



## **February 23, 2023 Governance Committee**

Board of Trustees

Live Oak Event Center

Feb 23, 2023 9:15 AM - 10:30 AM EST

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# Board of Trustees

## Meeting Agenda

**Board of Trustees Meeting  
Governance Committee  
February 23, 2023 9:15-10:30 a.m.  
Live Oak Event Center | UCF Main Campus**

Livestream:

<https://www.youtube.com/watch?v=ukTFGrb-vag>

Conference call number: 1 (305) 224-1968 | Meeting ID: 916 9962 4851 | Passcode: 874420

### **REVISED 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 November 16, 2022 meeting | Chair Okaty                                       |
| 4. Action (60 minutes)                      | Chair Okaty                                       |

- |          |   |
|----------|---|
| GOVC – 1 | Designation of Trustee Emerita Status for Beverly Seay<br>Mike Kilbride, <i>Executive Chief of Staff and Associate Secretary to the Board of Trustees</i>   |
| GOVC – 2 | Amendments to the Collective Bargaining Agreement Between the UCF Board of Trustees and the United Faculty of Florida (UFF)<br>Charles Reilly, <i>Associate Provost for Contract Compliance &amp; Administrator Support</i> |
| GOVC – 3 | Board Self-Assessment Survey<br>Lauren Ferguson, <i>Assistant Vice President, Board Relations</i>   |
| GOVC – 4 | Amendments to University Regulation UCF-2.032 Textbook Adoption<br>Youndy Cook, <i>Vice President and General Counsel</i>   |
| GOVC – 5 | Amendments to University Regulation UCF-2.040 Development, Approval, Termination, and Suspension of Degree Programs<br>Youndy Cook  |



# Board of Trustees

## Meeting Agenda

	GOVC – 6	Amendments to University Regulation UCF-4.006 Trespass and Loitering Youndy Cook
	GOVC – 7	Proposed University Regulation UCF-2.030 Confidentiality of Examination and Assessment Instruments Youndy Cook
	GOVC – 8	Proposed University Regulation UCF-4.040 Educational Research Center for Child Development Youndy Cook
	GOVC – 9	Appointment of Board Members to UCF Research Foundation, Inc. Board of Directors Lauren Ferguson, <i>Assistant Vice President, Board Relations</i>
5. Discussion (15 minutes)	DISC – 1	Chair/Vice Chair Nomination Process Chair Okaty
7. New Business		Chair Okaty
8. Adjournment		Chair Okaty



UNIVERSITY OF CENTRAL FLORIDA

Board of Trustees  
Governance Committee Meeting  
November 16, 2022  
Lake Nona Wave Hotel/Virtual

**MINUTES**

**CALL TO ORDER**

Trustee Michael Okaty, chair of the Governance Committee, called the meeting to order at 2:00 p.m. Committee member Beverly Seay attended in person, and Bill Christy, Danny Gaekwad, and John Miklos attended virtually. The following board members were also in attendance: Chair Alex Martins, Tiffany Altizer, Harold Mills, and Stephen King. Trustee Jeff Condello attended virtually.

**MINUTES**

Trustee Gaekwad made a motion to approve the minutes from October 19, 2022, Governance Committee meeting and Trustee Miklos seconded. The committee unanimously approved the minutes as submitted.

**NEW BUSINESS**

**Presidential Assessment and Compensation Review (GOVC-1)**

Alex Martins, Chair of Board of Trustees, presented the executive summary for the FY23 Presidential Assessment and compensation recommendations. The executive summary was prepared based on feedback received in consultation with the Chair of the Board of Trustees and the Chair of the Board of Governors. The assessment contains two parts: assessment of the president's leadership competencies and assessment of the president's progress and accomplishments related to his incentive plan goals. The committee was asked to approve President Cartwright's 2021-2022 assessment, which will include an incentive award of \$280k of the \$300k potential outlined in his employment agreement as well as an increase of his base compensation to \$725k and permission to amend the President's employment agreement to limit his annual incentive award to \$300k from 50% and to establish a 3-year retention bonus plan tied to annual metrics towards achieving our strategic plan, with specific metrics to be established by the Chair and approved by the board on an annual basis. Trustee Christy made a motion to approve the 2021-2022 assessment and compensation recommendations as presented and Trustee Gaekwad seconded. Comments were made by Trustee Gaekwad, Trustee Christy, Trustee Miklos, and Trustee Mills. Motion passes unanimously.

**Amended and Restated Bylaws of the UCF Foundation, Inc. (GOVC-2)**

Youndy Cook, Vice President and General Counsel, presented a summary of the proposed changes to the amended and restated bylaws of the UCF Foundation. These are the final DSO

bylaws revisions being presented in the new templated format. Trustee Christy made a motion approve the Amended and Restated Bylaws of the UCF Foundation, Inc. and Trustee Gaekwad seconded. The motion was approved unanimously.

Amended Bylaws and Articles of Incorporation for Central Florida Clinical Practice Organization, Inc. (GOVC-3)

Cook presented the proposed amendments to the bylaws and articles of incorporation for the Central Florida Clinical Practice Organization (CFCPO). She summarized the key changes for each document. Trustee Christy made a motion to approve the amended Bylaws and the Articles of Incorporation of the CFCPO and Trustee Miklos seconded. The motion was approved unanimously.

Amendments to University Regulation UCF-2.040 Development, Approval, Termination, and Suspension of Degree Programs (GOVC-4)

Cook presented the proposed amendments to university regulation UCF-2.040 Development, Approval, Termination, and Suspension of Degree Programs. There are only two amendments to address terminology changes to conform to changes in the associated BOG regulation. Trustee Christy made a motion to approve the proposed amendments to UCF-2.040 Development, Approval, Termination, and Suspension of Degree Programs and Trustee Gaekwad seconded. The motion was approved unanimously.

Amendments to University Regulation UCF-4.010 Solicitation on Campus (GOVC-5)

Cook presented the proposed amendments to UCF-4.010 Solicitation on Campus, the only proposed change is to the language regarding harassment. Trustee Christy made a motion to approve the proposed amendments to UCF-4.010 Solicitation on Campus and Trustee Gaekwad seconded. The motion was approved unanimously.

Amendments to University Regulation UCF-7.203 Real Property Leasing, and Repeal of University Regulations UCF-7.201 Real Property Transactions, UCF-7.208 Leases of 5,000 Square Feet or More, and UCF-7.209 Solicitation for Lease Space (GOVC-6)

Cook presented the proposed amendments to university regulation UCF-7.203 Real Property Leasing. She also asked the committee to repeal the university regulations UCF-7.201 Real Property Transactions, 7.208 Leases of 5,000 Square Feet or More, 7.209 Solicitation for Lease Space. All four regulations relate to the topic of leases and have been consolidated into a single regulation. The material in each proposed repealed regulation is either incorporated into UCF-7.203 or is no longer relevant. Trustee Christy made a motion to approve the proposed regulation amendments to UCF-7.203 and to repeal UCF-7.201, UCF-7.208, and UCF-7.209, and Trustee Miklos seconded. The motion was approved unanimously.

Board Self-Assessment Process (DISC-1)

Lauren Ferguson, Associate Vice President of Board Relations, presented the board self-assessment process. The draft survey is included in the meeting materials. The survey will be brought forth for approval at the February meeting.

President's FY23 Goals (INFO-1)

Chair Okaty indicated that the FY23 goals of the president will be presented at full board meeting tomorrow for discussion and approval.

**ADJOURNMENT**

The meeting adjourned at 2:42 p.m.

