted uses which have the preliminary approval of the vice president as well as the president or ~~his~~ designee, shall then be submitted ~~by the vice president to the chair of the Facilities Planning Committee for review and transmittal~~ to the Board of Trustees for its consideration. Subject to the terms of this policy, the vice president ~~Vice President for Administration and Finance~~ will notify the applicant in writing of approval or denial of the application. Approval may be subject to the requirement that the applicant's meeting conditions outlined in the approval, including such conditions as a license for use that includes insurance requirements and, indemnification provisions for damage, ~~and other conditions.~~

RELATED DOCUMENTS:

~~Application for Use of Bright House Networks Stadium~~

INITIATING AUTHORITY:

UCF Board of Trustees

History: New 9-17-2009. Revised 9-____-2021.

Authority: Section 7(c), Art. IX, Fla. Const.; FL BOG Regulation 1.001

Attachment D

UNIVERSITY OF CENTRAL FLORIDA BOARD OF TRUSTEES POLICY

Request for and Release of Direct Support Organization Records

This Board policy applies to the release of documents of a direct support organization pursuant to a public records request.

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

POLICY STATEMENT

Section 1004.28 of the Florida Statutes, which governs university direct support organizations, provides as follows:

All records of the organization other than the auditor's report, management letter, and any supplemental data requested by the Board of Governors, the University Board of Trustees, the Auditor General, and the Office of Program Policy Analysis and Government Accountability shall be confidential and exempt from s. 119.07(1).

Because the records of a direct support organization are both confidential and exempt, the organization cannot voluntarily release those records to the public. However, the University Board of Trustees may request supplemental data from a direct support organization. Any such data in the possession of the University would constitute a public record subject to any exemptions provided by Florida Statutes.

The Board of Trustees desires to establish a policy pursuant to which certain categories of direct support organization records will be requested by the University for production pursuant to a public records requests. Additional records may be requested upon further action of the Board or its designee.

DEFINITIONS

Direct Support Organization Records. All records sent or received by the organization in connection with the transaction of DSO business.

Public Direct Support Organization Records. All Direct Support Organization records obtained by the University pursuant to this policy for the purposes making available to the public.

PROCEDURES:

The Board of Trustees delegates to the President or his designee the authority to request, on behalf of the Board of Trustees, the following Public Direct Support Records from UCF direct support organizations:

1. Contracts that have no remaining or outstanding obligations and do not contain a confidentiality provision.
2. Accounting and financial records relating to the receipt, expenditure and investment of DSO funds.
3. Employment contracts and salary information.

Direct support Organization Records held by a University employee, while acting on the behalf of the direct support organization, will remain confidential and exempt.

All third party proprietary information, as well as donor information, will be removed from Direct Support Organization Records prior to delivery to the University.

All Public Direct Support Organization Records will be reviewed by the General Counsel's office for statutory exemptions prior to release to the public.

INITIATING AUTHORITY

UCF Board of Trustees

History: New 3-2017.

Authority: BOG Regulation 1.001

PRESIDENTIAL SELECTION: PROCESS GUIDE FOR THE UNIVERSITY OF CENTRAL FLORIDA

I. Roles in Presidential Selection Process

- A. **Selecting President:** This is the sole responsibility of the UCF Board of Trustees, with the selection subject to ratification by the Florida Board of Governors. UCF will adhere to Board of Governors regulation 1.002, Presidential Search and Selection.
- B. **Screening of Candidates:** This responsibility is delegated by the UCF Board of Trustees to a search firm and a search committee, whose members are appointed by the board chair and are charged with conducting specific activities.
- C. **Searching for Applicants:** This is a critical activity in which all members and friends of the UCF academic community may participate.

II. Background Steps

- A. **Preparation and Updating of Institutional Analysis:** This committee appraised the present condition of UCF and detailed the reasons for its success to determine qualities needed in a future president. As Judith McLaughlin and David Reisman indicate in *The Presidential Search: A Guide to the Process of Selecting and Appointing College and University Presidents*, "If a successful search is to be conducted, the search committee must have a clear sense of the sort of person for whom they are searching. The starting point of the search process, then, should be introspection concerning what the institution needs in order to reorganize strengths and to cope with weaknesses, both in terms of history and tradition, and future prospects and dilemmas. . . . Without an institutional assessment and leadership definition, the search committee is also at a loss to know who will be the best choice for them. They run the risk of choosing someone totally inappropriate for their institution, someone whose attractiveness lies in the fact that his or her style differs (or mirrors) the departing president, or someone whose understanding of the college or university is too limited for effective leadership."

The Nominating Committee enumerated the Critical Success Factors that have been key to UCF's prominence. This document will be reviewed and updated as needed until such time as the board undertakes a presidential search.

- B. **Develop Leadership Statement:** A Leadership Statement developed by the president and the committee provides a description of the qualities sought in a president at this stage of UCF's development. Representing the board's consensus on the work to be done in a next presidency, the statement serves as a single grid against which candidates will be measured. At the initiation of the search, the Vice President and General Counsel will prepare a memorandum to the Board of Trustees, search committee, and search firm outlining the search criteria and be available for interpretation of such criteria.

The Nominating Committee has adopted the Leadership Statement. This document will be reviewed and updated as needed until such time as the board undertakes a presidential search.

- C. **Appointment of Interim President (If Needed):** The board chair will recommend to the Board of Trustees for approval an interim President to serve until a new President takes office.
- D. **Decisions on Compensation Range:** The Compensation and Labor Committee annually reviews the president's compensation package and recommends changes to the board. At the time of a search, the committee will update the compensation data as may be needed for the new president.
- E. **Decisions on Search Consultant:** The board chair, with input from the Board and leadership of the University, shall retain a search consultant to assist with the search process. *(Continue discussions of best practices through AASCU and others.)* Search consultants being considered should come on-campus for an interview.
- F. **Size and Composition of Board of Trustees' Search Committee:** A search committee composed of eight to fifteen members will be appointed by the board chair with input from the trustees and the leadership of the university. At least three trustees shall serve on the committee. A chair and vice chair of the search committee, both of whom will be trustees, will be appointed by the board chair. All appointments will be ratified by the full board.

The search committee will include one or more representative from the faculty, student body, Foundation board of directors, administration who are not the current President or a direct report to the President, and representatives from the broader community. The board chair will also ask the Florida Board of Governors to appoint a representative to serve on the search committee. The board chair also will ask one or more presidents of the community colleges who participate in the Direct Connect Consortium with UCF to serve or appoint a

representative to the search committee.

The search committee will work with the search consultant to solicit and screen applicants using the Leadership Statement adopted by the board, interview semi-finalists, and recommend three to five finalists to the full board. In all of its actions, the search committee will act in a manner consistent with the requirements of the Sunshine Law.

- G. **Development of Search Committee Charge:** Please see the attached Exhibit A. This charge will be presented to all members of the search committee.
- H. **Establishment of Timeline:** The search consultant will work with the chair of the Board and the chair of the search committee to establish a timeline for the search.

III. Implementation

- A. **Advertising of Position and Development of Candidate List:** The search consultant will solicit nominations for the position from his or her various sources. Additionally, the position will be advertised broadly through *The Chronicle of Higher Education* and other appropriate media. All nominations and applications will be directed to the search consultant. Applications and nominations will be considered to be open until the finalist selection process is completed.
- B. **Reference and Background Checks:** These checks will be conducted by the search consultant, with the assistance of others as may be appropriate.
- C. **Determination of Finalists:** The search committee will select up to five finalists.
- D. **Campus Visits:** Members of the search committee, with the aid of the search consultant, will arrange campus visits for all finalists. These visits will feature multiple opportunities for the candidates to interact with representatives from the board, faculty, students, staff, and the broader community. The search committee will provide the results of community advice and reactions regarding the finalists to the Board of Trustees.
- E. **Final Selection by Board of Trustees and Negotiations:** The Board of Trustees shall select the individual to be hired as President, subject to ratification by the Florida Board of Governors. The Board Chair and General Counsel will negotiate the terms of the President's contract.
- F. **Welcome and Transition Activities:** The Board will oversee the announcements of the selection of the new President, with notification to those most directly affected (e.g., faculty, student and administrative staff leaders) preceding the

public announcements. The Board and the new President will discuss mutual expectations regarding Board culture, processes, communication and operations. Additional reading material about the University will be provided to the President. A series of introductions to the University and the broader community will be scheduled, affording the President the opportunity both to increase his or her understanding of the University and the community and to express his or her goals and viewpoints on a variety of issues. The Board and the President will consider the desirability of a series of familiarization workshops and of a transition team or committee.

EXHIBIT A: DRAFT OF BOARD CHAIR'S CHARGE TO PRESIDENTIAL SEARCH COMMITTEE

The search committee, appointed to advise the Board of Trustees of the University of Central Florida, is composed of _____ members. The committee's chair is Trustee _____, and its vice chair is Trustee _____.

The search committee is charged with recommending to the trustees not later than (date), an unranked list of three to five individuals who are well qualified to lead UCF as its next president. The search committee is asked to base its recommendations upon the Leadership Statement adopted by the Board of Trustees, as well as the trustees' established equal opportunity and affirmative action policies.

The board chair asks the search committee, assisted by the search firm, to conduct the following activities in discharging its duties:

- Actively solicit nominations and applications from a diverse group of well-qualified persons.
- Screen applications using the leadership criteria as the basis for choice.
- Assist in arranging campus visits for finalists.
- Report to the board a summary of campus and community reactions to finalists.
- Ensure that appropriate information about the university and the presidency is provided to candidates at each stage of the screening process.
- Ensure that appropriate confidentiality is strictly observed with respect to applicants and to the committee's internal deliberations.
- Submit more than two qualified candidates to the Board of Trustees for consideration.
- Comply with the requirements of Board of Governors Regulation 1.002.

The Board of Trustees extends its gratitude to the members of the search committee for accepting this demanding assignment. You have the trustees' warmest wishes for a successful conclusion. The future of the university rests upon your wisdom.

Leadership Statement
University Of Central Florida
Board of Trustees' Nominating Committee

July 18, 2019

The successful candidate will demonstrate the following characteristics:

- A high level of integrity
- Anticipatory thinker
- A strong personal and professional academic background
- A sense of commitment to undergraduate education, as well as a dedication to and understanding of graduate and professional education and research
- A respect and concern for students
- Commitment to inclusion and diversity
- A commitment to student success in all areas of the collegiate experience
- An understanding and respect for the roles and responsibilities of the faculty
- A demonstrated record of building, nurturing, and working with a high caliber leadership team
- A demonstrated record of partnership and spirit of entrepreneurship
- Tolerant of risk and encourages creativity and innovation
- A willingness to make strategic choices, timely decisions, and responsive actions\
- Courageous decision maker, who embraces the responsibility to make tough calls
- The ability to acquire resources from a variety of sources, including fundraising
- The ability to work with a variety of governmental agencies
- A keen understanding of the unique mission and the ability to lead a multisite metropolitan research university
- Desire and ability to include access and inclusion
- Appreciation for the significant role of intercollegiate athletics in the life of the university
- Effective facilitator in cultures where governance is shared and buy-in is critical
- Resilient, able to learn from failures and move constantly forward

Board of Trustees
Governance Committee | September 22, 2021

GOVC-2: Amendments to Chapter 5 University Regulations

☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: September 23, 2021

Purpose and Issues to be Considered:

This group of regulations address students rights and responsibilities and are reviewed annually and updated as needed. Three of these regulations (UCF-5.009, UCF-5.013, and UCF-5.015) were initially amended on an emergency basis on July 1, 2021 to include changes necessary to comply with new language in Section 1006.60, Florida Statutes. The amended statute requires a number of changes to university regulations concerning student conduct procedures for both students and student organizations. Some of the proposed regulation amendments memorialize those emergency changes to conform to the new statute; other proposed regulation amendments update procedures and provisions for improved clarity and function.

UCF-5.006 Student Rights and Responsibilities addresses student rights and responsibilities as part of the university community. The most significant proposed change is the removal of several sections from the regulations with the goal of making the regulation easier to use as a reference. Specifically, sections explaining campus resources will be removed from regulation and included in a different part of the student handbook; other sections relating to involuntary withdrawal and mandated assessment are moved to a new proposed regulation (UCF-5.0065) because these topics are not otherwise related to the material contained in the regulation. Other proposed changes are to update definitions; add definitions for 'class lecture' and 'publish' in keeping with new statutory provisions; and update procedures for sex-based misconduct to conform to recent statutory changes (including timely written notice, updated timeframe for sharing of information, and allowing for direct participation by student's advisor or legal representative in the process). Other amendments throughout serve to update titles and cross-citations and correct numbering or lettering.

UCF-5.007 Student Conduct and Academic Integrity; Scope; Student Conduct Records; Medical Emergencies lays out the scope of and authority for the student conduct process. The only proposed amendments are to update the regulation title and web links pertaining to medical emergencies and to correct cross-citations.

UCF-5.008 Rules of Conduct Appeals, which sets out the student rules of conduct, has been amended to add a prohibition on fraud, to clarify language regarding class recordings, to simplify certain provisions that cross-reference the University's Nondiscrimination policy (Policy 2-004), to update the prohibition related to tampering with safety equipment, to update links related to handling of conduct charges following medical emergencies, and to update language regarding violation of the information technology use policy. Additional minor changes and corrections have been made throughout.

UCF-5.009 Student Conduct Review Process; Sanctions sets out the process for reviewing alleged student rule violations. The regulation amendments include: clarifying the time limit for initiating a

student conduct matter, specifying timelines for written notices, clarifying that no other recordings of formal hearings will be permitted except for the recording by the university, updating language regarding the role of the advisor, advocate, or legal representative in the process, adding new language regarding the right to an impartial hearing officer and delayed issuance of a diploma.

UCF-5.010 Student Conduct Appeals, which sets out the appeal procedure for a student following a student conduct matter, is amended to clarify that the person designated to hear the appeal may not have directly participated in any other proceeding related to the charged violation. Links to websites have also been updated.

UCF-5.011 Scope; Authority; Principles of Student Group Responsibility; Violations of Law and Rule of Conduct Violations; Conduct Records; Medical Emergencies lays out the scope of and authority for the student conduct process as to registered student organizations. This regulation is amended to change the title of the regulation to clarify the application to student organizations and to clarify that the university may investigate allegations that student organizations have violated the student organizational rules of conduct and briefly describing the steps for such an inquiry.

UCF-5.012 Organizational Rules of Conduct, which sets out the rules of conduct for student organizations at the university, is amended to add a prohibition on fraud, to add a prohibition on interfering with the election processes of a student organization, to move and update the definition of complicity, to simplify certain provisions that cross-reference the University's Nondiscrimination policy (Policy 2-004), to update links related to handling of conduct charges following medical emergencies, to update the prohibition on unauthorized entry, and to update the prohibition related to tampering with safety equipment, . Additional minor changes and corrections have been made throughout.