Reviewed by:

\_\_\_\_\_  
Michael Okaty  
Chair, Governance Committee

\_\_\_\_\_  
Date

Respectfully submitted:

\_\_\_\_\_  
Michael A. Kilbride  
Associate Corporate Secretary

\_\_\_\_\_  
Date



Board of Trustees  
Governance Committee | February 23, 2023

### GOVC-1: Designation of Trustee Emerita Status for Beverly Seay

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☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: February 24, 2023

#### Purpose and Issues to be Considered:

Approval to award the designation of Trustee Emerita to former trustee and past Chair Beverly Seay.

#### Background Information:

The Governance Committee is responsible for reviewing and recommending to the Board the designation of Trustee Emeritus status to former Trustees. The current trustee emeriti previously approved by the Board (Attachment A) are charter Trustees or Trustees who served as Chair.

On January 6, 2023, Beverly Seay completed her second full term of service on the UCF Board of Trustees. During her two terms of service to the Board, Seay held multiple leadership roles, including:

- Chair, Audit Committee (2016 – 2019)
- Chair, Academic Excellence and Student Success Committee (2021 – 2023)

Additionally, Seay served as Chair from July 2019 through June 2021, providing leadership to the Board during a transitional period in the university's history.

Seay has made significant investments in the mission and vision of the university. During her tenure, Former Chair Seay played a pivotal role selecting President Alexander Cartwright, establishing the UCF Strategic Plan, strengthening partnerships with key industries, and leading the Audit Committee and Academic Excellence and Student Success Committee.

#### Recommended Action:

Recommend approval of the designation of Trustee Emerita status for Beverly Seay to the Board of Trustees.

#### Alternatives to Decision:

Decline to recommend approval of the designation of Trustee Emerita status.

#### Fiscal Impact and Source of Funding:

N/A

#### Authority for Board of Trustees Action:

BOG Regulation 1.001

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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, Executive Chief of Staff and Associate Secretary to the Board of Trustees

**Supporting Documentation:**

Attachment A: Current Trustee Emeriti

Attachment B: Emeriti Citation

**Facilitators/Presenters:**

Mike Kilbride





# Trustee Emerita and Emeritus

The University of Central Florida is extremely grateful for the service of its Trustees.

Name	Start Term	End Term
Albertson, Judith *	6/22/2001	4/12/2011
Calvet, Olga M. * **	6/22/2001	2/8/2016
Christiansen, Pat *	6/22/2001	9/30/2010
Grindstaff, Michael J. **	3/10/2008	7/24/2013
Klock, Phyllis A. *	6/22/2001	4/12/2011
Nunis, Dick* **	6/22/2001	3/12/2008
Rosen, Harris *	6/22/2001	3/27/2013
Santiago, Conrad *	6/22/2001	4/18/2010
Walsh, Rick * **	6/22/2001	6/22/2011
Yochum, Tom *	6/22/2001	6/22/2011

*\*Charter trustees appointed by Governor Jeb Bush.  
 \*\* Past Chair*



# Trustee Emeriti CITATION

- Whereas,** **The Honorable Beverly J. Seay** has made extraordinary contributions to our university, our community, and her field — as a prominent leader in Central Florida’s modeling and simulation community for more than 25 years and as a member of UCF’s Board of Trustees for ten years (2013-2023).
- Whereas,** during her two terms of service on the Board of Trustees, Trustee Seay held multiple leadership roles, including Chair of the Audit and Compliance Committee (2016-2019), Chair of the Academic Excellence and Student Success Committee (2021-2023), and Board Chair (2019-2021).
- Whereas,** under her leadership as Chair, she successfully navigated the university through times of challenge and transition and provided strategic oversight of the presidential search and strategic planning, all of which have laid a strong foundation for building the university for the future.
- Whereas,** additionally, Trustee Seay strengthened the university’s partnerships and reputation across industry, government, and academia, including by serving on the Board of Directors of the Association of Governing Boards (AGB) and spearheading the involvement of UCF and our entire State University System with the Southeast Region of the National Security Innovation Network.
- Whereas,** Trustee Seay has worked to expand opportunities for UCF’s computer programming students to strengthen their skills and was instrumental in bringing the International Collegiate Programming Contest (ICPC) — the oldest and most prestigious collegiate programming contest — competitions and training camps to our campus.
- Whereas,** she also has invested her time and talents at UCF as a member of the Research Foundation Board of Directors and as Chair of the College of Engineering and Computer Science’s Dean’s Advisory Board, where she provided strategic direction and guidance and modeled the way industry leaders help universities unleash the potential of tomorrow’s innovators and pioneers.
- Whereas,** during her service to the university, Trustee Seay received multiple recognitions, including induction into the National Center for Simulation’s Hall of Fame and the Mid-Florida Business Hall of Fame, *i4 Business Magazine’s* 2020 Business Leader of the Year, *Orlando Business Journal’s* 2021 Businesswoman of the Year, and multiple selections as one of Florida’s Most Influential Business Leaders by *Florida Trend*.

**Now, therefore, on behalf of the faculty, staff, and students** of the University of Central Florida, by virtue of the authority vested in me by the university’s Board of Trustees, it is my distinct honor to **hereby confer the title of Trustee Emerita upon Beverly J. Seay** this 24th day of February, 2023.

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**Alex Martins**  
Chair, Board of Trustees



Board of Trustees  
Governance Committee | February 23, 2023

### GOVC-2: Amendments to the Collective Bargaining Agreement between the UCF Board of Trustees and United Faculty of Florida

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☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: February 24, 2023

#### Purpose and Issues to be Considered:

On March 17, 2022, the UCF Board of Trustees entered into a three-year collective bargaining agreement with UFF that expires on August 31, 2024, and pursuant to that agreement, negotiations for two reopened articles began in September 2022. The parties reached tentative agreement on the reopened articles on January 18, 2023, and the union membership ratified the tentative agreement on February 3, 2023.

The amended contract contains the following changes to the 2021-2024 agreement:

In Article 22, Sabbaticals and Professional Development Programs, the new name “Professional Development Program” (PDP) replaces the former name “Professional Development Leave” for non-tenure-earning employees. This change is appropriate since employees with a PDP appointment have assigned duties and are not on leave. For additional clarity, the modifier “academic” precedes “year,” where meaningful, to eliminate confusion and questions among potential sabbatical/PDP applicants.

In Article 23, Salaries, there is a three-part salary package that includes a one-time payment of \$3,000.00 for all continuing in-unit employees, an across-the board increase of 1% for all continuing in-unit E&G employees whose annual evaluation ratings for AY 2021-2022 were Satisfactory or better, and a 2% merit increase pool in each department/unit for continuing in-unit employees whose annual evaluation ratings for AY 2021-2022 were Above Satisfactory or Outstanding. In each department/unit, merit increases for employees with Outstanding ratings are to be greater than those for employees with Above Satisfactory ratings by a ratio of 1.5 to 1. Other changes to this article include: the distribution of incentive awards to colleges is modified slightly to better balance awards and assigned duties, the processing of administrative discretion increases administrative stipends is streamlined to reduce delays and administrative workload, and the modifier “academic” is used for clarity where appropriate.

All other articles remain *status quo*.

#### Background Information:

Florida Board of Governors Regulation 1.001(5)(b) provides that each board of trustees shall act as the sole public employer with regard to all public employees of its university for the purposes of collective bargaining and shall serve as the legislative body for the resolution of impasses with regard to collective bargaining matters.

Currently, 1,604 employees at the University of Central Florida are represented for purposes of collective bargaining by the United Faculty of Florida – UCF Chapter.

Under the Board of Trustees' Resolution on Presidential Authority, the Board delegates the administration of collective bargaining agreements and matters to the President, who assigns a collective bargaining team to negotiate agreements. The collective bargaining team for this union is comprised of the director in Contract Compliance and Administrator Support, two associate general counsels, and an associate dean. The Associate Provost for Contract Compliance and Administrator Support serves as the chief negotiator on behalf of the university.