UCF-5.013 Organizational Conduct Review Process; Sanctions; Appeals sets out the procedures related to student organization conduct proceedings. The proposed regulation amendments include: clarification of the time limit for initiating a student organization conduct matter, specifying timelines for written notices, clarifying that no other recordings of formal hearings will be permitted except for the recording by the university, and updating language regarding the role of the advisor, advocate, or legal representative in the process. New language has also been added regarding the right to an impartial hearing officer.

UCF-5.015 Student Academic Behavior Standards sets out student academic behavior standards and outlines the process in the event of academic misconduct allegations and findings. The proposed regulation amendments include: updating the title of the regulation, updating a form link, updating titles and procedural references, updating timelines in the academic misconduct process, incorporating from the student conduct review process the student procedural rights, and clarifying that the person designated to hear the appeal may not have directly participated in any other proceeding related to the charged violation. Additional minor changes and corrections have been made throughout.

These regulations were posted online August 20, 2021, for public comment. No comments were received as of the date of submission of these materials.

Background Information:

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

**Recommended Action:**

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

Alternatives to Decision:

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

Fiscal Impact and Source of Funding:

N/A

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 has approved adding this item to the agenda ☒

Submitted by:

Youndy Cook, Interim Vice President and General Counsel

Supporting Documentation:

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

Facilitators/Presenters:

Youndy Cook

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 federal, state, or local laws, or University policies and 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."

- (i) Students with disabilities may be entitled to accommodations. For those students, please contact Student Accessibility Services.

(2) Student Responsibilities. A student at the University is deemed to have given ~~his or her~~their 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 Misconduct~~ Panel” is comprised of one faculty and one staff/faculty member and two students selected from the Student Conduct Board.
- (b) The term “Advisor” or “Support Person” refers to any individual who provides support, guidance or advice to a party involved in a Student Conduct Review Process and includes advocates and/or legal representatives. The Advisor or Support Person of the involved party’s choice may assist and/or accompany the party throughout the 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~~may be present to advise the party involved in a Student Conduct Review Process and may participate in all aspects of the proceeding, but shall not testify for the party. The Advisor or Support Person may not serve in any other role, including as a witness, an investigator, decider of fact, hearing officer, or member of a committee or panel convened to hear or decide the charge or any appeal. As used in this regulation and in Regulation UCF-5.009, the term “Advisor” does not include an advisor as defined under 34 CFR 106.45; refer to University Policy 2-012 for information about “-Advisor-” under the University’s Title IX Grievance Policy.
- (c) The term “Class Lecture” is defined as a formal or methodical oral presentation as part of a university course intended to present information or teach enrolled students about a particular subject. A class lecture will occur most often in a course identified by the university as a lecture type course, whether online or in-person, as opposed to a lab course or a course section identified as a discussion section. “Class lecture” does not include lab sessions, student presentations (whether individually or as part of a group), class discussion (except when incidental to and incorporated within a class lecture), clinical presentations such as patient history, academic exercises involving student participation, test or examination administrations, field trips, and private conversations between students in the class or between a student and the faculty member during a class session.
- (~~e~~d) 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~~e) 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 Student Conduct and Academic Integrity

(SCAI) or designee to review the disciplinary status of a student, or the removal of a “Z Designation” on a student’s transcript.

(ef) 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), the Rules of Conduct section UCF-5.008(6), 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.

(fg) The term “Consent” means 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.

1. Responsibilities - It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement.
2. 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.
3. 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.
4. Duration of Consent - Consent must be ongoing throughout sexual activity, for each sexual act, and can be withdrawn at any time.
5. 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.
6. 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.
7. 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.
8. Scope of Consent - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.

- (gh) 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).
- (hi) 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.
- (ij) The term “Director of SCAI” refers to the Director of Student Conduct and Academic Integrity.
- (jk) The term “Hold” refers to a negative 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.
- (kl) The term “~~m~~Mandated ~~a~~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.
- (lm) The term “Off Campus” refers to any location not defined as University premises.
- (mn) The term “Overlay” refers to a notification on a student’s university transcript that states the student is not in good standing.
- (o) The term "Possession" means having actual knowledge of a substance or property, and intentionally exercising control over that substance or property.
- (np) 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 and Organizational Conduct Review Process.
- (q) The term “Publish” means to share, transmit, circulate, distribute or otherwise provide access to a recording, regardless of format or medium, to another person (or other persons), including but not limited to another student in the class. Additionally, a recording, or transcript of the recording, is published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited social media, book, magazine, newspaper, leaflet, picket signs, or any mode of print.
- (or) The term “Record Sealing” refers to when a student’s disciplinary record cannot be examined except by a court order or designated officials.
- (ps) The term “Relevant Information” means information that has been shown to directly support the position of a party throughout one of the University’s investigative processes, including the Student and/or Organizational Conduct Review Process.
- (qt) The term “Respondent” refers to any student or registered student organization who has been accused of ~~sex discrimination, a violation of which includes sexual assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, retaliation, or complicity as defined in~~ Rules of Conduct ~~s~~Section UCF-5.008(5), Rules of Conduct Section UCF-5.008(6), and/or ~~or~~ the Organizational Rules of Conduct section UCF-5.012(5).
- (ru) 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~~v) 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~~w) 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~~x) The term “Sexual Contact” means physical contact of a sexual nature between individuals and includes but is not limited to: (i) touching, kissing, fondling (whether over or under clothing) of an individual for the purpose of sexual gratification; and/or (ii) 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 (iii) contact, however slight, between the anus or sex organ of one individual and any other object.
- (~~v~~y) 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).
- (~~w~~z) The term “Student Conduct Board” ~~means-refers to~~ any person or persons authorized by the Director of SCAI or designee to ~~review gather~~ information and ~~recommend make-proposed~~ findings regarding whether a student or registered student organization has violated the Rules of Conduct or Organizational Rules of Conduct, and to ~~recommend propose~~ sanctions that may be imposed, if applicable. Student Conduct Board members shall be selected through an annual application and interview process, with the exception of the justices from the Student Government Judicial Branch. All members of the Student Conduct Board shall receive annual training from SCAI.
- (~~x~~aa) 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”. Additionally, Title IX prohibits discrimination on the basis of pregnancy as well as Title IX sexual harassment (defined in UCF-5.006(712)).

(ybb) 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.

(zcc) The term “University” means the University of Central Florida.

(aadd) 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.

(bbee) 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.

(eeff) 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.

(ddgg) 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.

(eehh) The term “VP of SDES” refers to the Vice President of Student Development and Enrollment Services.

(ffii) 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.~~ University premises.

(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 law enforcement officials or 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 law enforcement officials if alcohol-related and/or drug-related medical emergencies arise. The ~~u~~ University’s primary goal is to create a safe environment for its students. Procedures and expectations regarding these incidents have been outlined in the section 5.007 for individuals of and 5.011 for Registered Student Organizations. ~~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): Associate Vice President for Student Health Services Student Health Services Executive Director, Counseling and Psychological Services Director, UCF Police Department Chief, Student Care Services Associate Director, Student Conduct and Academic Integrity Director, Associate Dean for Academic Services, Housing 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 Student Health Services and Counseling and Psychological Services representatives on the Crisis Team will be consultative in nature. When possible, Student Health Services and Counseling and Psychological Services representatives 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 representatives 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 to respond to 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 uUniversity (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. — Should the student fail to attend the Interim Involuntary Withdrawal review, the review may be held in the student’s absence, and any recommended actions will be made using the information available at the time of the scheduled review.~~
- ~~45. — 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 their 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 themselves. 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~~
 3. ~~Allow continued enrollment with conditions~~
 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. Should the appellate officer require additional time for review beyond the three (3) business days, the appellate officer shall notify the student in writing of the need for additional time. 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.~~

(611) Student Conduct Procedures for Sex-Based Misconduct (Non-Title IX Sexual Harassment).

- (a) These procedures apply to alleged violations of UCF Regulation 5.008(5) and 5.012(5), but do not apply to 5.008(6) Title IX Sexual Harassment (see paragraph (712) below).
- (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.

Allegations of Title IX Sexual Harassment (as defined in the University's Title IX Grievance Policy, UCF Policy 2-012) are governed by paragraph (742) below.

- (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. Reports may be filed at <https://letsbeclear.ucf.edu>.
- (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 sex, gender, 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 (except in cases involving alleged Title IX Sexual Harassment as defined in the University's Title IX Grievance Policy, UCF Policy 2-012, see paragraph (742) below). These rights provide a fair process for both parties. 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. This person may be present to advise the party involved in a student conduct review process and may participate in all aspects of the proceeding but shall not testify for the Complainant or Respondent. The advisor or support person may not serve in any other role, including as a witness, an investigator, decider of fact, hearing officer, or member of a committee or panel convened to hear or decide the charge or any appeal.~~

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, at least seven business (7) business days before the formal hearing, both the Complainant and Respondent will receive timely written notice of the charges in sufficient detail to prepare for the formal hearing and the date, time, and location of the formal hearing. In addition to the timely written notice, Complainant and Respondent will be required to attend a preliminary conference meeting with SCAI and be informed of the available resolution options in the student conduct review process.
5. Both the Complainant and Respondent have the right to an impartial hearing officer. 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. Prior to the commencement of the formal hearing, the Complainant and Respondent shall have the opportunity to challenge the impartiality of the hearing officer. If the Complainant or Respondent shows good cause for the removal of the hearing officer, the Associate Vice President and Dean of Students or designee will assign a new hearing officer.
6. At least five (5) business days before the formal hearing, Both the Complainant and Respondent will be afforded similar and timely access to provided with all known information in the University's possession related to the allegations. This information will include all known witnesses and all known information that is related to the allegations, both inculpatory and exculpatory. 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 officer. During a formal hearing, all questions shall be asked through the hearing officer. Both Complainant and Respondent should not be questioned directly by one another nor by either's advisor; instead, questions for each shall be asked by the hearing officer based on proposed questions submitted by the other party.

8. Both the Complainant and Respondent will have equal opportunity to present relevant witnesses and other information during the investigative process. 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). 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 OSRR. If OSRR determines that there is “cause,” then OSRR will make a written recommendation, including a copy of OIE’s investigative report and all other supporting information, to SCAI. A finding of “cause” at this stage is not a finding of a violation. SCAI will charge the student and/or registered student organization through the Student Conduct Review Process when there is evidence of facts which reasonably allow the university to conclude that a violation of 5.008(5) or 5.012(5) may have occurred.
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 nor Respondent will have irrelevant past conduct, including sexual history, discussed during the formal hearing. The issue of relevancy shall be determined by the hearing officer.
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. SCAI will ensure that the Complainant and the Respondent each have an opportunity to review any statement submitted by the other party before the start of the formal hearing. The purpose of the statement(s) is to assist the hearing officer in proposing a sanction. Therefore, the statement(s) will be given to the hearing body for consideration only if the hearing officer makes a proposed finding of in violation on one or more allegations of sex-based misconduct (other than Title IX sexual harassment) 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.
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) or 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.
- (f) Administrative hearing officers who hear cases of sex-based misconduct (other than Title IX sexual harassment) receive annual training on how to conduct fair and impartial hearings for these types of cases.

(742) Title IX Sexual Harassment Procedures for Student Conduct Review Process.

- (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. Part of Title IX's prohibition regarding sex discrimination includes acts of Title IX Sexual Harassment as defined in the University's Title IX Grievance Policy, UCF Policy 2-012. Title IX also prohibits retaliation for making a good faith report of Title IX Sexual Harassment or participating in or being a party to any proceeding involving allegations of Title IX Sexual Harassment.
- (b) Rights of the Complainant and the Respondent. The rights of the Complainant and Respondent in a Title IX Sexual Harassment matter are explained in the University's Title IX Grievance Policy, UCF Policy 2-012.
- (c) Procedures Governing Title IX Sexual Harassment Allegations. The policy and procedures which govern the investigation and live hearing process for allegations of Title IX Sexual Harassment are found in the University's Title IX Grievance Policy, UCF Policy 2-012.
- (d) Administrative hearing officers who hear cases of Title IX Sexual Harassment 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, 6-18-20, 10-22-20, _____-21.

UCF-5.007 ~~Student Conduct and Academic Integrity~~; Student Conduct 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 ~~s~~Student ~~e~~Conduct ~~r~~Review ~~p~~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 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 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 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 law enforcement officials or 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 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.

- (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 110(a)-110(d) and/or 121(a)-121(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 110(a)-110(d) and/or 121(a)-121(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>~~ <https://scai.sdes.ucf.edu/parental-notification/>.
- (e) Additional information regarding alcohol and/or other drug-related emergencies can be found on the SCAI website at
~~<https://scai.sdes.ucf.edu/medicalemergencies/>~~~~<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, 6-18-20, ____-21*

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 are 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 (faculty or staff) or ~~, university and non-university~~ law enforcement officers, ~~faculty or staff~~.

- (b) Possession, use or attempted use of any form of fraudulent identification, including the credentials or identification of another individual.
- (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 or the Student Conduct Review Process, including knowingly initiating a false complaint.
- (f) Fraud: Any act of deceit or misrepresentation for purposes of financial or personal gain.

(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 produce identification-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, noncompliance, 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: Discriminatory harassment consists of verbal, physical, electronic or other conduct based upon a protected class as defined in University Policy 2-004, or membership in other protected classes set forth in state or federal law that interferes with that individual's educational or employment opportunities, participation in a university program or activity, or receipt of legitimately-requested services meeting the description of either Hostile Environment Harassment or Quid Pro Quo Harassment, as defined in University Policy 2-004.1 Prohibition of Discrimination, Harassment, and Related Interpersonal Violence.
- (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~~their 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: ~~d~~Defined as ~~conduct~~behavior not of a sexual nature that is repeated ~~and/or~~ unwanted ~~conduct~~ toward or ~~contact~~ with another person that would cause a reasonable person to fear ~~for their safety 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~~ activity (other than class lecture), or of ~~organizational, or University~~ meetings, where there exists a legal expectation of privacy, and ~~/or~~ any ~~use, disclosure, or distribution~~unauthorized publication of ~~any such~~ recording.
 - 3. Engaging in acts of voyeurism, including but not limited to peeping or surreptitiously recording another when there is a reasonable expectation of privacy.
 - 4. Any notice, consent, or other requirements 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) Sex-Based Misconduct (Non-Title IX Sexual Harassment)

- (a) Sexual Assault. Sexual assault means sexual contact without consent.
- (b) Sexual Harassment. Sexual harassment means 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 UCF Policy 2-004 are present. ~~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 sexual contact without consent may be sufficiently severe to constitute sexual harassment.~~
- (c) Gender-Based Harassment: Gender-based harassment is 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 Policy 2-004 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) Any attempted acts of sex-based misconduct are also violations of this policy.

(6) Title IX Sexual Harassment

(a) Title IX Sexual Harassment is defined as any conduct on the basis of sex which occurs (i) on or after August 14, 2020; (ii)-against a person located in the United States; and (iii) in or as part of the University's education program or activity, which satisfies one or more of the following:

1. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.⚠
2. Sexual assault (as defined in the Clery Act), which includes any sexual contact that occurs without consent (consent and sexual contact are defined in UCF-5.006(3)).⚠
3. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any act of violence or threatened act of violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.
4. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person

who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Florida statute or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Florida.

5. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others; or (b) suffer substantial emotional distress.
- (b) Retaliation, including but not limited to conduct meant to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations or UCF Policy 2-012.

(7) 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) Misuse, tampering with, or damaging fire safety or other safety equipment.

(8) 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. 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.

(9) 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 property (as defined by University Regulation UCF-4.036).
- (d) Unauthorized possession, duplication or use of keys to any University property (as defined by University Regulation UCF-4.036).

(10) Misconduct at University Sponsored/Related Activities

- (a) Violation of the UCF Rules of Conduct at any UCF sponsored or 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.

(11) 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://scai.sdes.ucf.edu/medicalemergencies> ~~<http://osc.sdes.ucf.edu/medicalemergencies>~~.

(12) Alcoholic Beverages Violations

- (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 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://scai.sdes.ucf.edu/medicalemergencies>~~<http://ose.sdes.ucf.edu/medicalemergencies>~~.

(13) Possession of Weapons and/or Dangerous Materials

- (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.

(14) 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(s) 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.

(15) 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 or of a faculty or staff member. ~~member or University Official.~~
- (f) Use of computing facilities and telecommunications resources to send obscene ~~material~~ 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 (UCF Policy 4-002), including a violation of the terms and conditions of any third party computing system.
- (j) Any violation of the University of Central Florida ResNet Acceptable Use Policy.

(16) 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 registered 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.

(17) 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.

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

(19) 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.

(20) 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.

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, 6-18-20, 10-22-20, 12-3-20, ____-21.

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 Student Conduct and Academic Integrity (SCAI) or designee. Upon receiving an alleged violation of misconduct, the Director of 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 ~~u~~University, or of property, the Director of 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 any formal charges resulting from the circumstances of the case, unless the VP of SDES or designee shall decide otherwise.

- (a) The Director of the SCAI will refer all information warranting disciplinary action and assign the case to the appropriate staff member. 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 SCAI has six (6) months to charge a student with a violation of the Rules of 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.~~ SCAI will waive the six-month limit in cases involving sexual harassment, dating violence, domestic violence, and stalking and may waive the time limit for other extraordinary cases, as determined by the Director of SCAI or designee. 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 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. At the preliminary conference, T~~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 conference, the Office of Student Conduct~~ SCAI recommends an option for resolution of the disciplinary charges. If the student fails to attend the preliminary conference, a hold may be placed on the student's record, preventing them from registering for future classes until the matter is resolved, and SCAI may move forward with scheduling a formal hearing as a resolution for disciplinary charges. 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.

(2) Options for Resolution of Disciplinary Charges.

- (a) Case Dismissal: The Director of 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, 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 possible 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 SCAI. Mediation will not be a resolution option for cases involving allegations of incidents of sexual misconduct and/or interpersonal violence.
- (c) Informal ~~Hearing~~Resolution Conference: At the discretion of SCAI, violations found not to warrant a formal hearing may be referred to an informal resolution conference~~hearing~~. SCAI shall provide timely written notice to the student of the charges at least seven (7) business days before the informal resolution conference. At the informal ~~hearing~~resolution conference the charged student has the opportunity to meet with an SCAI 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~~resolution conference (decision of responsibility and recommended sanctions) are final and are not eligible to be appealed (UCF-5.010). The student will receive written notice of the Resolution Agreement within fifteen (15) business days of the conference, except in the case of extraordinary circumstances. Written notice of the Resolution Agreement will include the determination regarding responsibility for conduct violations and applicable sanctions.
- (d) Formal Hearing: If an alleged violation of the Rules of Conduct is not dismissed or otherwise resolved, then SCAI shall ~~present in writing formal~~provide timely written notice to the student of the charges to the student at least seven (7) business days before the formal hearing. Except as set forth in (5) below, the charged student may request either a panel or administrative hearing. The charged student's hearing shall be open only to the charged student; ~~the~~charged student's advisor, advocate, or legal representative; the hearing body; witnesses (when called upon); ~~and a representative from SCAI; and a legal representative for the University.~~ For cases of sex-based misconduct (non-Title IX Sexual Harassment), the hearing shall also

be open to the complainant and advisor. For cases of Title IX Sexual Harassment, the hearing shall also be open to the complainant, advisor, and support person. In cases of alleged Academic Misconduct, the student is required to have an academic integrity 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 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 SCAI to chair the hearing and report the proposed finding(s) and recommended sanctions, if any, to the Director of SCAI or designee.
2. At hearings conducted by a panel, an SCAI staff member shall act as an advisor to the panel. The Director of 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 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 SCAI 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 SCAI 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 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 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 SCAI staff member shall act as an advisor to the administrative hearing officer. The Director of SCAI 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 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 SCAI 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 SCAI 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 formal hearing will be recorded by the University, and no other recordings are permitted. The recording will be madeis part of the official record of the hearing. ~~of the formal hearing and no other recordings are permitted.~~
1. Reading of charges.
 2. Charged 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~~3. All staff memoranda submitted.
 - ~~4~~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.

~~65.~~ The proposed finding(s) and sanction(s) by the hearing panel or administrator, if any.

~~67.~~ The Director of SCAI'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 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 apply to a student disciplinary proceeding:~~

- (a) The charged student shall be afforded ~~reasonable~~timely written notice, at least ~~five-seven~~ (57) business days prior to ~~the formal hearing each disciplinary proceeding~~, unless waived in writing. Written notice may be 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 disciplinary proceeding~~.
 3. The rule(s) of conduct allegedly violated as known at the time ~~the notice is sent formal charges are prepared~~.
 4. A listing of all known witnesses that have provided, or will provide, information against the student ~~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 the notice is sent~~.
- (b) The student may have, at ~~his or her~~ their own expense and initiative, an advisor, ~~advocate, or legal representative to be present and who can fully participate in the disciplinary proceeding (i.e., informal resolution conference or formal hearing) present at the hearing~~. It is the student's responsibility to make appropriate arrangements for the advisor, ~~advocate, or legal representative~~ to attend the ~~preliminary conference or disciplinary proceeding(s), and the disciplinary proceeding(s) hearing~~ shall not be delayed due to scheduling conflicts of the chosen advisor, ~~advocate, or legal representative~~. An advisor, advocate, or legal representative may not serve as a witness during any the formal hearing process a disciplinary proceeding. 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, ~~advocate, or legal representative~~ at any time during the preliminary conference or disciplinary proceeding(s) hearing. This consultation must take place in a manner that does not disrupt the preliminary conference or disciplinary proceeding(s). ~~In addition, an advisor may not serve as a witness.~~ If the advisor, ~~advocate, or legal representative~~ does not adhere to their defined role in the ~~s~~Student ~~e~~Conduct

~~Review~~ ~~Process~~, they may be removed from the hearing disciplinary proceeding.

- (c) The Student Conduct Review Process ~~All hearings~~ shall be conducted on the basis that the charged student is not in violation until the preponderance of evidence proves otherwise, except if the student accepts responsibility for the charge(s). At a hearing, ~~The~~ technical rules of evidence applicable to civil and criminal cases shall not apply to the Student Conduct Review Process, including during a formal hearing. The burden of proof ~~in a student conduct hearing~~ is not on the student charged with a violation of the Rules of Conduct. The university has the burden to prove, by a preponderance of the evidence, that a violation has taken place. Nothing contained in this paragraph prohibits or limits the University in offering other forms of resolution, such as mediation or informal resolution.
- (d) The student shall have the right to an impartial hearing officer for the formal hearing. Prior to the commencement of the formal hearing, the charged student shall have the opportunity to challenge the impartiality of any member(s) of the hearing body. If the student shows good cause for the removal of any member(s) of the hearing body, the Associate Vice President and Dean of Students or designee will assign a new hearing body member.
- (~~de~~) ~~The student may inspect any information presented in support of the charges a~~ At least ~~three-five~~ (35) business days before the informal resolution conference or formal hearing, the University will provide the student with the opportunity to inspect all known information relating to the allegation(s), including inculpatory and exculpatory information. The University also has the right to review any information the student intends to use at the informal resolution conference or formal hearing at least ~~three-five~~ (53) business days before the informal resolution conference or formal hearing. During a formal hearing, oOnly such information that is determined to be "Relevant Information" will be ~~made part of the hearing record~~ allowed.
- (~~ef~~) 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 questioning of a witness shall be facilitated by the hearing officer or panel conducting the formal hearing. The student may hear and question adverse parties who testify at the hearing.
- (~~fg~~) The student shall not be forced to present self-incriminating information during a disciplinary proceeding. In addition, the student reserves the right to remain silent. Such silence may not be used against the student.; ~~however,~~ ~~t~~The University is not required to postpone any disciplinary proceeding(s) 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.
- (~~gh~~) The proposed finding, as well as the Director of SCAI'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.

- (~~hi~~) 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.
- (~~ji~~) Only if the proposed finding of the formal hearing body is that the student is in violation, will prior conduct history be reviewed and potentially affect proposed sanctioning.
- (~~kj~~) The results of any formal hearing shall be made available to the charged student within ten (10) business days following the hearing. Should SCAI need additional time, the deadline can be extended by the Director of 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 fifteen (15) business days following the hearing. The Director of SCAI or designee shall notify the charged student in writing of the need for additional time.
- (~~kl~~) 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 Sex-Based Misconduct and Title IX Sexual Harassment

- (a) In cases involving sex-based misconduct or Title IX sexual harassment, a single hearing officer will be the only option for a formal hearing.
- (b) Where a student is charged with a violation of UCF-5.008(5), the procedures outlined in UCF-5.006(~~644~~) and UCF Policy 2-004 will apply in addition to the procedures of the Student Conduct Review Process outlined above.
- (c) Where a student is charged with Title IX Sexual Harassment as prohibited under UCF-5.008(6), the procedures outlined in UCF-5.006(~~742~~) and the Title IX Grievance Policy (University Policy 2-012) will apply in place of the procedures of the Student Conduct Review Process outlined above, except that UCF-5.009(4)(a) and (e) will apply. and the sanctions outlined below may be applied to violations of UCF-5.008(6) Title IX Sexual Harassment.
- (d) The sanctions outlined below may be applied to violations of UCF-5.008(5) Sex-Based Misconduct (non-Title IX) and UCF-~~5.008~~(6) Title IX Sexual Harassment.

(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. While on Disciplinary Probation, the student may continue to attend classes and is given a chance to show capability and willingness to live in accordance with the Rules of Conduct. 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. Restrictive conditions may be imposed and vary according to the severity of the offense. A nonexhaustive list of

possible restrictive conditions shall be listed on the SCAI website (scai.sdes.ucf.edu). Student leadership eligibility shall be governed by the eligibility requirements outlined by the Office of Student Involvement and their eligibility appeal process. ~~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 a designated period of time during which a student is given the opportunity to demonstrate the ability to abide by the Rules of Conduct. 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. 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. Restrictive conditions may be imposed and vary according to the severity of the offense. A nonexhaustive list of possible restrictive conditions shall be listed on the SCAI website (scai.sdes.ucf.edu). Student leadership eligibility shall be governed by the eligibility requirements outlined by the Office of Student Involvement and their eligibility appeal process. ~~The~~ A disciplinary suspension will be enforced for failure to complete any assigned educational sanctions by the deadline(s) and/or for any subsequent violation of the Rules of Conduct, unless the Director of ~~the OSC~~ SCAI determines otherwise in exceptional circumstances. If the student is found in violation for any 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 SCAI on a case-by-case basis.~~ While on Deferred Disciplinary Suspension, a hold will be placed on a student's record for recordkeeping 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 SCAI. 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 SCAI 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 Issuance of Diploma: The issuance of a student's diploma from the University of Central Florida will be withheld until the completion of a stated time frame and all educational sanctions imposed through the Student Conduct Review Process.
- (fg) Delayed Conferral of Degree – The Administrative process of a student's degree being conferred through the University's Registrar's Office will be delayed. This means the student's degree will not be awarded until the completion of a stated time frame and all educational sanctions imposed through the Student Conduct Review Process. ~~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 misconduct, 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, 6-18-20, 10-22-20, ____-21.

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 Student Conduct and Academic Integrity (SCAI) or designee. The person designated to hear the appeal may not have directly participated in any other proceeding related to the charged violation. The appeal form can be found at <http://scai.sdes.ucf.edu/process>~~http://ose.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 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 SCAI's or designee's final decision letter.

(2) Appeals within the Student Conduct Review Process for Cases Involving Sex-Based Misconduct and/or Title IX Sexual Harassment

- (a) Complainants and Respondents in matters involving allegations of Sex-Based Misconduct and/or Title IX Sexual Harassment (as defined in Regulation UCF-5.008(5) and UCF-5.008(6)) 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 ten (10) business days after the date both the Respondent and Complainant are notified of the decision by the Director of SCAI or designee. The person designated to hear the appeal may not have directly participated in any other proceeding related to the charged violation. The appeal form can be found at <https://scai.sdes.ucf.edu/student-appeal/>.
- (b) In cases charged under 5.008(5), 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) In cases charged under 5.008(6), Complainants and Respondents may appeal the finding and sanction(s) imposed on the basis of one or more of the following:
 - 1. Procedural irregularity that materially affected the outcome of the matter (i.e., a failure to follow the University's own procedures).
 - 2. New evidence that was not reasonably available at the time the Determination of Responsibility, or dismissal was made, that could materially affect the outcome of the matter.
 - 3. The Decision-Maker(s) had a conflict of interest or bias for or against an individual party, or for or against Complainants or Respondents in general, that materially affected the outcome of the matter.
 - 4. The sanction(s) are extraordinarily disproportionate to the violation(s).
- (d) 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.
- (e) 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.
- (f) 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.
- (g) 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.
- (b) Upon completion of one semester of Disciplinary Probation, Deferred Disciplinary Suspension, or Disciplinary Suspension and completion of all educational sanctions, a student can request a review of their disciplinary 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.
- (c) Requests must be submitted to the Director of SCAI or designee via an online CREED Program submission form available at www.scai.sdes.ucf.edu/creed 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 <https://scai.sdes.ucf.edu/creed-program/> 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) Prior to this meeting, the committee will have reviewed the submitted packet and will prepare questions for the student to address, as well as provide the student with the opportunity to further discuss why their disciplinary 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. The student will be given ten (10) business days to produce 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.

- (f) After the meeting, the committee will issue a recommendation to the Director of SCAI or designee. The Director of SCAI or designee will provide a final decision to the student in writing within ten (10) business days of receiving the recommendation.
- (g) If the request is denied by the Director of SCAI 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.
- (h) 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 SCAI.
- (c) The factors influencing the decision by the Director of SCAI 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, New6-18-09. Amended 3-5-15, 10-29-15, 7-28-16, 7-20-17, 1-18-18, 7-18-19, 6-18-20, 10-22-20, _____-21.