**Recommended Action:**

The collective bargaining team appointed by the President to represent the University of Central Florida Board of Trustees recommends ratification of the amended articles of the 2021-2024 UCF BOT-UFF Collective Bargaining Agreement.

**Alternatives to Decision:**

Decline the ratification of the amended articles of the collective bargaining agreement.

**Fiscal Impact and Source of Funding:**

The total fiscal impact of the recurring and non-recurring payments in the collective bargaining agreement is \$10,328,391.54.

The recurring cost of the across-the-board increase totals \$1,911,558.08 and will be funded according to the employee's source of funding. \$1,733,102.41 will be funded from E&G funds, up to \$68,632.51 will be funded by Auxiliary funds, and up to \$109,823.16 will be funded from C&G funds. Auxiliary and C&G funded employees will only receive the salary increases if there is sufficient funding available within the auxiliary unit, contract or grant.

The recurring cost of the merit increase totals \$4,112,973.46 and will be funded according to the employee's source of funding. \$3,721,363.90 will be funded from E&G funds, up to \$152,658.89 will be funded by Auxiliary funds, and up to \$238,950.68 will be funded from C&G funds. Auxiliary and C&G funded employees will only receive the salary increases if there is sufficient funding available within the auxiliary unit, contract or grant.

The non-recurring cost of the one-time payments totals \$4,303,860 and will be funded from E&G funds unless sufficient funds are available within the auxiliary unit for auxiliary-funded employees or from the contract or grant for C&G-funded employees.

**Authority for Board of Trustees Action:**

BOG Regulation 1.001(5)(a), (b)

Resolution on Presidential Authority, Section 3(e)

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**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:**

Charles H. Reilly, Associate Provost for Contract Compliance and Administrator Support



**Supporting Documentation:**

Attachment A: Articles 22 and 23 of the 2021-2024 University of Central Florida Board of Trustees – United Faculty of Florida (UFF) Collective Bargaining Agreement (red-line)

**Facilitators/Presenters:**

Charles H. Reilly

Attachment A

ARTICLE 22

**SABBATICALS AND PROFESSIONAL DEVELOPMENT ~~PROGRAMS~~PROGRAM**

**22.1 Sabbaticals.**

(a) Policy. Sabbaticals are granted to increase an employee's value to the University through opportunities for research, writing, professional renewal, further education or other experiences of professional value. While ~~such leaves~~sabbaticals may be provided in relation to an employee's years of service, they are not primarily a reward for service longevity.

(b) Types of Sabbaticals.

(1) Type I Sabbaticals: Each year, each college shall make available at least one Type I sabbatical, either at full pay for one semester [Type IA] or one at three-fourths pay for one academic year [Type IB], for each twenty tenured and tenure-earning employees, subject to the conditions of this Article. Standard rounding techniques shall be used to determine the total number of Type I sabbaticals to be made available in each college. (e.g., a college with 29 tenured or tenure-earning employees shall make one Type I sabbatical available. A college with 30 tenured or tenure-earning employees shall make two Type I sabbaticals available.) Colleges with fewer than twenty tenured and tenure-earning employees shall make available at least one such sabbatical every other academic year.

(2) Type II Sabbaticals: Each college shall make a Type II sabbatical available to each employee whose application has been ranked/recommended by the college committee but was not awarded a Type I sabbatical. This Type II sabbatical is a sabbatical for up to two semesters (i.e., up to one academic year) at half pay, subject to the conditions of this Article, and granted by the dean.

(c) Sabbatical Eligibility.

(1) Full-time tenured employees with at least five academic years of full-time continuous service at UCF shall be eligible to apply for a sabbatical that would take place in the following academic year. (For example, a full-time tenured employee who starts their employment at UCF at the beginning of the ~~2021-22~~2022-23 academic year, and is continuously employed, may submit a sabbatical application during the ~~2026-27~~2027-28 academic year for a sabbatical that would take place in the ~~2027-28~~2028-29 academic year).

(2) Applicants for sabbaticals must be tenured at the time their applications are submitted. (For example, a full-time tenure-earning employee who starts their employment at UCF at the beginning of the ~~2021-22~~2022-23 academic year may be tenured at the start of the ~~2027-28~~2028-29 academic year and submit a sabbatical application in ~~2027-28~~2028-29. Their sabbatical would take place in the ~~2028-29~~2029-30 academic year.)

(3) Employees must work at least five full academic years (i.e., a fall semester followed by a spring semester) or the equivalent and be tenured before they are eligible to submit a sabbatical application.

(4) Full-time employees shall be eligible to apply for their next sabbatical during the ~~fifth~~sixth year of continuous service at UCF after the end of the academic year during which the previous sabbatical, professional development ~~leave~~program appointment (formerly called professional development leave), or administrative professional development leave was taken. (For example, a tenured employee who takes a sabbatical in the 2023-24 academic year and is continuously employed may submit another sabbatical application in

the 2029-30 academic year for a sabbatical that would take place in the 2030-31 academic year.)

(5) No paid or unpaid family and medical, parental, administrative, military, or other authorized leave-(s) shall be considered a break in continuous employment.

(6) Employees shall be notified annually regarding eligibility requirements and application deadlines.

(d) Application and Selection.

(1) Applications for sabbaticals shall be submitted in accordance with college deadlines.

(2) Each application shall include a two-page statement describing the program and activities to be followed while on sabbatical; the expected increase in value of the employee to the University, the college and the employee's academic discipline; specific results anticipated from the ~~leavesabbatical~~; any anticipated supplementary income; and a statement that the applicant agrees to comply with the conditions of the sabbatical program.

(3) The employee's immediate supervisor, e.g., the chair, shall be given a copy of the application by the applicant when it is submitted for review by the college committee.

(4) A college committee shall be elected by and from the tenured unit employees. The committee shall equitably represent the departments or units of eligible employees.

(5) Employees who indicate they plan to apply for ~~the leavea sabbatical~~ are not eligible to serve on the committee.

(6) A committee chairperson shall be elected by and from the college sabbatical committee.

(7) The college committee shall review sabbatical applications. Only those applications that are deemed worthy of a sabbatical shall be ranked and submitted to the dean or dean's representative. In ranking the applications worthy of a sabbatical, committee members shall consider the merits of the proposal and the benefits of the proposed program to the employee, the University, the college and the profession; and the length of service since previous sabbatical. Committee members shall not disadvantage an applicant due to ~~his/her~~their academic discipline.

(8) Absent a legitimate business reason other than staffing or fiscal considerations, the dean or dean's representative shall make sabbatical appointments from the ranked list and consult with the committee prior to an appointment that does not follow the committee's list. In the event that the dean or dean's representative decides not to make a sabbatical appointment to an employee on the list, they shall consult with the affected employee. If staffing or fiscal considerations preclude a sabbatical from being granted, the employee shall be provided the sabbatical the following academic year, or at a later time as agreed to by the employee and the college. The postponement of a sabbatical by the university does not result in any postponement of a subsequent sabbatical application by the employee.

(9) In the event of an exceptional opportunity for ~~ana tenured~~ employee to participate in a prestigious academic award/activity for which deadlines prevent application during the normal application process, the dean may award a sabbatical outside of the above defined process. All employee eligibility requirements must be met and all sabbatical terms defined below apply.

(e) Terms of Sabbatical Program.