UCF-5.011- Scope; Authority; Principles of Student Group Responsibility; Violations of Law and Organizational Rules of Conduct Violations; Conduct Records; Medical Emergencies (Alcohol & Drugs)

(1) Scope

- (a) The organizational conduct regulations (UCF-5.011, 5.012, and 5.013) shall apply to all registered student organizations, 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 a group.
- (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 the conduct process ~~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 Student 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 conduct~~ an investigation to gather facts to help provide further context to the original complaint. The investigative process may include administering surveys to organization members and/or conducting interviews with persons associated with or believed to have knowledge about the reported incident. An investigative report will be drafted containing findings. Next steps following the investigation may be to close the case, request more information, or initiate a disciplinary proceeding.

(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 law enforcement officials or 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 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 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 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 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 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 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, 6-18-20, ____21.

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 student group; accordingly, the rules below will not be used to impose discipline for a student group's 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.

(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 (faculty or staff), or law enforcement officers.
- (b) Possession, use or attempted use of any form of fraudulent identification, including the credentials or identification of an individual or organization.
- (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 or the student conduct review process, including knowingly initiating a false complaint.
- (f) Fraud: Any act of deceit or misrepresentation for purposes of financial or personal gain.

(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) Any act that intentionally interferes with an election process of any University registered or sponsored student organization.
- (~~ed~~) Engaging in obscene or indecent conduct.
- (~~ed~~) Failure to comply with the administrative policies as enacted by the University.
- (~~fe~~) 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.
- (~~gf~~) 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.
- (~~hg~~) 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), is currently 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: Discriminatory harassment consists of verbal, physical, electronic or other conduct based upon a protected class as defined in University Policy 2-004, or membership in other protected classes set forth in state or federal law that interferes with that individual's educational or employment opportunities, participation in a university program or activity, or receipt of legitimately-requested services meeting the description of either Hostile Environment Harassment or Quid Pro Quo Harassment, as defined in University Policy 2-004 Prohibition of Discrimination, Harassment, and Related Interpersonal Violence.
- (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) Sex-Based Misconduct

- (a) Sexual Assault. Sexual assault means sexual contact without consent.
- (b) Sexual Harassment: Sexual harassment means 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 UCF Policy 2-004 are present. ~~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: Gender-based harassment is 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 Policy 2-004 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: Stalking occurs when there is a coordinated 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
- (j) Any attempted acts of Sex-Based Misconduct 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~~Misconduct 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.

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://scai.sdes.ucf.edu/medicalemergencies>
<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://scai.sdes.ucf.edu/medicalemergencies>.
<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 or sponsored 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 or sponsored 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. 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 UCF-5.011(1)(b), (1)(c), and (4) shall apply, as well as the conduct proceeding procedures of University Regulation UCF-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, life safety, or security 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.

(19) Complicity. ~~The following offenses, or the aiding, assisting, condoning, or attempting to commit these offenses, constitute violations of the Organizational Rules of Conduct.~~ 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.

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, 6-18-20, 10-22-20, 12-3-20, ____-21.

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 Student Conduct and Academic Integrity (SCAI) or designee. Incident reports can be submitted for information purposes only, for information purposes with the requirement that the registered student organization ~~attend an~~ complete an educational activity including but not limited to an academic integrity seminar, or to initiate the ~~student~~ Organizational ~~e~~Conduct ~~Review~~ pProcess. Upon receiving an incident report, the Director of 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 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~~action. Interim organizational ~~suspension~~action is not a sanction. Interim organizational ~~suspension~~action is preliminary in nature; it is in effect only until there is a resolution of the registered student organization conduct matter. Interim organizational ~~suspension~~action is subject to review at a hearing within ten (10) business days by the VP of SDES or designee to determine the status of the interim organizational ~~suspension~~action. The outcome of an interim organizational ~~suspension~~action hearing shall remain in effect until the final disposition of any formal charges resulting from the circumstances of the case, unless the VP of SDES or designee shall decide otherwise.
- (b) The Director of SCAI will refer all information warranting disciplinary action and assign the case to the appropriate staff member. 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 SCAI has six months to charge a registered student organization with a violation of the Organizational Rules of 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. SCAI will waive the six-month limit in cases involving sexual harassment, dating violence, domestic violence, and stalking and may waive the time limit for other extraordinary cases, as determined by the Director of SCAI or designee.~~
- (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~~required preliminary conference with SCAI to discuss the charges. ~~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~~ At the preliminary conference, the registered student organization will receive information regarding the ~~Registered Student~~

Organizational 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, SCAI recommends an option for resolution of the disciplinary charges. one of the following will occur: case dismissal, mediation, informal hearing, resolution conference, or formal hearing. ~~If the registered student organization fails to attend the preliminary conference without providing a satisfactory reason for the absence, the registered student organization may be placed on immediate social probation until such time the matter is resolved as the registered student organization completes the mandatory preliminary conference, and SCAI may move forward with scheduling a formal hearing as resolution for disciplinary charges.~~

- (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 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, 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 SCAI for possible 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 SCAI.
- (c) Informal Resolution Conference: At the discretion of SCAI, violations found not to warrant a formal hearing may be referred to an informal ~~hearing~~ resolution conference. SCAI shall provide timely written notice to the registered student organization of the charges at least seven (7) business days before the informal hearing/resolution conference. At the informal ~~hearing~~ resolution conference the charged registered student organization has the opportunity to meet with an 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/resolved~~ informally, the case will be resolved through a formal hearing. The outcomes from an informal resolution conference are final and are not eligible to be appealed. The registered

student organization will receive written notice of the Resolution Agreement within ten (10) business days of the conference, except in the case of extraordinary circumstances. Written notice of the Resolution Agreement will include the determination regarding responsibility for the conduct violations and applicable sanctions.

- (d) Formal Hearing: If an alleged violation of the Organizational Rules of Conduct is not dismissed or otherwise resolved, then SCAI shall ~~present in writing formal~~provide timely written notice of the charges to the registered student organization at least seven (7) business days before the formal hearing. 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; the charged registered student organizations' advisor, advocate, or legal representative;~~their advisor~~, the hearing body;; witnesses (when called upon);; a representative from SCAI;; a legal representative for the university;~~;~~ 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 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 SCAI to hear organizational cases. One panel member shall be selected by SCAI to chair the hearing and report the proposed finding(s) and sanction(s), if any, to the Director of SCAI or designee.
2. At hearings conducted by a panel, a SCAI staff member shall act as an advisor to the panel. The Director of 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 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 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 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 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, a SCAI staff member shall act as an advisor to the administrative hearing officer. The Director of SCAI 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 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 SCAI 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 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.
- (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 formal hearing is recorded by the University, and no other recordings are permitted. The recording is will be made~~ part of the official record of the hearing, ~~and no other recordings are permitted.~~
1. Reading of charges.
 2. ~~R~~Charged 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 SCAI'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 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~~ apply to a formal registered student organization disciplinary proceedinghearing:

- (a) The charged registered student organization shall be afforded written notice, at least ~~five-seven~~ (57) business days prior to ~~a formal hearingdisciplinary proceeding~~, unless waived in writing. Written notice may be 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 hearingdisciplinary proceeding.
 3. Alleged Organizational Rule of Conduct Violation(s) known at the time ~~formal charges are prepared~~the notice is sent.
 4. A listing of all known witnesses that have provided, or will provide, information against the registered student organization~~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~~the notice is sent.

Provided that the required notice stated above has been given to the registered student organization along with its student leadership or member representative(s) but ~~a representative~~the organization ~~failed to attend a scheduled formal hearingdisciplinary proceeding~~ 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 hearingdisciplinary proceeding~~ 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, advocate, or legal representative to be present and who can fully participate in the disciplinary proceeding (i.e., informal resolution conference or formal hearing)~~at the hearing~~. It is the registered student organization's responsibility to make appropriate arrangements for ~~the-an~~ advisor, advocate, or legal representative to attend the hearing preliminary conference or disciplinary proceeding(s), ~~and the hearingwhich~~ shall not be delayed due to scheduling conflicts of the chosen advisor, advocate, or legal representative. ~~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, advocate, or legal representative at any time during the hearingdisciplinary proceeding(s). This consultation must take place in a manner that does not disrupt the proceedings. In addition, an advisor, advocate, or legal representative may not serve as a witness during a disciplinary proceeding. ~~—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, advocate, or legal representative does not adhere to their defined role in the ~~student conduct~~ Organizational Conduct Review Process, they may be removed from the ~~hearing~~ disciplinary proceeding(s). The Student Government (SG) Judicial Advisor(s) may assist the registered student organization with finding an impartial advisor, advocate, or legal representative or may act as their advisor. ~~SCAI shall maintain a list of impartial advisors and resources available to the registered student organization.~~

- (c) All formal hearings shall be conducted on the basis that the charged registered student organization is not in violation until the preponderance of evidence proves otherwise, ~~except if the registered student organization accepts responsibility for the charge(s).~~ At a student conduct organizational hearing, the technical rules of evidence applicable to civil and criminal cases shall not apply to the Organizational Conduct Review Process, including during a formal hearing. 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. The university has the burden to prove, by a preponderance of the evidence, that a violation has taken place. Nothing contained in this paragraph prohibits or limits the University in offering other forms of resolution, such as mediation or informal resolution.
- (d) At least five (5) business days before the disciplinary proceeding, the University will provide t~~The registered student organization's chief officer or -designee may inspect any~~ with the opportunity to inspect all known information related to the allegation(s), including inculpatory and exculpatory information presented in support of the charges. Information may be presented in support of the charged student organization. The University also has the right to review any information the registered student organization intends to use at the disciplinary proceeding at least five (5) business days before the disciplinary proceeding. During a formal hearing, only such information that is determined to be "Relevant Information" will be allowed.
- (e) The University cannot compel any person serving as a witness to attend a registered student organizational formal hearing. However, all parties to a registered student organizational conduct formal hearing may arrange for witnesses to voluntarily present ~~Relevant~~ information during the proceeding. The questioning of witnesses shall be facilitated by the hearing officer or panel conducting the formal hearing. 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 have the right to an impartial hearing officer for the formal hearing. Prior to the commencement of the formal hearing, the charged registered student organization shall have the opportunity to challenge the impartiality of any member(s) of the hearing body-. If the registered student organization shows good cause for the removal of any member(s) of the hearing body, the Associate Vice President and Dean of Students or designee will assign a new hearing body member.
- (g) ~~f~~ The registered student organization shall not be forced to present information that incriminates its individual members during a disciplinary proceeding. In addition, the registered student organization has the right to remain silent in the process, and such silence may not be used against the registered student organization. ; however,

†The University is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal prosecution. The University's student organizational review process is not a criminal or judicial proceeding and is designed to address violations of the Organizational Rules of Conduct; therefore, alleged violations of the rules will be addressed independently of any outcome imposed by or sought from a court.

- (hg) 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.
- (ih) The proposed finding(s), as well as the Director of 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.
- (ji) Only if the proposed finding(s) of the formal hearing body is that the registered organization is in violation, will prior conduct history be reviewed and potentially affect the proposed sanctioning.
- (jk) The final decision shall be furnished in writing to the registered student organization within fifteen (15) business days following the hearing. Should SCAI need additional time, the deadline can be extended by the Director of SCAI or designee by notifying the charged organization.
- (lk) 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 Sex-Based Misconduct. Where a registered student organization is charged with sexual misconduct and other identified sex-based misconduct, the procedures outlined in UCF-5.006(~~644~~) will apply in addition to the procedures of the Organization 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. A non-exhaustive list of possible restrictive conditions can be found on the SCAI website (scai.sdes.ucf.edu). ~~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 SCAI determines otherwise in exceptional circumstances. If the registered student organization is found in violation for any 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)~~ one (1) semesters in addition to any educational sanctions imposed for the subsequent violation. Registered student organizations on organizational deferred suspension may be limited in their abilities to represent the University in intramural sporting events, extracurricular activities, or official functions. The duration of any organizational deferred suspension period and the specific restrictions imposed will be determined by SCAI 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 registered 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 ten (10) business days after the date the registered student organization was notified of the decision by the Director of SCAI. The person designated to hear the appeal may not have directly participated in any other proceeding related to the charged violation.

- (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 SCAI'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 registered student organization to have the opportunity to demonstrate that in the period following the conclusion of the Organizational Student Conduct Review Process, they have taken steps to become a productive and engaged organizational member of the UCF Community.
- (b) Upon completion of one semester of the Organizational Probation, ~~or~~ Organizational Deferred Suspension, or Organizational Suspension, and upon completion of all educational sanctions/requirements, a registered student organization can request modification of their organizational disciplinary ~~status~~ through the CREED Program.
 - 1. Registered student organizations that have been found in violation of an an 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.
- (c) Requests must be submitted to the Director of SCAI or designee via an online Student Organization CREED Program Submission form that can be found at <https://scai.sdes.ucf.edu/creed-program/>.
 - (d) 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.
 - (e) Upon receipt of the CREED Program form, the Director of SCAI or designee shall conduct a preliminary review to ensure that the registered student organization'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 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 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 SCAI 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 - 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, 6-18-20, 10-22-20, _____-21.

UCF-5.015 Student Academic ~~Behavior Standards~~ Misconduct Review Process

- (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 Student Conduct and Academic Integrity (SCAI) or designee. When an instructor becomes aware of an alleged violation of academic misconduct, the instructor must document the alleged violation(s) through the Academic Misconduct Report Form (AMR), available at ~~<http://osc.sdes.ucf.edu>~~ <http://scai.sdes.ucf.edu>. Upon receiving an alleged violation of academic misconduct, the Director of SCAI or designee may review relevant information and consult with relevant parties regarding the incident in question.
 - (a) The Director of SCAI will refer all information warranting disciplinary action to the SCAI. SCAI 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 SCAI has six months to charge a student with a violation of academic misconduct. 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.
 - (c) Students charged with alleged violations of academic misconduct will receive notice to attend a required preliminary conference with SCAI 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. At the preliminary conference, the purpose of this meeting is to provide the student with 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 Student Government Judicial Advisor~~ the impartial advise. At the conclusion of the ~~meeting~~ conference, SCAI will recommend an option for resolution of the academic misconduct charges. These options are case dismissal, informal hearing resolution conference, or academic formal hearing. If the student fails to attend the preliminary conference, a hold may be placed on the student's record, preventing them from registering for future classes until the matter is resolved, and SCAI may move forward with scheduling a formal hearing as a resolution for disciplinary charges. 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.
- (5) Options for Resolution of Academic Misconduct

- (a) **Case Dismissal:** The Director of SCAI 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~~non-disciplinary meeting 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~~Resolution Conference: At the discretion of SCAI, violations found not to warrant a formal hearing may be referred to an informal ~~hearing~~resolution conference. SCAI shall provide timely written notice to the student of the charges at least seven (7) business days before the informal resolution conference. At the informal ~~hearing~~resolution conference, the charged student has the opportunity to meet with a SCAI staff member or designee and accept responsibility for the charges of violation of academic misconduct. At the informal ~~hearing~~resolution conference level the matter will be settled by the following outcomes: punitive sanction (disciplinary warning, disciplinary probation, 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~~resolution conference process (decision of responsibility and recommended sanctions) are final and are not eligible for appeal. The student will receive written notice of the Resolution Agreement within ten (10) business days, except in extraordinary circumstances. Written notice of the Resolution Agreement will include the determination regarding responsibility for conduct violations and applicable sanctions.
- (c) **Academic Misconduct Formal Hearings:** If an alleged violation of academic misconduct is not dismissed or otherwise resolved, then SCAI shall ~~present in writing formal charges~~provide timely written notice to the student ~~of the charges at least seven (7) business days before the formal hearing.~~ 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), the university's legal representative, and a representative from SCAI. ~~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) Charged students in the Academic Misconduct Review Process shall be entitled to the rights listed in 5.009(4)(a)-(h), including but not limited to timely written notice and the right to an advisor, advocate, or legal representative who can participate in the proceedings.