(1) The employee must return to the University for at least one academic year following participation in the program. If the employee fails to return to the University for at least two consecutive semesters, fall and spring, in the academic year following participation in the program, all salary and fringe benefits received during ~~his/her~~their participation in the program must be repaid to the University within 30 days of resignation or



job abandonment. If the employee makes little to no effort to complete the project described in the application, the employee shall receive an “Unsatisfactory” overall annual evaluation and will be ineligible to apply for a sabbatical for ten years.

(2) If there are circumstances that arise where the employee wishes or needs to request to change the terms of the sabbatical, including cancelation or postponement, from what was proposed, any revisions to the proposal must be documented in writing and submitted to the employee’s supervisor as soon as practicable. The supervisor and dean must approve the revised sabbatical proposal before the work may proceed.

(3) Within thirty days after the beginning of the spring semester (for a fall-only sabbatical) or when annual reports are due (for a spring-only or fall/spring sabbatical), the employee must provide a brief written report to the college dean’s office and ~~his or her~~their department or unit that relates accomplishments during the sabbatical to the proposal submitted for that ~~leaves~~sabbatical.

(4) An annual evaluation shall be conducted for each employee whose assignment included a sabbatical. The overall evaluation shall be weighted between time on sabbatical and time on regular duties. Their time on sabbatical shall be evaluated based on their accomplishments made in light of their sabbatical proposal and ensuing circumstances. Their time on regular duties, if any, shall be evaluated based on the department or unit’s Annual Evaluation Standards & Procedures.

(5) University contributions normally made to retirement and Social Security programs shall be continued during the sabbatical leaveperiod on a basis proportional to the salary received.

(6) University contributions normally made to employee insurance programs and any other employee benefit programs shall be continued during the sabbatical.

(7) Eligible employees on sabbatical shall continue to accrue leave on a full-time basis.

(8) While on leaves~~sabbatical~~, an employee must disclose and shall be permitted to receive funds for travel and living expenses, and other sabbatical-related expenses, from sources other than the University, such as fellowships, grants-in-aid, and contracts and grants, to assist in accomplishing the purposes of the sabbatical. Receipt of funds for such purposes shall not result in reduction of the employee’s University salary. Grants for such financial assistance from other sources may, but need not, be administered through the University. If financial assistance is received in the form of salary, the University salary may be reduced by the amount necessary to bring the total income of the sabbatical period to a level equal to the employee’s current year salary rate. Employment unrelated to the purpose of the sabbatical ~~leave~~ is governed by the provisions of the Conflict of Interest or Commitment/Outside Activity Article. No additional compensation from UCF E&G sources is allowable.

## **22.2 Professional Development ~~Leave~~ (PDLProgram (PDP)).**

(a) Policy. Professional development ~~leaves~~program (PDP) appointments are granted to increase an employee’s value to the University through opportunities for research, writing, professional renewal, further education, or other experiences of professional value. ~~Leaves are not~~While PDPs may be provided in relation to an employee’s years of service, they are not primarily a reward for service longevity.

(b) Professional Development LeaveProgram Appointment Availability. Each year, the University will make available at least one ~~professional development leave eitherPDP~~appointment at full pay for one semester or term or at three-fourths pay for one academic



year, for each thirty employees who are not tenured or tenure-earning, subject to the conditions set forth below.

(c) Eligibility for Professional Development ~~Leave. Tenure~~Program Appointment. Tenured and tenure-earning faculty are not eligible to apply for ~~PDLs~~PDPs. Tenured employees should apply for sabbaticals in accordance with Section 22.1 of this agreement. Only 12-month employees may apply for a ~~leave~~PDP appointment during the summer term.

(1) Non-tenured, non-tenure-earning employees who have completed five or more academic years of full-time, continuous non-OPS service with UCF shall be eligible to apply for ~~professional development leaves.~~PDP appointments.

(a) First-time applicants. Employees must work at least five full academic years (i.e., a fall semester followed by a spring semester) or the equivalent before they are eligible to submit a ~~PDL~~PDP application.

(b) Full-time non-tenured, non-tenure earning employees shall be eligible to apply for their next ~~PDL~~PDP during the ~~fifth~~sixth year of continuous service at UCF after the end of the academic year during which the previous ~~PDL~~PDP was ~~taken~~completed. As an example, an employee whose ~~PDL~~PDP ended either August 7, 2024, December 22, 2024, or May 7, 2025 would be eligible to apply during the 2030-2031 ~~PDL~~PDP application period for a ~~PDL~~PDP to take place in the 2031-2032 academic year.

(2) No paid or unpaid family and medical, parental, administrative, military, or other authorized leave(s) shall be considered a break in continuous employment.

(3) An employee who is compensated through a contract or grant may receive a ~~professional development leave~~PDP appointment only if the contract or grant allows ~~for participation in~~ such ~~leaves~~programs and the employee meets all other eligibility requirements.

(4) Eligible employees shall be notified annually regarding eligibility requirements and application deadlines.

(d) Application and Selection.

(1) ~~Application~~Applications for ~~professional development leave~~a PDP appointment shall contain an appropriate outline of the project or work to be accomplished during the ~~leave~~proposed PDP appointment.

(2) Each application shall include a two-page statement describing the program and activities to be followed while on ~~professional development leave~~the PDP appointment; the expected increase in value of the employee to the University and unit; specific results anticipated from the ~~leave~~proposed PDP appointment; any anticipated supplementary income; and a statement that the applicant agrees to comply with the conditions of the ~~professional development leave program.~~PDLPDP. PDP proposals must articulate how the planned activity relates to and serves the mission and goals for the department/unit and college.

(3) The employee's immediate supervisor, e.g., the chair, and their dean, director, or unit head shall be given a copy of the application by the applicant when it is submitted for review by the University ~~Professional Development Leaves committee~~PDP Committee.

(4) A University ~~Professional Development Leaves committee~~PDP Committee of at least five members shall be elected by and from the employees eligible for ~~professional development leave.~~PDP appointments.

(5) Employees who indicate they plan to apply for ~~the PDL leave~~a PDP appointment are not eligible to serve on the committee.

(6) A committee chairperson shall be elected by and from the University ~~Professional Development Leaves committee~~PDP Committee.

(7) The University committee shall review ~~professional development leave~~PDP applications and shall submit a ranked list of only recommended employees to the University's representative.

a. Only those applications that are deemed worthy of a ~~PDL~~PDP appointment shall be ranked and submitted to the University's representative.

b. In ranking the applicants, committee members shall consider the merits of the proposal; the benefits of the proposed program to the employee, the University, the college/unit, and the job function of which the employee is a part; and length of service since ~~a~~ previous ~~professional development leave~~PDP appointment. Committee members shall not disadvantage an applicant due to the academic discipline, function, or profession of the applicant.

(8) Absent a legitimate business reason other than staffing or fiscal considerations, the University's representative shall ~~make professional development leave~~award PDP appointments from the ranked list and consult with the committee prior to an appointment that does not follow the committee's list. In the event that the University's representative decides not to offer a ~~professional development leave~~PDP appointment to an employee on the list, ~~he or she~~they shall consult with the affected employee.

(9) No more than one employee for each fifteen employees in each department, college, or unit need be granted ~~professional development leave~~a PDP appointment for the same semester.

(10) ~~Leaves~~PDP appointments shall be granted contingent upon the availability of staff and unit funds. If staffing or fiscal considerations preclude a ~~professional development leave~~PDP appointment from being granted, the employee shall be provided the ~~professional development leave~~PDP appointment the following ~~academic~~ year, or at a later time as agreed to by the employee and the college/unit. The postponement of a ~~PDL~~PDP appointment by the university does not result in any postponement of a subsequent ~~PDL~~PDP application by the employee.

(e) Terms of ~~Professional Development Leave~~PDP Appointments.

(1) The employee must return to University employment for at least one academic year following participation in that program. If the employee fails to return to the University for at least two consecutive semesters, fall and spring, in the year following participation in the program, all salary and fringe benefits received during ~~his/her~~their participation in the program must be repaid to the University within 30 days of resignation or job abandonment. If the employee makes little to no effort to complete the project described in the application, the employee shall receive an "Unsatisfactory" overall annual evaluation and will be ineligible to apply for a ~~PDL~~PDP appointment for ten years.

(2) If there are circumstances that arise where the employee wishes or needs to request to change the terms of the ~~PDL~~PDP appointment, including cancelation or postponement, from what was proposed, any revisions to the proposal must be documented in writing and submitted to the employee's supervisor as soon as practicable. The supervisor and dean ~~or unit leader~~ must approve the revised ~~PDL~~PDP proposal before the work may proceed.

(3) An employee who fails to spend the time as stated in the application or revision as approved by the supervisor and dean shall reimburse the University for all salary and fringe benefits received during ~~such leave~~the PDP period within 30 days following the scheduled completion of the ~~leave~~PDP appointment.

(4) Within thirty days after the end of the semester or term following the conclusion of the ~~PDL~~PDP, the employee must provide a brief written report to ~~his or her~~their

department or unit that relates accomplishments during the professional development leavePDP appointment to the proposal submitted for that leavePDP appointment.

(5) An annual evaluation shall be conducted for each employee whose assignment included a PDL-PDP appointment. The overall evaluation shall be weighted between time on PDL-PDP appointment and time on regular duties. Their time on PDL-PDP appointment shall be evaluated based on their accomplishments made in light of their PDL-PDP proposal and ensuing circumstances. Their time on regular duties, if any, shall be evaluated based on the department or unit's Annual Evaluation Standards & Procedures.

(6) University contributions normally made to retirement and Social Security programs shall be continued during the professional development leavePDP period on a basis proportional to the salary received.

(7) University contributions normally made to employee insurance programs and any other employee benefit programs shall be continued during the professional development leavePDP period.

(8) Eligible employees on a professional development leavePDP appointment shall continue to accrue leave on a full-time basis.

(9) While on leavePDP appointment, an employee must disclose and shall be permitted to receive funds for travel and living expenses, and other professional development leavePDP-related expenses, from sources other than the University, such as fellowships, grants-in-aid, and contracts and grants, to assist in accomplishing the purposes of the professional development leave-PDP appointment. Receipt of funds for such purposes shall not result in reduction of the employee's University salary. Grants for such financial assistance from other sources may, but need not, be administered through the University. If financial assistance is received in the form of salary, the University salary may be reduced by the amount necessary to bring the total income of the professional development leavePDP period to a level comparable to the employee's current year salary rate. Employment unrelated to the purpose of the professional development leavePDP appointment is governed by the provisions of the Conflict of Interest or Commitment/Outside Activity Article. No additional compensation from UCF E&G sources is allowable.

### **22.3 Other Study Leave.**

(a) Job-Required. An employee required to take academic course work as part of assigned duties shall not be required to charge time spent attending classes during the work day to accrued leave.

(b) Job-Related. An employee shall be permitted to attend up to six credits of course work per semester during work, provided that the:

(1) course work is directly related to the employee's professional responsibilities;

(2) supervisor determines that the absence will not interfere with the proper operation of the work unit;

(3) supervisor believes that completion of the course work would improve the productivity of the department or function of which the employee is a part; and

(4) employee's work schedule can be adjusted to accommodate such job-related study without reduction in the total number of work hours required per pay period.

(c) Retraining. The University may, at its discretion, provide opportunities for retraining of employees when it is in the University's best interests. Such opportunities may be provided to employees who are reassigned, have received notice of layoff, or in other appropriate circumstances.

## ARTICLE 23

### SALARIES

#### 23.1 Promotion Increases.

(a) Promotion salary increases shall be granted on August 8 following that promotion in an amount equal to 9.0% of the employee's salary as of August 7 in recognition of promotion to one of the following ranks: Associate Professor, Associate Instructor, Associate Lecturer, Associate Scholar/Scientist/Engineer, Associate in \_\_\_\_\_, Associate Instructional Designer, and Associate University Librarian.

(b) Promotion salary increases shall be granted on August 8 following that promotion in an amount equal to 10.0% of the employee's salary as of August 7 in recognition of promotion to one of the following ranks: Professor, Senior Instructor, Senior Lecturer, Scholar/Scientist/Engineer, University Librarian, and Senior Instructional Designer.

**23.2 Legislatively Mandated Increases.** Any legislatively mandated increases shall be implemented as soon as practicable.

#### 23.3 One-Time Payment and Other Increases.

(a) ~~Across the Board Salary Increases.~~

~~—(1) One-time payment for 2022-2023. Effective April 15, 2022 for the 2021-2022 year, February 17, 2023 (distributed on pay date May 6, 2022) each eligible Education and General (E&G) employee whose salary is at least \$48,500 March 10, 2023), the university shall receive provide a 2.5% increase to the employee's base salary. This increase will be calculated using the employee's salary as one-time payment of April 14, 2022. An employee shall be eligible if the employee's most recent \$3,000.00 to each employee who was in a continual, non-OPS employment relationship with the university on May 7, 2022; whose 2021-2022 annual evaluation, if provided, was Satisfactory or above; the employee was in an in-unit employment relationship (not OPS) with the University prior to May 7, 2021; and the employee who remains employed by the university in a continual an in-unit employment relationship position at the date of implementation. Employees Those employed in 2020 on or after May 8, 2021 that meet the above qualifications and were, who did not evaluated shall be provided with receive an annual evaluation for the period and shall be eligible 2021-2022 will be assigned a Satisfactory rating for the increase, purpose of this payment. If an employee's position is less than 1.0 FTE, the payment shall be prorated.~~

~~—(2)(b) Across the Board Salary Increases. Effective April 15, 2022 for the 2021-2022 February 17, 2023 (distributed on pay date May 6, 2022) year, March 10, 2023), each eligible Education and General (E&G) employee whose salary is less than \$48,500 shall receive a 3.51.0% increase to the employee's base salary. This increase will be calculated using the employee's salary as of April 14, 2022 February 16, 2023. An employee shall be eligible if the employee's most recent annual evaluation, if provided, was Satisfactory or above; the employee was in an in-unit a continual, non-OPS employment relationship (not OPS) with the University prior to on May 7, 2021-2022; and the employee remains in a continual in-unit employment relationship at the date of implementation. Employees employed in 2020-2021 that 2022 who meet the above qualifications above and who were not evaluated shall be provided with an evaluation assigned a Satisfactory rating for the period purpose of this increase and shall be eligible for the increase.~~



~~(b) One-time payment for 2021-2022. (c) Merit Salary Increases. Effective April 15, 2022 March 17, 2023 (distributed on pay date May 6, 2022 April 7, 2023), the University shall provide a one-time payment of \$2,500 merit salary increases to each Educational department/unit equal to 2.0% of the total salary of E&G employees in the department/unit as of February 16, 2023. All E&G employees who are not members of a department/unit shall be grouped together and General (E&G) funded employee who was treated as a department/unit for the purpose of calculating and providing merit salary increases. Merit salary increases shall be provided to eligible E&G employees in each department/unit who were in a continual, non-OPS employment relationship with the University on May 7, 2021, whose 2020-2021-2022; who remain in a continual in-unit employment relationship at the date of implementation; and meet the following criteria and procedures.~~

~~(1) Eligibility. For the 2022-2023 academic year, an employee is eligible under this section if they received an overall Above Satisfactory or Outstanding on their most recent annual evaluation, if provided, was Satisfactory or above, and who remains and are still employed by in unit at the University in an in-unit position at on the date of implementation. Those employed on or after May 8, 2020 who did not receive an~~