(6) Academic Misconduct Formal Hearing Process

- (da) Academic ~~Integrity-Misconduct~~ Formal Hearings: Students going through the Academic ~~Misconduct-Integrity~~ formal hearing process may elect an Administrative Academic ~~Integrity-Misconduct~~ Formal Hearing or a Panel Academic ~~Misconduct-Integrity~~ Formal Hearing.
1. Administrative Academic ~~Integrity-Misconduct~~ Formal Hearing
 - a. Administrative Academic ~~Integrity-Misconduct~~ Fformal Hhearings shall be conducted by one faculty member from the Student Conduct Board, who will be designated as an administrative hearing officer. ~~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 assigned hearing officer.~~
 - b. ~~At hearings conducted by an administrative hearing officer, A~~ SCAI staff member shall act as an advisor to the administrative hearing officer. The Director of SCAI 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 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 SCAI or designee accepts the proposed finding(s) of "in violation," they may approve, mitigate₂, or increase the sanctions proposed by the administrative hearing officer.
 - d. Any decision by the Director of 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.
 2. Academic ~~Integrity-Misconduct~~ Panel Hearings.
 - a. A panel to consider an individual case shall be randomly selected by SCAI 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 SCAI to chair the hearing and report the finding(s) and recommended sanctions, if any, to the Director of SCAI or designee.
 - b. ~~For panel hearings, a~~ SCAI staff member shall act as an advisor to the panel. The Director of 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 punitive or educational sanctions proposed by the panel.
 - c. The Director of 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 SCAI or designee accepts the proposed finding(s) of "in violation," they may approve, mitigate₂, or increase the sanctions proposed by the panel.
 - d. Any decision by the Director of SCAI 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.

(eb) Following the Academic Integrity-Misconduct Formal Hearing:

1. Undergraduate students found “in violation” will be prescribed punitive disciplinary and educational conduct sanctions appropriate to the findings and recommendations. SCAI will report the outcome from the academic integrity-misconduct 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 SCAI and Academic Services. Final results of the academic integrity-misconduct hearing and/or course or program action must be made available to the student in writing within fifteen (15) business days following the date of the hearing.
2. Undergraduate students found “not in violation” will be notified within fifteen (15) business days. SCAI 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”, SCAI 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. SCAI 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 fifteen (15) business days.
4. For graduate students found “not in violation” of academic misconduct, SCAI 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.

(fc) Appeals:

1. Undergraduate or graduate students found “in violation” as the result of an academic integrity-misconduct formal hearing may appeal the finding(s) and sanction(s) imposed by the Director of SCAI. The appeal must be made in writing to the appellate officer (Provost or designee) within ten (10) business days after the date the student was notified of the decision by the Director of SCAI. The person designated to hear the appeal may not have directly participated in any other proceeding related to the charged

violation. 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~~imposed 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.

(67) 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) SCAI 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, 6-18-20, _____-21.



Board of Trustees
Governance Committee | September 22, 2021

GOVC- 3: Adoption of New University Regulation 5.0065 Involuntary Withdrawal Procedures; Mandated Assessment

☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: September 23, 2021

Purpose and Issues to be Considered:

University Regulation *UCF-5.0065 Involuntary Withdrawal Procedures; Mandated Assessment* addresses involuntary withdrawal and mandated assessment processes for students in crisis. This regulation is proposed for adoption as a new regulation, but the text of this regulation is taken from current Regulation UCF-5.006. By moving this material to its own regulation, the information will be more accessible and UCF-5.006 will be more straightforward. The one proposed change to the pre-existing text is with regard to the involuntary withdrawal procedure: specifically to allow the appellate officer additional time as needed to review a student's appeal of an involuntary withdrawal decision.

This regulation was posted online August 20, 2021, for public comment. No comments were received as of the date of submission of these materials.

Background Information:

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

Recommended Action:

Approve adoption of UCF Regulation UCF-5.0065.

Alternatives to Decision:

Do not adopt University Regulation UCF-5.0065 as proposed. Approve alternative amendments to University Regulation UCF-5.065.

Fiscal Impact and Source of Funding:

N/A

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 has approved adding this item to the agenda ☒



Board of Trustees

Agenda Memo

Submitted by:

Youndy Cook, Interim Vice President and General Counsel

Supporting Documentation:

Attachment A: Proposed Regulation UCF-5.0065

Facilitators/Presenters:

Youndy Cook

UCF-5.0065 Involuntary Withdrawal Procedures; Mandated Assessment**(1) 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. Should the student fail to attend the Interim Involuntary Withdrawal review, the review may be held in the student’s absence, and any recommended actions will be made using the information available at the time of the scheduled review.
5. 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 their 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 themselves. 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 reconsideration. Should the appellate officer require additional time for review beyond the three (3) business days, the appellate officer shall notify the student in writing of the need for additional time. 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 of 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.

(2) Mandated Assessment Procedure. This University procedure is established to respond to 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.

Authority: BOG Regulations 1.001 and 6.0105. History - New _____-21.



Board of Trustees
Governance Committee | September 22, 2021

GOVC-4: Amendments to University Regulation UCF-3.001 Non-discrimination; Affirmative Action Programs

☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: September 23, 2021

Purpose and Issues to be Considered:

The University proposes to amend University Regulation *UCF-3.001 Non-discrimination; Affirmative Action Programs* to add Section 503 of the Rehabilitation Act of 1973 to the list of laws that prohibit specific forms of behavior. While the list is not all-inclusive, Section 504 of the Rehabilitation Act of 1973 was previously listed, and listing both sections relative to the university is recommended by the Office of Institutional Equity.

This regulation was posted online August 20, 2021, for public comment. No comments were received as of the date of submission of these materials.

Background Information:

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

Recommended Action:

Approve amendments to Regulation UCF-3.001.

Alternatives to Decision:

Do not amend University Regulation UCF-3.001 as proposed. Approve alternative amendments.

Fiscal Impact and Source of Funding:

N/A

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 has approved adding this item to the agenda ☒

Submitted by:

Youndy Cook, Interim Vice President and General Counsel



Board of Trustees

Agenda Memo

Supporting Documentation:

Attachment A: Proposed Amended Regulation UCF-3.001

Facilitators/Presenters:

Youndy Cook

UCF-3.001 Non-Discrimination; Affirmative Action Programs.

(1) The University shall actively promote equal opportunity policies and practices conforming to federal and state laws against discrimination. The University shall not discriminate in offering access to its educational programs and activities or with respect to employment terms and conditions on the basis of race, color, ethnicity, national origin, religion, non-religion, age, genetic information, sex (including pregnancy, parental status, gender identity or expression, and sexual orientation), marital status, physical or mental disability (including learning disabilities, intellectual disabilities, and past or present history of mental illness), political affiliations, veteran status (as protected under the Vietnam Era Veterans' Readjustment Assistance Act), or membership in any other protected classes as set forth in state or federal law. This commitment applies to the University's relationships with outside organizations, including the federal government, the military, ROTC, and private employers, only to the extent of state and federal requirements.

(2) It is the policy of the University that each employee and student be allowed to work and study in an environment free from unlawful discrimination, discriminatory harassment, and retaliation. To that end, the University prohibits specific forms of behavior that violate state and federal laws, including but not limited to Title VI of the Civil Rights Act of 1964 ("Title VI"), Title VII of the Civil Rights Act of 1964 ("Title VII"), Title IX of the Education Amendments of 1972 ("Title IX"), the Violence Against Women Reauthorization Act of 2013 ("VAWA"), the Americans with Disabilities Act, [Section 503 and](#) Section 504 of the Rehabilitation Act of 1973, Florida's Civil Rights Act (Florida Statutes ss. 760.10 and 110.1221), the Florida Educational Equity Act (Florida Statute s. 1000.05) and related state and federal anti-discrimination laws.

- (a) For purposes of this regulation, discrimination is defined as any unlawful distinction, preference, or detriment to an individual that is based upon an individual's race, color, ethnicity, national origin, religion, non-religion, age, genetic information, sex (including pregnancy, parental status, gender identity or expression, and sexual orientation), marital status, physical or mental disability (including learning disabilities, intellectual disabilities, and past or present history of mental illness), political affiliations, veteran's status (as protected under the Vietnam Era Veterans' Readjustment Assistant Act), or membership in other protected classes set forth in state or federal law and that: (1) excludes an individual

from participation in; (2) denies the individual the benefits of; (3) treats the individual differently with regard 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. Religious discrimination includes failing to reasonably accommodate an employee's or student's religious practices where the accommodation does not impose an undue hardship. Disability discrimination includes not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability where the accommodations do not impose an undue hardship.

- (b) Unlawful discriminatory harassment is a form of unlawful discrimination wherein an individual is subjected to verbal, physical, electronic or other conduct based upon an individual's protected class (such as race, color, religion, et al.), that interferes with that individual's educational or employment opportunities, participation in a university program or activity, or receipt of legitimately-requested services and meets the description of either Hostile Environment Harassment or Quid Pro Quo Harassment, as defined below.
 - 1. Hostile Environment Harassment: Discriminatory Harassment that is so severe or pervasive that it unreasonably interferes with, limits, deprives, or alters the terms or conditions of education (e.g., admission, academic standing, grades, assignment); employment (e.g., hiring, advancement, assignment); or participation in a University program or activity (e.g., campus housing), when viewed from both a subjective and objective perspective.
 - 2. Quid Pro Quo Harassment: Discriminatory Harassment where submission to or rejection of unwelcome conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual's education (e.g., admission, academic standing, grades, assignment); employment (e.g., hiring, advancement, assignment); or participation in a university program or activity (e.g., campus housing).
- (c) Retaliation is defined as taking an adverse action against an individual because that individual, in good faith: (i) reported or threatened to report discrimination,

discriminatory harassment, sexual harassment, or Title IX Sexual Harassment; or
(ii) participated in any capacity, including as a witness or party, in a discrimination investigation or proceeding.

(3) Sexual harassment is a form of sex discrimination. Sexual harassment is defined as any unwelcome sexual advances, request for sexual favors, and other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions for Hostile Environment Harassment or Quid Pro Quo Harassment (as defined above) are present.

(4) Title IX Sexual Harassment is a form of sex discrimination specifically defined under Title IX regulations. Title IX Sexual Harassment is defined as conduct on the basis of sex that occurs in a University education program or activity against a person located in the United States and that satisfies one or more of the following:

- (a) An employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo);
- (b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity (i.e., hostile environment); or
- (c) Sexual assault, dating violence, domestic violence, and stalking (as defined by the Jeanne Cleary Act).

(5) Employee Reporting Responsibilities.

- (a) Responsible employees are required to immediately report to the university's Office of Institutional Equity all relevant details (obtained directly or indirectly) about an incident of sex/gender-based discrimination or harassment, sexual harassment, Title IX Sexual Harassment, sexual assault, sexual exploitation, relationship violence, and/or stalking (as defined in the University's *Prohibition of Discrimination, Harassment and Related Interpersonal Violence Policy*, No. 2-004) that involves any student as a complainant, respondent, and/or witness, including dates, times, locations, and names of parties and witnesses. Reporting is required when the responsible employee knows (by reason of a direct or indirect disclosure) or should have known of such sex/gender-based discrimination or harassment, sexual harassment, Title IX Sexual Harassment, sexual assault, sexual exploitation, relationship violence, and/or stalking.

- (b) Deans, directors, department heads and supervisors are required to report to the Office of Institutional Equity all relevant details about an incident of discrimination, discriminatory harassment, Title IX Sexual Harassment, or retaliation where either the complainant or the respondent is an employee or Direct Support Organization employee. Reporting is required when such deans, directors, department heads, and supervisors know (by reason of direct or indirect disclosure) or should have known of the discrimination, discriminatory harassment, or retaliation.

(6) Disciplinary Action.

- (a) Any employee or student of the University who is found to have unlawfully discriminated against an employee, an applicant for employment, a student, or other member of the University community will be subject to disciplinary action up to and including termination or expulsion. Any contractor or other visitor to the University who is found to have engaged in unlawful discriminatory or retaliatory conduct in violation of this regulation will be subject to removal from University facilities, may be denied reentry, and may provide cause to terminate any applicable contract.
- (b) Any employee in a supervisory capacity who has actual knowledge by direct observation or by receipt of a report of discrimination, discriminatory harassment, sexual harassment, or Title IX Sexual Harassment, and who does not report the matter to the Office of Institutional Equity shall be subject to disciplinary action up to and including termination or expulsion.

(7) Complaint and Investigation Procedures. Any employee, student, or other member of the university community who believes that he or she is a victim of unlawful discrimination, discriminatory harassment, sexual harassment, Title IX Sexual Harassment, or retaliation may take formal or informal action. The individual may report the conduct to his or her supervisor or a higher-level employee for further action; pursue informal resolution of the complaint under certain circumstances; or pursue an investigation in accordance with Regulation UCF-3.0134 with the Office of Institutional Equity. The Office of Institutional Equity is available to assist employees, students, and members of the university community with reporting discriminatory conduct,

obtaining information about the options to informally resolve a complaint, or pursuing an investigation by the Office of Institutional Equity.

(8) The University, in affirming equal opportunity practices, is committed to a continuing program of promotion and maintenance of an affirmative action program. The University, as a federal contractor, is required by law to maintain a current affirmative action plan for the University. For further information about that plan, contact the Office of Institutional Equity, University of Central Florida, Orlando, Florida 32816.

Authority: BOG Regulation 1.001. History—New 10-8-75, Amended 1-10-82, 1-9-83, 12-27-83, 12-27-84, Formerly 6C7-3.01, Amended 3-27-86, 1-6-93, 3-16-03, 11-07-07, 07-10-08. Formerly 6C7-3.001, Amended 3-25-09, 1-3-11, 10-26-17, 11-14-19, 10-22-20, _____-21.



Board of Trustees
Governance Committee | September 22, 2021

GOVC-5: Election of Board Member to Central Florida Clinical Practice Organization, Inc.

☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: September 23, 2021

Purpose and Issues to be Considered:

The Central Florida Clinical Practice Organization, Inc. (CFCPO) Bylaws authorize election of three College of Medicine employed clinical faculty members to the CFCPO Board of Directors, one of whom must be a clinical department chair. Currently, there are two College of Medicine clinical department chairs, one of whom serves as the clinical department chair representative on the Board of Directors. The current clinical department chair's term on the Board is expiring, and he is not seeking re-election. Therefore, Dr. Jane Gibson, Chair, Department of Clinical Sciences, is elected *de facto* to a 3-year term on the Board of Directors, pending Board of Trustees approval.

Although CFCPO is not a DSO, it follows similar review processes to ensure full transparency and oversight in alignment with the president's goal of building a culture of trust, engagement and accountability.

Background Information:

CFCPO is a 501(c)(3) tax exempt organization created to serve as a support entity for the UCF College of Medicine clinical mission, similar to that of other Florida state medical schools. CFCPO receives and holds clinically related revenues, applies that revenue to pay appropriate expenses, manages reserves, ensures proper accounting procedures are being followed, and provides administrative and financial services.

Recommended Action:

Approval of the *de facto* election of Dr. Jane Gibson to serve on the corporation's Board of Directors.

Alternatives to Decision:

None

Fiscal Impact and Source of Funding:

N/A

Authority for Board of Trustees Action:

2020 Florida Statute 1004.28, Section (3)

Fifth Amended and Restated Bylaws of Central Florida Clinical Practice Organization, Inc.

Contract Reviewed/Approved by General Counsel ☐ N/A ☒

Committee Chair or Chair of the Board has approved adding this item to the agenda ☒



Board of Trustees

Agenda Memo

Submitted by:

Deborah C. German, Chair, Central Florida Clinical Practice Organization, Inc.

Supporting Documentation:

Attachment A: Board Member Bio

Facilitators/Presenters:

Youndy Cook

Dr. Jane Gibson

Dr. Gibson is currently Associate Dean for Faculty Affairs and Professor of Pathology and Chair, Department of Clinical Sciences at the University of Central Florida College of Medicine. She teaches in the M.D. program, and practices at the Nemours Children's Hospital Medical Genetics Clinic. She is board certified by the American Board of Medical Genetics and Genomics (ABMGG), is a fellow of the American College of Medical Genetics (ACMG), and serves as a member of the American Board of Medical Genetics and Genomics Board of Directors, and the Association for Molecular Pathology Board of Directors. She is currently a member of the Molecular Genetic Pathology Fellowship Milestones taskforce for the Accreditation Council for Graduate Medical Education (ACGME), and the Test Development Committee for the American Board of Pathology.

Dr. Gibson received her training at the University of Florida College of Medicine, and her practice includes molecular pathology and molecular genetics. She has served as the Director of Molecular Genetics for Orlando Health-M.D. Anderson Cancer Center Orlando, and later as the Director of Molecular Genetics and Cytogenetics for AmeriPath, Inc. (A Division of Quest Diagnostics). Dr. Gibson was chosen for a year-long fellowship in the prestigious Hedwig van Amerigen Executive Leadership in Academic Medicine (ELAM) program from 2014-2015. She is active in a number of national-level professional societies including the American College of Medical Genetics, the Association for Professors of Human and Medical Genetics, the Association for Molecular Pathology, and the Association of Pathology Chairs. She serves on editorial boards for the Journal of Molecular Diagnostics, and the Med Ed Portal Faculty Affairs Collection (AAMC). She has authored a number of book chapters, articles, and published abstracts in the fields of molecular pathology and genetics, and has been the principle investigator for numerous clinical trials.

Board of Trustees
Governance Committee | September 22, 2021

GOVC-6: Appointment of Board Members to Limbitless Solutions

☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: September 23, 2021

Purpose and Issues to be Considered:

Recommended appointments to the Limbitless Solutions Board for continued governance. These recommendations have been reviewed and approved by President Cartwright. The proposed appointees are:

- Dr. Manoj Chopra, Associate Dean of Academic Affairs in the College of Engineering and Computer Science, recommended as a University appointee
- Josh Schmiesing, an accomplished and award-winning global marketing executive, recommended as a community/industry representative.
- Roger Pynn, of Curley & Pynn Public Relations and Marketing Communications, recommended as a community/industry representative.

Background Information:

Per the Fourth Amended and Restated Bylaws of Limbitless Solutions, Inc., adopted July 16, 2018, Board members can only serve for two consecutive 2-year terms. As of June 30, four Board members reached their term limits. Limbitless is therefore recommending that Dr. Manoj Chopra, Josh Schmiesing, and Roger Pynn be approved for appointments to the Board. If approved, they will each begin two-year terms effective immediately.

Recommended Action:

Approve the appointments of Dr. Manoj Chopra, Josh Schmiesing, and Roger Pynn to serve on the Limbitless Solutions Board of Directors.

Alternatives to Decision:

Do not approve the appointment of the new board members.

Fiscal Impact and Source of Funding:

N/A

Authority for Board of Trustees Action:

Florida Statute 1004.28(3)

Fourth Amended and Restated Bylaws of Limbitless Solutions, Inc.

Contract Reviewed/Approved by General Counsel ☐ N/A ☒

Committee Chair or Chair of the Board has approved adding this item to the agenda ☒



Board of Trustees

Agenda Memo

Submitted by:

Margaret Jarrell-Cole, Associate Vice President for Direct Support Organizations

Supporting Documentation:

Attachment A: Biography for Manoj Chopra

Attachment B: Biography for Roger Pynn

Attachment C: Biography for Josh Schmiesing

Facilitators/Presenters:

Youndy Cook, Interim Vice President and General Counsel

Manoj Chopra - Biosketch

Dr. Manoj Chopra is a Professor of civil engineering and serves as the Associate Dean of Academic Affairs in the College of Engineering and Computer Science. He currently leads all academic operations of the college and on the dean's cabinet. His office handles all student advising, faculty teaching, scholarships, degree conferment, space, and facilities for the college. Chopra is also a program evaluator for ABET, the Accreditation Board for Engineering and Technology and led the recent successful ABET review of all 12 programs in the college.

Chopra has held numerous leadership positions in the college and for the university since joining UCF in 1993. Chopra served as the Chair of the UCF Faculty Senate and member of the UCF Board of Trustees from 2005 to 2009. Subsequently, he was elected by his peers to serve as the faculty representative on the Florida Board of Governors responsible for all 12 state universities. He has served on the UCF Athletics Association Board of Directors and is currently a member of the UCF Convocation Corporation Board of Directors. He was a member of the UCF Presidential Search Committee in 2017 and is chairing the ongoing search for the Vice President of Facilities and Business Operations.

He has also been appointed as the Associate Chair for the Civil Engineering Department and as director of the UCF Stormwater Management Academy. He served as the university's Lead for Research Space for the UCF Office of Research, working on solutions and strategies for the optimal use of limited research space on all UCF campuses. In 2014, he was selected as one of two UCF Provost Faculty Fellows to conceptualize and implement the UCF Faculty Cluster Initiative, a university-wide research effort to leverage UCF's existing strengths with interdisciplinary teams. President John Hitt appointed him as the NCAA Faculty Athletics Representative for UCF in 2012.

His research areas include the study of sinkholes, behavior of soils, soil erosion and sediment control, and sustainable pavements. He has conducted more than \$6 million of sponsored research and has 75+ publications with his students. He shared the 2001 Excellence in Environmental Engineering award by NASA for his patented work in innovative groundwater cleanup techniques. His professional assessment and research on sinkholes have received extensive media coverage in Central Florida and nationally. He has also received four Teaching Incentive Program (TIP) awards, the UCF Excellence in Undergraduate Teaching, and the UCF Excellence in Faculty Advising.

Chopra holds master's and doctoral degrees in civil engineering from the State University of New York at Buffalo; and a bachelor's degree in civil engineering from India.

He lives in Chuluota, Florida with his wife Elizabeth and they have two sons - Alexander, who is an MBA Candidate at the University of Florida, and Dylan, who obtained degrees in computer science and microbiology from the University of Florida and is now working in Chicago.

Roger Pynn, APR, CPRC

Roger Pynn is senior counsel of Curley & Pynn Public Relations & Marketing Communications, the firm he co-founded in 1984 with Joseph Curley, APR, CPRC.

Curley & Pynn provides public relations, public affairs and marketing communications services to clients in sectors ranging from higher education and economic development to high technology, power generation, health care, hospitality and tourism, professional services, trade and industry associations. The firm is a member of The Croft Society, a national network of independent public relations firms that pursue best practices and collaborate to offer coverage in mid to major markets across the country.

Pynn is a graduate of the University of Central Florida, has been named a UCF Distinguished Alumnus and was inducted into the inaugural class of the Hall of Fame of the Nicholson School of Communication and Media, where he serves as a member of the advisory board. He is an emeritus member of the board of directors of the UCF Foundation and the Dean's Advisory Council of the College of Sciences.

He is a past president of the Florida Public Relations Association, a former FPRA Orlando chapter president and FPRA state vice president. He was awarded FPRA's highest honor, the John W. Dillin Award, and received the Outstanding Public Relations Professional Award from the Orlando Area Chapter in 1987.

A former *Orlando Sentinel* reporter and metropolitan editor, he began his public relations career as director of The Public Relations Group at Orlando's McAllister-Barker Associates. Prior to co-founding Curley & Pynn in 1984, he held positions heading public relations and marketing communications at Belcher Oil Company in Miami and Westinghouse Power Generation World Headquarters in Orlando.

He is a former chair and member of the executive committee of the Florida Research Consortium, served on the board of MyRegion.org, a seven-county regional planning initiative in Central Florida and The STEM Alliance of Central Florida, a 10-county education coalition. He has also served on the board of directors of SouthTrust Bank and on the advisory board of SunTrust Bank of Central Florida.

He has been married to Shelley, his college sweetheart, since 1976.

Joshua Schmiesing

<https://www.linkedin.com/in/schmiesing/>

jschmiesing@outlook.com

Joshua Schmiesing is an accomplished and award-winning global marketing executive. He has over 20 years of experience spanning 65+ countries in the areas of branding, research, marketing, advertising, media, and digital production. Josh has worked with brands such as Microsoft, XBOX, Audi, Hasbro, Intercontinental Hotel Group, Skype, Ford, Cisco, Bacardi, and Coca-Cola.

He has been a fan and an advisor of Limbitless Solutions, beginning with his participation in the filming production for the Limbitless' bionic kid encounter with Robert Downey Jr. in 2015. Mr. Schmiesing brings a unique industry perspective and network to support the growth and continued awareness of the program. He resides in the Los Angeles area with his wife Danielle and their two children Hartman and Grant.



Board of Trustees
Governance Committee | September 22, 2021

GOVC-7: Appointment of Board Member to UCF Athletics Association

☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: September 23, 2021

Purpose and Issues to be Considered:

The UCFAA Bylaws state that one director of the UCF Athletics Association board of directors shall be “a University of Central Florida employee recommended by the President of the University of Central Florida.” The President has appointed Bill Self to fill that role.

Bill Self is an Associate Professor in the Burnett School of Biomedical Sciences and also serves as the Associate Director of undergraduate education. Self has extensive research and service to the profession, Dr. Self has also been heavily involved in service to UCF, including serving seven years of Senate Joint Committees and Councils and eight years as a Faculty Senator. Dr. Self also served as Chair of the Undergraduate council and has served as a Provost Faculty Fellow.

Background Information:

Florida Statutes section 1004.28(3) requires that the Board approve all appointments to direct support organizations except the designees of the Board Chair and the President of the University of Central Florida.

Recommended Action:

Approve the appointment of Bill Self to serve on the corporation’s Board of Directors.

Alternatives to Decision:

Decline approval of the appointment.

Fiscal Impact and Source of Funding:

N/A

Authority for Board of Trustees Action:

2020 Florida Statute 1004.28, Section (3)
Amended and Restated Bylaws of UCF Athletics Association, Inc.

Contract Reviewed/Approved by General Counsel ☐ N/A ☒

Committee Chair or Chair of the Board has approved adding this item to the agenda ☒

Submitted by:

Brad Stricklin, Senior Executive Associate Athletics Director, UCFAA



Board of Trustees

Agenda Memo

Supporting Documentation:

None

Facilitators/Presenters:

Youndy Cook

Board of Trustees
Governance Committee | September 22, 2021

GOVC-8 : Nomination of Darin Edwards for Honorary Doctoral Degree of Public Service

☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: September 23, 2021

Purpose and Issues to be Considered:

To consider awarding **Darin Edwards '97 '10MS '11PhD** an Honorary Doctoral Degree of Public Service in recognition of his extraordinary service to humanity through his leadership of the non-clinical team that developed Moderna's highly effective messenger RNA COVID-19 vaccines. His team harnessed the power of mRNA technology to develop a groundbreaking vaccine that would prove to be 94% effective against COVID-19 hospitalizations. Today, more than 200 million doses of Moderna's mRNA vaccine have been administered around the world.

Background Information:

This nomination comes from his UCF professor, James Hickman PhD, and was unanimously approved by the UCF Faculty Senate's Commencement, Convocations and Recognitions on August 26, 2021. Three other endorsements were also received and are included in the meeting materials. On November 5, 2021, Darin Edwards will be on campus to deliver the commencement address for the UCF Class of 2020 makeup ceremony.

Since 1970, UCF has bestowed 95 honorary degrees to individuals who have made significant academic, cultural and scientific contributions to society.

Recommended Action:

Approve honorary doctorate nomination for consideration by full Board.

Alternatives to Decision:

Deny recommendation.

Fiscal Impact and Source of Funding:

None

Authority for Board of Trustees Action:

University Regulation UCF-2.010(3)

UCF Governance Committee Charter, Section: Roles and Responsibilities

Contract Reviewed/Approved by General Counsel ☐ N/A ☒

Committee Chair or Chair of the Board has approved adding this item to the agenda ☒

**Submitted by:**

Mike Kilbride, Chief of Staff, on behalf of Alexander N. Cartwright, President

Supporting Documentation:

Attachment A: President's Endorsement

Attachment B: Letter of Support Nomination from James J. Hickman, Ph.D.

Attachment C: Summary and biographical information for Dr. Darin Edwards

Attachment D: Endorsement from Vice President for Research and Dean, College of Graduate Studies

Attachment E: Endorsement from Vice President for Health Affairs and Dean, College of Medicine

Facilitators/Presenters:

Mike Kilbride, Chief of Staff



UNIVERSITY OF CENTRAL FLORIDA

Office of the President

P.O. Box 160002
Orlando, FL 32816-0002

September 3, 2021

Mr. Michael Okaty, Chair
Governance Committee
UCF Board of Trustees
University of Central Florida
Orlando, FL 32816

Dear Chair Okaty:

It is my honor to give my full and unequivocal endorsement to Dr. James Hickman's nomination of UCF's own three-time graduate, **Darin Edwards '97 '10MS '11PhD**, to receive an Honorary Doctoral Degree of Public Service from the University of Central Florida. This nomination was unanimously approved by the Commencement, Convocations, and Recognitions Committee of the UCF Faculty Senate, and I now forward it to UCF's Board of Trustees for your consideration.