~~(2) Distribution. The merit salary increases for eligible employees shall be calculated as a percentage of their salary as of February 16, 2023. Such increases shall be distributed proportionately to those eligible employees whose most recent annual evaluation for 2020-2021 will be assigned a evaluations are Above Satisfactory rating or Outstanding in a ratio of 1.0 for the purposes of this payment. If an employee's position is less than 1.0 FTE, the payment shall be prorated Above Satisfactory and 1.5 for Outstanding.~~

~~(c) Merit Salary Increases. No merit salary increases will be distributed this cycle.~~

#### **23.4 Salary Increases for Employees Funded by Contracts and Grants or Auxiliary Accounts.**

(a) Employees on contracts or grants shall receive salary increases equivalent to similar employees on Education and General (E&G) funding, provided that such salary increases are permitted by the terms of the contract or grant and adequate funds are available for this purpose in the contract or grant. In the event such salary increases are not permitted by the terms of the contract or grant, or in the event adequate funds are not provided, the University's representative shall seek to have the contract or grant modified to permit or fund such increases.

(b) Nothing contained herein shall prevent employees whose salaries are funded by grant agencies from being allotted raises higher than those provided in this Agreement if such increases are provided by the granting agency.

(c) Employees funded by auxiliary accounts shall receive salary increases equivalent to similar employees on E&G funding, provided that adequate funds are available in the appropriate auxiliary account.

**23.5 Annual Incentive Award Programs.** Incentive Award Programs recognize and promote employee excellence and productivity that respond to and support the mission of the University of Central Florida, including its strategic initiatives and five key goals. The provost or his or her designee shall give final approval for awards to successful faculty.

Each academic year, the University shall make available to eligible employees 115 Incentive Awards. The awards shall be distributed to awardees in the next award cycle after ratification of this document as set forth below. Regardless of contract length (9 months

through 12 months), award recipients shall receive a one-time award of \$5,000 as soon as practicable and a \$5,000 increase to their salary effective at the beginning of the succeeding academic year. Employees on visiting and other temporary appointments are not eligible for incentive awards. Employees on non-E&G funding will be eligible for the increase depending on availability of funds. All full-time employees in the appropriate discipline with at least four academic years of continuous, non-OPS service at UCF immediately prior to the current academic year are eligible.

(a) UCF-Teaching Incentive Program. The UCF-Teaching Incentive Program (“UCF-TIP”) rewards teaching productivity and excellence. Each academic year the University shall make available up to fifty-five UCF-TIP awards to eligible employees. The UCF-TIP award recognizes employee contributions to UCF’s key goals of offering the best undergraduate education available in Florida and achieving international prominence in key programs of graduate study. Employees applying for TIPs must meet current productivity criteria.

(b) UCF-Research Incentive Award Program. The UCF-Research Incentive Award (“UCF-RIA”) program recognizes outstanding research, scholarly, or creative activity that advances the body of knowledge in a particular field, including interdisciplinary research and collaborations. Each academic year the University shall make available up to fifty-five UCF-RIA awards to eligible employees. The UCF-RIA award recognizes employee contributions to UCF’s key goal of achieving international prominence in research and creative activities.

(c) Scholarship of Teaching and Learning Awards (SoTLs). SoTLs recognize discovery, reflection, and using evidence-based methods to research effective teaching and student learning in higher education (i.e., at the university level). SoTL goes beyond teaching based on evidence for specific teaching and learning practices. While the implementation of SoTL outcomes may result in teaching excellence and increased teaching effectiveness, this award recognizes scholarly efforts beyond teaching excellence. The University shall make available up to five SoTL awards.

(d) Applications for Incentive Awards. Applications shall be completed online. These awards shall be made according to the criteria or procedures listed on the Faculty Excellence website.

(e) Incentive Award Selection.

(1) TIPs/RIAs. College or unit committees for the TIP and RIA award programs shall be elected by and from the unit employees. The committees shall equitably represent the departments or units within them. Employees who plan to apply in the current cycle for a particular award shall not be eligible to serve on the committee. A committee chairperson for each incentive award program shall be elected by and from the college/unit committee. The chairperson shall charge the committee that members shall only consider the merits of the application. No additional outside information or discussion of position, e.g., instructor vs. tenure track employee, past awards, current salary, etc., may be considered, nor may additional criteria be used. The committee shall review the award applications and shall submit a ranked list of recommended employees to the dean or dean’s representative. In ranking the applicants, committee members shall only consider the merits of the application.

a. Each committee member shall review all applications and transmit a preliminary ranking to the committee chair. Committee members may rank as many applicants as they deem merit the award, with the highest rank given to the top candidate (i.e., the highest rank equals the number of applicants, N), the next highest rank being N-1, and so on. Applications that are not deemed acceptable for an award by a committee member shall be left unranked in that committee member’s rankings.

b. In larger colleges or units, subcommittees may be formed from the committee at-large in the interest of efficient evaluation of the incentive award applications. Each subcommittee must include at least three members, and every member of the committee at-large must serve on a subcommittee. The applications to be reviewed shall be equitably partitioned among the subcommittees. The subcommittees shall follow the ranking procedure outlined above to determine which applications they recommend to the committee at-large. Then the committee at-large shall be convened to review the applications recommended by the subcommittees.

c. The committee chair shall convene the committee (at-large) and review their initial rankings. Discussion shall be limited to information contained in the application and may focus on applicants with few or dispersed rankings.

d. Following this discussion, the committee shall use a secret ballot to rank candidates using the procedure outlined in (a) above.

e. A majority of voting committee members present must rank an applicant for that employee to be eligible for an incentive award.

f. The applicant with the highest mean rank (i.e., the sum of the applicant's rankings divided by the number of committee members present) shall have the highest priority for an incentive award, the applicant with the next highest mean rank the next highest priority, and so on, until all applicants who received rankings by a majority of committee members present are ranked in order.

g. In the case of T applicants with tied mean rank for the final T-1 or fewer available award(s), the procedure outlined in (a) above, with T being the highest possible rank, shall be used to break the ties. The ranking process outlined in (a) above shall be used as many times in succession as necessary until all such ties are resolved and a final ranked list is complete.

h. The committee chair shall transmit this ranked list to the dean or dean's representative, or unit head who reviews and approves the awards. If the selection committee awards fewer than the number of awards available or if the dean or unit head does not approve an award from the list submitted by the selection committee, then the award(s) shall be retained in the same college or unit for one additional cycle before it is returned to the overall pool for apportionment.

i. For purposes of TIP/RIA selection as stated above, "college" shall also include the group of employees whose primary assignment is in the College of Undergraduate Studies, the College of Graduate Studies, an institute, or center. ~~These Two TIPs and two RIAs shall be available to the employees shall be grouped together for purposes of calculating the number of awards available for each award category as described here.~~ The college committee shall consist of a member from each of the units represented.

**23.6 Excellence Awards.** The University shall implement the merit-based bonuses set forth below to recognize and promote employee excellence and productivity that respond to and support the mission of the University of Central Florida.

(a) Trustee Chair Professorship. The UCF Trustee Chair Professorship is a multi-year appointment awarded to employees with an extraordinary record of accomplishment in the three primary areas of academic endeavor: teaching, research, and service. The objective of this appointment is to recognize and celebrate outstanding performance with a title and resources commensurate with accomplishment.

(1) Award recipients shall receive an annual budget of \$50,000 funded by the University. Up to \$25,000 can be used as a salary supplement. These chairs have a five-year appointment.

(2) Each academic year, the University may award Trustee Chair Professorships.

(3) The eligibility criteria for an applicant is holding the rank of tenured professor; the applicant must be recognized as a “foremost scholar” in his or her chosen area of expertise, meaning known as a preeminent scholar in his or her discipline; and have a positive impact to other scholars at UCF. Applications will be reviewed by a committee consisting of one Trustee Chair, one Pegasus Professor, the Chair of the Faculty Senate, and the Vice Provost for Faculty Excellence. An employee who holds the rank of full professor shall be appointed by the UCF-UFF Chapter President to serve as an ex officio member of the committee, and shall not have a voting role except in the case of breaking any tie votes. The President and Provost or designee will make the final appointment.

(b) Pegasus Professor. The Pegasus Professor award recognizes excellence in the three primary areas of academic endeavor: teaching, research and service.

(1) Award recipients shall receive a one-time payment of \$5,000 as well as a Pegasus statue.

(2) Each academic year, the University may award Pegasus Professor awards.

(3) The eligibility criteria is having completed five academic years at the rank of tenured professor at UCF; having achieved excellence in teaching, research and/or creative activity; and demonstrable service and scope of national and international impact. The awards are ultimately determined by the President or designee.

(c) Excellence Awards. All full-time employees in the appropriate discipline with at least three academic years of continuous non-visiting, non-OPS service at UCF immediately prior to the current academic year are eligible, except for employees who have received a college or university excellence award in the past three academic years in the category for which they are applying. For some Excellence awards, additional eligibility criteria are specified below. Award recipients shall receive a one-time payment of \$2,000. Each academic year, the University shall award Excellence in Undergraduate Teaching awards, one University Award for Excellence in Undergraduate Teaching, Excellence in Graduate Teaching awards, one University Award for Excellence in Graduate Teaching, one University Award for Excellence in Faculty Academic Advising, Excellence in Research awards, one University Distinguished Research award, one University Award for Excellence in Professional Service, one Excellence in Librarianship award, and one Excellence in Instructional Design award.

(1) Excellence in Undergraduate Teaching awards.

a. Eligibility. Employees must be assigned to teach at least two undergraduate courses in the current academic year and to have taught at least six undergraduate courses over the preceding three academic years.

b. The criteria for evaluating applicants’ files shall include three major categories:

1. Innovations to improve undergraduate teaching;
2. Undergraduate teaching accomplishments/honors;
3. Evidence of impact on undergraduate teaching.

(2) Excellence in Graduate Teaching Awards.

a. Eligibility. Employees must have contributed significantly to graduate education, including substantial teaching of graduate courses (including thesis and dissertation courses) over the current academic year and the three preceding academic years.



- 239           b. The criteria for evaluating applicants' files shall include three major  
240 categories:
- 241           1. Innovations to improve graduate teaching;
  - 242           2. Graduate Teaching Accomplishments/honors;
  - 243           3. Evidence of impact on graduate teaching.
- 244       (3) Excellence in Research Awards
- 245           a. Eligibility. Employees must have an assignment of at least 0.10 FTE in  
246 research over each of the three immediately preceding academic years and the current  
247 academic year at UCF.
  - 248           b. The criteria for evaluating applicants' files shall include three major  
249 categories:
    - 250           1. ~~cumulative~~Cumulative value and impact of research efforts at UCF within  
251 the discipline and to society;
    - 252           2. Recognition of research impact by the individual's peers in the same or in  
253 related disciplines;
    - 254           3. Publication/dissemination and presentation of research results.
- 255       (4) Excellence in Faculty Academic Advising.
- 256           a. Eligibility. All employees who currently advise and who have advised  
257 undergraduate students over the preceding three academic years are eligible.
  - 258           b. The criteria for evaluating applicants' files shall include three major categories:
    - 259           1. Evidence of extra effort to improve advising;
    - 260           2. Evidence that students have been sensitively and appropriately informed  
261 and guided concerning career choices and academic opportunities;
    - 262           3. Evidence that the nominee serves as a role model in the pursuit of  
263 learning.
- 264       (5) University Awards for Excellence in Professional Service.
- 265           a. Eligibility. Employees who are assigned an FTE of at least 0.4005 for  
266 professional service duties over the current academic year and for each of the three  
267 preceding academic years are eligible.
  - 268           b. The criteria for evaluating applicants' files shall include three major  
269 categories:
    - 270           1. Evidence of effectiveness in service to the university by highlighting  
271 leadership contributions;
    - 272           2. Evidence of significant accomplishment in professional organizations in  
273 the nominee's discipline;
    - 274           3. Evidence of recognition for outreach activities, service, and leadership  
275 contributions to community organizations.
- 276       (6) Excellence in Librarianship.
- 277           a. Eligibility. Employees who have served at UCF as a librarian on a permanent  
278 line for the current academic year and at least the three academic years immediately  
279 preceding the current academic year are eligible.
  - 280           b. The criteria for evaluating applicant's files shall include two major categories:
    - 281           1. Evidence of extra effort to improve library services and collections;
    - 282           2. Evidence of a sustained period of excellence in the library profession.
- 283       (7) Excellence in Instructional Design.
- 284           a. Eligibility. Must be an instructional designer on a non-visiting, non-OPS 12-  
285 month contract at the time of nomination and over the three preceding academic years.
  - 286           b. The criteria for evaluating applicant's files shall include two major categories:
    - 287           1. Innovative contributions to UCF and/or the ID field;

2. Evidence of outstanding effort to promote quality of online instruction and improve relationships with faculty members at UCF.

(8) Recommendations for these awards are made by various committees and are ultimately determined by the President or designee.

**23.7 Administrative Discretion Increases.** From the date of ratification of this document, through August 31, 2024, the University may provide Administrative Discretion Increases up to one and one-half percent (1.5%) of the total salary rate of employees who were in an employment relationship with the University on May 7, 2021. Any Administrative Discretion Increase provided to contract and grant (C&G) or auxiliary-funded employees, any court-ordered or court-approved salary increase, any prevailing wage adjustment for the purpose of qualifying for immigration status, or any salary increase to settle a legitimate, broad-based employment dispute shall not be subject to the terms and limitations of this Section.

(a) The University may provide Administrative Discretion Increases for verified written offers of outside employment, special achievements, merit, compression and inversion, equity and market equity considerations, and similar special situations to employees in the bargaining unit.

(b) Administrative Discretionary Increases for verified written offers of outside employment shall not be subject to the one and one-half percent (1.5%) salary rate limitation.

(c) UFF Notification. ~~At least 14~~ Within 45 days ~~prior to~~ of the effective date of any such increase, the University shall provide to the UFF a written notification of the increase which states the name of the employee, the rank and discipline of the employee, the amount of the increase, and the reason for the increase.

(d) The University's ability to provide Administrative Discretion Increases shall expire August 31, 2024, and shall not become part of the status quo.

**23.8 Report to Employees.** All employees ~~shall receive notice of~~ may access their salary ~~increases prior to implementation~~ information at any time through the UCF portal.

**23.9 Type of Payment for Assigned Duties.**

(a) Duties and responsibilities assigned by the University to an employee that do not exceed the available established FTE for the position shall be compensated through the payment of salary, not Other Personal Services (OPS) wages.

(b) Duties and responsibilities assigned by the University to an employee that are in addition to the available established FTE for the position shall be compensated through OPS wages, not salary.