Dr. Edwards has made an extraordinary contribution to humanity through his outstanding leadership of Moderna, Inc.'s highly effective messenger RNA vaccines, most notably the successful COVID-19 vaccine. His tireless work has saved numerous lives. As of the writing of this letter, 65,786,010 individuals in the United States have received the Moderna vaccine.

Dr. Edwards and his team have given the world a vital tool in curbing the current pandemic, as well as vital discoveries that will prepare it for future challenges that may come. His success, excellence and impact are everything we could wish for from a UCF graduate, and he is most deserving of the Honorary Doctoral Degree of Public Service.

Sincerely,

A handwritten signature in black ink, reading "Alexander Cartwright", is positioned above the printed name.

Alexander N. Cartwright
President



NanoScience Technology Center

August 20, 2021

Board of Trustees
University of Florida
4000 Central Florida Blvd
Orlando, FL 32816

Dear Board of Trustees,

It is my pleasure and honor to write this letter of support and nomination for Dr. Darin Edwards to receive the Honorary Doctoral Degree in Public Service from the University of Central Florida. I am the Head of the Hybrid Systems Laboratory (HSL) in the NanoScience Technology Center (NSTC) at the University of Central Florida (UCF) as well as a Professor of Nanoscience Technology, Chemistry, Biomolecular Science and Electrical Engineering and was the Founding Director of the NSTC. I also have a broader perspective from working in industry as well as at DARPA and the NSF before moving to academia. My work has resulted in 159 peer-reviewed publications, 20 book chapters and 30 issued patents. I have also given over 200 invited talks. Thus, I feel very qualified to provide this recommendation for Dr. Edwards.

Darin joined my HSL research group in the Fall of 2004, where he worked on electrophysiological characterization of hippocampal cells in different mediums as well as circuit formation. He passed his Ph.D. cumulative exam in February, 2006, passed his candidacy exam in Spring, 2008 and graduated in Summer, 2011. Darin was always a very dedicated student who developed a couple of new areas that mostly dealt with culture of adult rat and human neurons in an attempt to understand neuro-regeneration as well as for better understanding of neurodegenerative diseases, primarily Alzheimer's disease. Darin is first author on three publications from my lab: D. Edwards, et al., *J Neurosci. Methods* 190:155-163 (2010), D. Edwards, et al., *ACS Chem. Neurosci.* 4:1174-1182 (2013) and D. Edwards, et al., *ACS Biomater. Sci. Eng.* 3:3525-3533 (2017). He is third author on another publication: N. Bhargava, M. Das, D. Edwards, et al., *In Vitro Cell. Dev. Animal* 46:685-692 (2010). He is included on 4 patent applications for "Stable Electrically Active Neurons from Adult Tissue," where 2 have been awarded. Darin was a great presence in the lab, always willing to help others and when he became a senior member of the lab he mentored many of the newer members and I think this helped established his focus going forward in industry.

He joined Sanofi Pasteur, which is down the street from my lab, upon graduation where he developed vaccines against many infectious diseases utilizing the same type of microphysiological systems developed in the HSL. Dr. Edwards used his ability to form quick and lasting rapport with his colleagues to increase his managerial duties at Sanofi as he now started to demonstrate not only the ability to do great research but to inspire others to do so under his direction. He parlayed this ability to manage research and researchers well to become the Director of Immunology in the Infectious Disease Group at Moderna in Boston, MA.

When the COVID pandemic was just in its beginnings, he was able to marshal the resources at Moderna with his collaborators at NIH to investigate one of the first mRNA vaccines for COVID-19 that was developed, clinically tested and approved for emergency use in record time. This has been one of the primary vaccines utilized in the United States and throughout the World to combat the pandemic and it

really is the combination of his research acumen and leadership abilities that enabled the breakthrough technology when the world needed it most. Darin is a true credit to UCF and his work indicates that its graduates can change the world utilizing their experiences while at the University.

Darin has never been one to tout his own accomplishments, he is more comfortable crediting the team and has maintained this humble demeanor despite his success and now high profile leadership role in the pharmaceutical industry. He will no doubt continue making new discoveries that will aid the world for other unsolved medical conditions, and possibly for the next infectious disease crisis. Thus, it is without hesitation that I strongly recommend the bestowal of this Honorary Degree on Dr. Darin Edwards in the area of Public Service, as he has clearly earned this recognition.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. J. Hickman', with a stylized flourish at the end.

James J. Hickman, Ph.D.
Head, Hybrid Systems Laboratory
Professor of NanoScience Technology, Chemistry, Biomolecular Sciences and Electrical Engineering
and
Chief Scientist, Hesperos, Inc.

Nomination of Darin Edwards for Honorary Doctoral Degree of Public Service

Two months before the World Health Organization declared COVID-19 a global pandemic, **Darin Edwards '97 '10MS '11PhD**, director of immunology at Moderna, held vials of a lifesaving solution in his hands. He and his team harnessed the power of messenger RNA technology to develop a groundbreaking vaccine that would prove to be 94% effective against hospitalization according to the Centers for Disease Control.

Today, more than 200 million doses of Moderna's mRNA vaccine have been administered around the world, and countless lives have been saved as a result. Through his educational background at UCF and years of experience working on the development of next-generation vaccine technology, Darin seized a monumental opportunity to make a direct and positive impact on global health for generations to come.

Biography

Darin Edwards '97 '10MS '11PhD is the director of immunology in the infectious disease group at Moderna, where he led the research and development on their mRNA COVID vaccine. Additionally, he leads and directs the immunology team in support of vaccine development programs and foundational research efforts, and leads the external academic and industry collaborators, as well as external groups like WHO animal working group and the pathogenesis working group.

Prior to joining Moderna in June 2019, Edwards served eight years for Sanofi Pasteur in Orlando, where he worked to develop vaccines against infectious diseases, including influenza, dengue, and yellow fever.

Before that, he served for six years in UCF's Nanoscience Technology Center/Biomedical Sciences Department where he, among other research, developed a dissociated neuronal culture system derived from adult human and murine tissue sources. He managed the biosafety level-2 laboratory functioning in the processing and analysis of human neuronal and muscle cultures.

Edwards is a much-published researcher and academic speaker. Through his educational background here at UCF, combined with his years of experience working on the development of next-generation vaccine technology, Edwards has had the unique opportunity to make a direct and positive impact on global health.

He earned a bachelor's in biology, a master's in molecular biology and microbiology and a PhD in biomolecular sciences from UCF, where he was also a Burnett Honors Scholar. He lives in Boston with his wife, two kids and two dogs, and his parents live in Baldwin Park.

Education:**University of Central Florida**

PhD Field of Study Biomedical Sciences

Dates attended 2007 – 2011

University of Central Florida

Masters Field of Study Biomedical Sciences

Dates attended 2005 – 2007

University of Central Florida

Bachelor of Science Field of Study Biology

Dates attended 1992 – 1996

Publications on mRNA

- **Evaluation of the mRNA-1273 Vaccine against SARS-CoV-2 in Nonhuman**
publication date Oct 15, 2020 New England Journal of Medicine

[See publication Evaluation of the mRNA-1273 Vaccine against SARS-CoV-2 in Nonhuman PrimatesSee publication](#)

- **SARS-CoV-2 mRNA vaccine design enabled by prototype pathogen preparedness**

publication date Oct 2020 Nature

A vaccine for severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) is needed to control the coronavirus disease 2019 (COVID-19) global pandemic. Structural studies have led to the development of mutations that stabilize Betacoronavirus spike proteins in the prefusion state, improving their expression and increasing immunogenicity¹. This principle has been applied to design mRNA-1273, an mRNA vaccine that encodes a SARS-CoV-2 spike protein that is stabilized in the prefusion conformation. Here we show that mRNA-1273 induces potent neutralizing antibody responses to both wild-type (D614) and D614G mutant² SARS-CoV-2 as well as CD8⁺ T cell responses, and protects against SARS-CoV-2 infection in the lungs and noses of mice without evidence of immunopathology. mRNA-1273 is currently in a phase III trial to evaluate its efficacy.

[See publication SARS-CoV-2 mRNA vaccine design enabled by prototype pathogen preparednessSee publication](#)

- **A respiratory syncytial virus (RSV) F protein nanoparticle vaccine focuses antibody responses to a conserved neutralization domain**

publication date May 2020 Science Immunology

[See publication A respiratory syncytial virus \(RSV\) F protein nanoparticle vaccine focuses antibody responses to a conserved neutralization domain See publication](#)

- **Comparison of NMDA and AMPA Channel Expression and Function between Embryonic and Adult Neurons Utilizing Microelectrode Array Systems**

publication date Dec 11, 2017 ACS Biomater Sci Eng

[See publication Comparison of NMDA and AMPA Channel Expression and Function between Embryonic and Adult Neurons Utilizing Microelectrode Array SystemsSee publication](#)

- **Adjuvant effects of a sequence-engineered mRNA vaccine: translational profiling demonstrates similar human and murine innate response**

publication date Jan 2017 Journal of Translational Medicine

[See publication Adjuvant effects of a sequence-engineered mRNA vaccine: translational profiling demonstrates similar human and murine innate response](#)

Number of Administered Moderna Vaccine doses in the United States: **141,882,801**

Number of Administered Moderna Vaccine doses Worldwide: **61,188,136**

Effectiveness rate of the Moderna Vaccine:

Greater than 90% efficacy against cases of COVID-19 and more than 95% against severe cases, with approximately 6 months median follow-up after the second dose, according to the [company](#). Earlier Phase 3 studies showed Moderna to be 94.1% effective at preventing symptomatic infection in people with no evidence of previous COVID-19 infection (although the efficacy rate drops to 86.4% for people ages 65 and older). In late March, a small [CDC study](#) that enrolled 3,950 health care personnel, first responders, and other essential and frontline workers showed the vaccine to be 90% effective upon full immunization (at least 14 days after the second dose) in real-world conditions.

UCF's Modern(a) Man

A UCF graduate led the charge to create Moderna's COVID-19 vaccine and opened up the possibilities for the future of medicine.

Pegasus Article: <https://www.ucf.edu/pegasus/covid-19-big-shot/>

Video: <https://www.youtube.com/watch?v=iJ4kzNIAkLI>



UNIVERSITY OF CENTRAL FLORIDA

**Office of the Vice President for Research and
Dean of the College of Graduate Studies**

4365 Andromeda Loop N. Millican Hall 243
Orlando, FL 32816-0005

August 25, 2021

Faculty Senate
Commencement, Convocations, and Recognitions Committee.
University of Central Florida
Orlando, FL 32817

Dear Chair Oetjen,

I am writing to offer my strongest support for awarding Dr. Darin Edwards the UCF honorary degree of Doctor of Public Service. Dr. Edwards already earned a bachelor's in biology ('96), a master's ('07) and a Ph.D. ('11) in biomedical sciences from UCF; thus, there is no doubt he is academically qualified. This honorary degree, however, is to recognize his impact on the public good, not only in this country, but in the world.

Dr. Edwards exemplifies what it means to be a UCF Knight – you do what you have to do to get it done, and act in the best interest of all. You may already have read about his work; he led the team at Moderna that developed one of the mRNA vaccines approved for the fight against COVID-19. He was driven, day and night, to find a solution in order to save lives – to make a difference.

At UCF, we often talk about conducting research that makes an impact. We encourage our students to be relentless in their pursuit of knowledge and to contribute to society. We work with industry partners to help give students hands-on experience so that they learn not only the mechanics, but the intangible people skills needed to work in teams that ultimately will solve many of the problems facing our nation.

Dr. James Hickman, Dr. Edwards' major professor, said he knew Dr. Edwards was destined for great things. As a student, Dr. Edwards was not shy about asking questions, working hard to acquire new skills, and learning to work with his colleagues. Before he left UCF he had already published in academic journals as a principal investigator and a co-investigator. Dr. Edwards took those skills, built on them after he left UCF, and learned how to manage research teams in industry. His years of dedicated work led him to Moderna at the right time and with the right skill set.

Dr. Edwards is an example of how one person can make a world of difference and that's what Knights are all about.

I strongly endorse his nomination for an honorary doctorate and thank him for being both an outstanding representative and an ambassador for UCF. If I can answer any questions or provide you with any additional information please do not hesitate to contact me.

Cordially,

Elizabeth A. Klonoff, Ph.D., ABPP
Vice President for Research and Dean of the College of Graduate Studies



UNIVERSITY OF CENTRAL FLORIDA

Vice President for Health Affairs

Dean, College of Medicine
Health Sciences Campus at Lake Nona
6850 Lake Nona Blvd.
Orlando, FL 32827-7408

August 25, 2021

Dear Commencement, Convocations, and Recognitions Committee,

It is a pleasure to write this letter of support for Dr. Darin Edwards to receive the Honorary Doctoral Degree in Public Service from the University of Central Florida (UCF). Dr. Edwards holds three degrees from UCF: a bachelor's degree in biology, a master's degree in molecular biology and microbiology, and a PhD in biomolecular sciences. His graduate degrees were earned in the Burnett School of Biomedical Sciences, College of Medicine and he has put his education to good use. The world has endured a global pandemic during the last two years and even before the pandemic was recognized, Dr. Edwards and his team were using messenger RNA technology to develop the Moderna Vaccine that would save lives across the globe. As Director of Immunology at Moderna, he and his team created a vaccine found to be 94% effective at preventing hospital admissions and death in the elderly.

The University of Central Florida takes great pride in Dr. Edwards and the significance of his work. As Vice President for UCF Health Affairs and Dean, College of Medicine I have witnessed the significant impact of the COVID 19 pandemic on patients, their families, and the health care professionals who care for them. Without the vaccine the world would be a very different place--many more lives would have been lost. The clinical contribution made by Dr. Edwards has provided life to people around the world.

I cannot think of a person who would be more worthy of this honor. It is a privilege and honor to recommend Dr. Darin Edwards for the Honorary Doctoral Degree in Public Service from the University of Central Florida.

Sincerely,

A handwritten signature in blue ink that reads "Deborah C. German". The signature is fluid and cursive, with the first name "Deborah" and last name "German" clearly legible.

Deborah C. German, M.D.

Vice President UCF Health Affairs and Dean, College of Medicine



Board of Trustees
Governance Committee | September 22, 2021

GOVC-9: Approval of the University of Central Florida Bonus Plan

☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: September 23, 2021

Purpose and Issues to be Considered:

Section 1012.978, Florida Statutes, provides that, notwithstanding Section 215.425(3)(d), Florida Statutes, a university board of trustees may implement a bonus scheme based on awards for work performance or employee recruitment and retention. The Board of Trustees must submit to the Board of Governors the bonus scheme, including the evaluation criteria by which a bonus will be awarded. The Board of Governors must approve any bonus scheme created under this section before its implementation.

This plan has been developed to meet the criteria of Section 1012.978, F.S. to provide incentive bonuses based on work performance as well as bonuses to address recruitment and retention needs.

Background Information:

Florida Board of Governors (BOG) Regulation 9.015 permits each board of trustees to establish and implement one or more bonus plans that authorizes the award of bonuses based on the employee work performance or for purposes of recruitment and retention and has established criteria for such plans. The bonus plan submitted for approval complies with the BOG Regulation 9.015 and, therefore, may be implemented upon the approval by the university board of trustees.

Recommended Action:

Recommend approval of the University of Central Florida Bonus Plan.

Alternatives to Decision:

Decline the proposed plan and propose a new plan.

Fiscal Impact and Source of Funding:

N/A

Authority for Board of Trustees Action:

Section 1012.978, Florida Statutes
BOG Regulation 9.015

Contract Reviewed/Approved by General Counsel ☐ N/A ☒

Committee Chair or Chair of the Board has approved adding this item to the agenda ☒



Board of Trustees

Agenda Memo

Submitted by:

Maureen Binder, Associate Vice President and Chief Human Resources Officer

Supporting Documentation:

Attachment A: University of Central Florida Bonus Plan

Facilitators/Presenters:

Youndy Cook

Maureen Binder

University of Central Florida Bonus Plan

The University of Central Florida Bonus Plan is designed to comply with Section 1012.978, Florida Statutes, and Florida Board of Governors Regulation 9.015. Pursuant to the Bonus Plan, the University will provide incentive bonuses based on work performance as well as bonuses to address recruitment and retention needs. A bonus is a one-time monetary award given to faculty or staff which is not added to the base salary.

General Employee Eligibility Criteria

To be eligible for any type of bonus, the employee must meet all of the following criteria:

1. Hold a regular, benefits-earning position that is not in a bargaining unit (non-unit).
2. Have a current positive overall performance rating on file with UCF Human Resources, generally meaning a rating of “Effective” or “Satisfactory”.
3. Have no disciplinary action on file for the previous twelve (12) months.

Types of Bonuses and Evaluation Criteria

This Bonus Plan contemplates three types of bonuses – work performance bonuses, recruitment bonuses, and retention bonuses. Each bonus type is further described below and related evaluation criteria are provided.

1. Work Performance Bonuses

Evaluation Criteria: The evaluation criteria for these bonuses includes, but is not limited to, successful documented work performance involving increased duties/responsibilities, completion of a special project, attainment of established goals, superior performance, or specific achievements or assignments of significance.

Bonuses Falling Within This Category:

A. Performance-Based Employee Recognition Bonus

The UCF Employee Recognition Award Program is intended to recognize and reward documented distinctive and exceptional achievements that go above and beyond an employee's core job duties and significantly contribute to: University initiatives; departmental initiatives and objectives; student success and/or improved student experience; improved operational efficiency; and/or exceptional customer service.

Employee Recognition Awards (a.k.a. “one-time performance pay”) serve to recognize employees for excellence in circumstances such as:

- the successful completion of a special project or assignment with pre-determined goals or performance levels in addition to the employee's regularly assigned duties.
- assuming additional duties and performing them successfully for a period generally less than six (6) months.
- a documented productivity goal achievement.
- going above and beyond by helping another employee in a specific event or task that has been completed.

B. Incentive Compensation Plan Award

An Incentive Compensation Plan (“ICP”) is a department-specific pre-approved program that provides for a lump-sum award based on successful attainment of clearly defined objectives. An ICP establishes the award based on eligible faculty or staff's contributions to departmental goals, which typically includes revenue

generation and specific targets to be achieved with a pay-out schedule based on achieving the stated goals within the fiscal year. Incentive compensation programs may be appropriate in circumstances such as clinical practice and advancement; must define eligible employees; and must be provided to Human Resources in advance. The general Bonus Plan eligibility requirements listed above apply to any award under an ICP.

Any Faculty Practice Plan incentive compensation programs must operate in accordance with Board of Governors Regulation 9.017 and are authorized upon approval by the Board of Trustees

C. Recognition Awards

Recognition Awards serve to recognize employees for superior performance or specific achievements in designated categories. These awards are generally based on an application or nomination process, with documentation of performance and success. The UCF community gathers each year to honor and recognize distinguished staff and faculty members for their outstanding achievements and years of service through the Service and Recognition Awards. Select employees are recognized with an award for significant achievements (e.g., USPS Employee of the Month, non-unit Pegasus Professor Awards, non-unit Trustee Chair Professorships, College of Medicine awards for teaching and research). Faculty excellence awards are presented during an annual ceremony in categories such as teaching, research/creative activities, service, instructional design, advising/mentorship, and librarianship.

2. Recruitment (Sign on) Bonuses

Evaluation Criteria: The evaluation criteria for these bonuses include, but are not limited to, identification of external candidates with desirable specialized skills and exceptional experience, or where market conditions or departmental structure merit such an award.

3. Retention Bonuses

Evaluation Criteria: The evaluation criteria for these bonuses include, but are not limited to, circumstances to address verified offers of competing employment, address market conditions which are significantly higher than the current salary, ameliorate salary compression or inversion, or acknowledge successful completion of career development training, or certification programs that are in the best interests of the University or support the mission of the University. There must be a positive evaluation on file with UCF Human Resources for the faculty or staff to be eligible for this bonus, as defined by the general Bonus Plan eligibility requirements.

Bonuses Falling Within This Category:

A. One-Time Payment In Lieu of Salary Increase

A one-time payment in lieu of a salary increase may be made to broad categories of employees where the university's budget cannot reasonably support recurring salary increases but can support one-time payments using non-recurring funds. Such one-time payments enhance retention of valuable workforce members and avoid the cost to the university of replacing individuals who may leave to seek an increase in salary elsewhere.

B. One-Time Payment for Employee at Top of Range

A one-time payment in lieu of all or part of a salary increase may be made for retention purposes where an employee is 'red-circled' – i.e., would otherwise be

eligible for a university salary increase except that the employee is near or above the maximum salary range for the position. The employee may receive some level of salary increase; however, the amount of such increase will vary depending on the availability of funds, performance, and internal equity considerations. Amounts may be paid as a lump sum rather than as an adjustment to base salary.

Delegations of Authority

The University of Central Florida Board of Trustees (UCFBOT) delegates authority to the President or the President's designee to establish procedures to implement this bonus plan, including levels of approvals and compensation for specific bonuses described in this bonus plan. The University of Central Florida Bonus Plan shall be overseen by the Chief Human Resources Officer for all staff employees, and in conjunction with the Office of the Provost for all faculty employees.

Reporting to the Board of Trustees

The Board of Governors requires that bonuses paid pursuant to this plan be reported to the UCF BOT on a schedule to be set by the Board. Starting with the first BOT meeting of the Fall 2022 Semester, and accordingly each year thereafter, the President shall submit a report to the Board that certifies the following: (i) that any bonuses paid during the prior year complied with the criteria in this bonus plan; and (ii) that the bonuses were within the University's budget as approved by the Board. The report shall include the total amount of funds paid for performance, recruitment, and retention bonuses.

Authority: BOG Regulations 1.001 and 9.015. History – New 9-__-21.



Board of Trustees
Governance Committee | September 22, 2021

INFO-1: FY22 Work Plan and Committee Charter Review

☒ Information

☐ Discussion

☐ Action

Meeting Date for Upcoming Action: _____

Purpose and Issues to be Considered:

The purpose of this information item is to provide Committee members the opportunity to review and offer further input on the Committee's work plan for FY22 (July 1, 2021 – June 30, 2022). Additionally, the Committee's inaugural charter is attached for reference to the Committee's Purpose and Authority, and Roles and Responsibilities under the new committee structure adopted by the Board.

Attachment A outlines the anticipated reports, actions, discussions, and informational items planned to come before the Committee this fiscal year.

Background Information:

The Office of Board Relations is responsible for establishing and managing the annual work planning process for the full Board and its Committees. Following an analysis of the Board's work and after-action requests in FY21 (July 1, 2020 – June 30, 2021), the Board Office has worked with Board and staff leadership to prepare work plans for each committee that include strategic discussions, routine business, and information items to come before each committee in FY22.

Recommended Action:

Review and provide further input on the Committee's work plan for FY22 (July 1, 2021 – June 30, 2022).

Alternatives to Decision:

N/A

Fiscal Impact and Source of Funding:

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 has approved adding this item to the agenda ☒

Submitted by:

Karen Monteleone, Assistant Vice President, Board Relations



Board of Trustees

Agenda Memo

Supporting Documentation:

Attachment A: FY22 Governance Committee Work Plan

Attachment B: Governance Committee Charter (Effective July 1, 2021)

Facilitators/Presenters:

Chair Okaty

GOVERNANCE			GOVERNANCE			GOVERNANCE			GOVERNANCE		
Wednesday, September 22, 2021			Tuesday, November 16, 2021			Wednesday, February 9, 2022			Wednesday, May 18, 2022		
ACTION ITEMS			ACTION ITEMS			ACTION ITEMS			ACTION ITEMS		
GOVC-1	Board Policies Update	OKATY/COOK	GOVC-1	FY21 Presidential Assessment and Compensation Review	OKATY	GOVC-1	Regulations as needed		GOVC-1	DSO Board Appointments	COOK
GOVC-2	Amendments to Chapter 5 University Regulations	COOK	GOVC-2	President's FY22 Goals	OKATY	GOVC-2	DSO Board Appointments as needed		GOVC-2	DSO Bylaws Amendments	COLE
GOVC-3	Adoption of University Regulation-5.0065	COOK	GOVC-3	Board Policies Update (financial)	HECTOR				GOVC-3	Chapter 5 Regulation Amendments	COOK
GOVC-4	Amendments to University Regulation UCF-3.001	COOK							GOVC-4	Chapter 6 Regulation Amendments	COOK
GOVC-5-7	Approval of DSO Board Appointments	COOK									
GOVC-8	Nomination for Honorary Doctorate	COOK									
GOVC-9	Approval of the University of Central Florida Bonus Plan	BINDER									
DISCUSSION ITEMS			DISCUSSION ITEMS			DISCUSSION ITEMS			DISCUSSION ITEMS		
DISC-1			DISC-1	DSO Governance	COLE	DISC-1			DISC-1		
DISC-2			DISC-2			DISC-2			DISC-2		
DISC-3			DISC-3			DISC-3			DISC-3		
INFORMATION ITEMS			INFORMATION ITEMS			INFORMATION ITEMS			INFORMATION ITEMS		
INFO-1	FY22 Work Plan and Charter Review	CHAIR	INFO-1			INFO-1			INFO-1		
INFO-2	Appointment to Board of UCF Research Foundation	CHAIR	INFO-2			INFO-2			INFO-2		

GOVERNANCE COMMITTEE**PURPOSE**

The Governance Committee ("Committee") is a standing committee of the University of Central Florida Board of Trustees ("Board"). The purpose of the committee is to provide oversight of the corporate governance, administrative operations, and delegations of the Board and University Related Entities.

The Board authorizes the Committee to perform activities within the scope of its charter as follows:

- Provide oversight and strategic direction for the governance activities of the University and its Related Entities including governing documents, regulations, and associated policies.
- Ensure the Board's governance aligns with best practice standards for a governing Board in public higher education.
- Provide oversight and strategic direction to the Board's new member orientation program and make recommendations for Board member training and development.
- Lead a biannual, comprehensive Board self-assessment process.
- Perform other duties as assigned by the Board or the Board Chair.

ROLES AND RESPONSIBILITIES

The Committee will review and recommend the following to the Board for action:

- Amendments to the Board's governing documents and policies, including, but not limited to Board Bylaws, the Board's conflict of interest statement and disclosure form, and the delegation of authority to the President.
- Amendments to the governing documents and policies of University Related Entities and appointments of Board Members to University Related Entities.
- The annual evaluation of the president's performance and compensation including review and approval of short- and long-term goals.
- Recommendations for chair and vice chair of the Board.
- Amendments to University regulations.
- The awarding of Honorary Doctorate degrees recommended by University leadership.
- The designation of Trustee Emeritus status to former Trustees.
- Additional items within the committee's scope and authority that require approval.

REPORTING RESPONSIBILITIES

- The Committee Chair will, at the next regularly scheduled board meeting, report to the Board any action taken by the Committee.
- The Committee Chair will promptly notify all board members of any matters within its oversight roles and responsibilities that might significantly impact the financial, legal, academic standing, or reputation of the University.

MEMBERSHIP

- The chair of the Board will appoint the chair and members of the Committee and serves as a non-voting ex officio member.
- The Committee will consist of at least five members.
- Members of the Committee will serve until their resignation or replacement by the chair of the Board.

MEETINGS AND MINUTES

- Meetings will be held not less than four times per fiscal year.
- A majority of the Committee members will constitute a quorum for the conduct of business. Action shall require a majority vote of Committee members present.
- The Committee will maintain and post written minutes of its meetings in accordance with Florida Statute 1001.71.

STAFF

- The vice president and general counsel will serve as the primary liaison to the committee and delegate administrative responsibilities as necessary.
- The president or vice president and general counsel may call upon additional staff to provide presentations, information, or recommendations in the scope of the committee's charter.

CHARTER REVIEW

- The Committee will review its charter annually and recommend to the Board any changes that the Committee deems necessary.



Board of Trustees

COMMITTEE CHARTER

ADOPTION

I HEREBY CERTIFY that the University of Central Florida Board of Trustees adopted this charter at its regularly scheduled meeting on June 17, 2021.

A handwritten signature in blue ink, written over a horizontal line. The signature is cursive and appears to read "M. Gustafson".

July 1, 2021

Associate Corporate Secretary
University of Central Florida Board of Trustees

Date



Board of Trustees
Governance Committee | September 22, 2021

INFO-2: Assignment of Ex-Officio Board Member to UCF Research Foundation

☒ Information

☐ Discussion

☐ Action

Meeting Date for Upcoming Action: _____

Purpose and Issues to be Considered:

The UCF Research Foundation Bylaws provide that the UCF Chief Financial Officer shall be a member of the Board of Directors of the UCF Research Foundation.

Gerald Hector is the Senior Vice President for Administration and Finance at the University of Central Florida. He oversees accounting, finance, human resources, campus safety, auxiliary enterprises, and all aspects of facilities management.

Background Information:

The Bylaws of the UCF Research Foundation state in Article I, Section 1 "The seventh member shall be the UCF Chief Financial Officer."

Recommended Action:

N/A

Alternatives to Decision:

N/A

Fiscal Impact and Source of Funding:

N/A

Authority for Board of Trustees Action:

Fl. Statute 1004.28(3)

Fourth Amended and Restated Bylaws of the University of Central Florida Research Foundation

Contract Reviewed/Approved by General Counsel ☐ N/A ☒

Committee Chair or Chair of the Board has approved adding this item to the agenda ☒

Submitted by:

Kim Smith, Chief Operating Officer, UCF Research Foundation

Supporting Documentation:

N/A

Facilitators/Presenters:

Youndy Cook, Interim Vice President and General Counsel