**23.10 Twelve-Month Payment Option.** The parties agree that a twelve-month payment option for 9-month employees shall be offered each year during an annual open enrollment period from April 1 to June 30. If chosen by the employee, this payment option shall become effective for one academic year starting with the first full pay period beginning after August 8. The plan shall allow for employees to select a fixed savings amount to be deducted from each of the nineteen full bi-weekly paychecks received during the Fall and Spring semesters with a change in that amount to account for those paychecks from which double premiums are deducted. The total savings shall be returned to the employee in equal amounts for the five full bi-weekly paychecks received during the Summer. The

University shall provide an online calculator to assist the employee in determining a savings amount and fixed reduction amount that will allow the employee's net paychecks to remain approximately constant. Pay received for supplemental summer assignments shall be unaffected by this plan. This pay plan is subject to tax limitations.

**23.11 Administrative Salary Stipends.** A temporary salary increase that is provided to an employee as compensation for performing a specific, titled administrative function shall be permitted under this agreement as an Administrative Salary Stipend. ~~At least 14~~Within 45 days ~~prior to~~of the effective date of any Administrative Salary Stipend, the University shall provide UFF a written notification of the stipend which states the name of the employee, the rank and discipline of the employee, the amount of the stipend, and the reason for the stipend. If all or part of the stipend is later added to the employee's salary, the amount so converted shall be treated as an Administrative Discretion Increase during the year in which the conversion takes place and shall be subject to limitations of that section.

**23.12 Salary Rate Calculation and Payment.** The biweekly salary rate of employees serving on twelve-month appointments shall be calculated by dividing the salary rate by 26.1 pay periods.

**23.14 Compensation.** UCF will comply with all applicable Federal and State labor and employment laws.



### Board of Trustees Governance Committee | February 23, 2023

#### GOVC-3: Board Self-Assessment Process

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☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: February 24, 2023

#### Purpose and Issues to be Considered:

As outlined in the UCF Board of Trustees Statement on Board Self-Assessment, the Governance Committee will lead a bi-annual board self-assessment process. This process commences in the fall with a review of the draft self-assessment tool and subsequent discussion. Approval of self-assessment tool occurs during the first regular meeting of the calendar year and is administered electronically prior to the Board's spring retreat.

The timeline and draft Board Self-Assessment Survey were presented to the committee for feedback at the November 16, 2022 Governance Committee Meeting. No additional feedback was received.

#### Background Information:

The UCF Board of Trustees Statement on Board Self-Assessment was approved by the Board on June 18, 2020.

As noted in the Statement on Board Self-Assessment, a high-functioning board is composed of members who make service to the institution and its effectiveness in fulfilling its public mission their top priority. Willingness to engage in a regular Board self-assessment is a sign of commitment to this fiduciary standard.

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

The Statement on Board Self-Assessment grants the Governance Committee the responsibility of engaging in a comprehensive Board self-assessment process every two-years. The Board Office will administer the electronic survey and collect the result, distributing the results to the Board and the President prior to the Board's spring retreat.



The board self-assessment timeline is presented as follows:

November 16, 2022	Governance Committee Meeting: Review draft Board Self-Assessment Survey
February 23, 2023	Governance Committee Meeting: Approve final Board Self-Assessment Survey
March 1 – March 31, 2023	Survey is administered
April 2023	Results analyzed; briefings with President, Chair, and Vice Chair
May 18, 2023	Presentation and trustee discussion at the spring BOT Retreat

**Recommended Action:**

Recommend approval of the Board Self-Assessment Survey to the Board of Trustees.

**Alternatives to Decision:**

Decline to recommend approval of the Board Self-Assessment Survey.

Provide alternative recommendations to the Board Self-Assessment Survey.

**Fiscal Impact and Source of Funding:**

N/A

**Authority for Board of Trustees Action:**

Governance Committee Charter, Section 3.6

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**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:**

Lauren Ferguson, Assistant Vice President, Board Relations

**Supporting Documentation:**

Attachment A: UCF Board of Trustees Statement on Board Self-Assessment

Attachment B: Final Board Self-Assessment Survey

Attachment C: Self-Assessment Presentation

**Facilitator:**

Michael Okaty, Chair, Governance Committee

Lauren Ferguson



UNIVERSITY OF CENTRAL FLORIDA

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

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

### **Purpose**

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

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

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

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

### **Implementation of Action Items**

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

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

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

## Knowledge of Institution

**This survey is designed to focus on the Board's overall performance. It is not an evaluation of any individual Board member. Your responses will remain anonymous, and the results will be consolidated for discussion at the Board's spring retreat.**

*Indicate the degree to which you agree or disagree with the following statements.*

The Board has a clear understanding of UCF's mission.

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
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The Board is well-informed about UCF's educational programs and academic quality.

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
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The Board has a good understanding of programs and initiatives related to furthering UCF's [strategic plan](#).

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
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The Board has a good understanding of the needs, concerns, and perspectives of UCF's constituents.

Please indicate the degree to which you agree or disagree with the Board's understanding of the the needs, concerns, and perspectives of the following groups:

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
Students	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faculty	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please indicate the degree to which you agree or disagree with the Board's understanding of the the needs, concerns, and perspectives of the following groups:

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
Alumni	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cabinet	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Donors & Friends	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## The Role of the Board

I am informed of and understand my powers and duties as outlined in [Board of Governors Regulation 1.001](#) and the [UCF Board of Trustees Bylaws](#).

Strongly disagree   Somewhat disagree   Neither agree nor disagree   Somewhat agree   Strongly agree

The Board serves as an effective strategic partner to the administration by providing sound advice, offering new perspectives, lending support and by making connections.

Strongly disagree   Somewhat disagree   Neither agree nor disagree   Somewhat agree   Strongly agree   I am Unsure

Board members come to each meeting prepared and ready to debate issues fully and openly.

Strongly disagree   Somewhat disagree   Neither agree nor disagree   Somewhat agree   Strongly agree   I am Unsure

Board members receive appropriate training to allow them to discharge their responsibilities.

Strongly disagree   Somewhat disagree   Neither agree nor disagree   Somewhat agree   Strongly agree   I am Unsure

The Board collectively adheres to the [Board Statement of Expectations](#).

Strongly disagree   Somewhat disagree   Neither agree nor disagree   Somewhat agree   Strongly agree   I am Unsure



There is open two-way communication between the Board and administration.

Strongly  
disagree

Somewhat  
disagree

Neither agree  
nor disagree

Somewhat agree

Strongly agree

I am Unsure

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The Board and University administration well understand and operate within their respective roles and responsibilities.

Strongly  
disagree

Somewhat  
disagree

Neither agree  
nor disagree

Somewhat agree

Strongly agree

I am Unsure

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### **Board Oversight and Relationship with the President**

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Board members have a clear understanding of their legal and fiduciary responsibilities and carry them out at the proper level of oversight.

Strongly  
disagree

Somewhat  
disagree

Neither agree  
nor disagree

Somewhat agree

Strongly agree

I am Unsure

---

The Board effectively participates in strategic planning, monitors financial, educational and administrative performance, sets appropriate performance goals and assesses achievement of those goals.

Strongly  
disagree

Somewhat  
disagree

Neither agree  
nor disagree

Somewhat agree

Strongly agree

I am Unsure

---

The Board effectively delegates responsibility for institutional management to the President and refrains from involvement in operational matters except as necessary to fulfill its fiduciary responsibilities.

Strongly  
disagree

Somewhat  
disagree

Neither agree  
nor disagree

Somewhat agree

Strongly agree

I am Unsure

---

The Board effectively ensures that institutional policies and processes are current, in legal compliance and properly implemented.

Strongly  
disagree

Somewhat  
disagree

Neither agree  
nor disagree

Somewhat agree

Strongly agree

I am Unsure

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The Board evaluates the performance of the President of the University and has an appropriate mechanism for feedback.

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
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The Board promotes an environment where Board members feel engaged, respected, and empowered to raise issues for discussion.

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
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## Board Meetings and Trustee Engagement

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The Board's meeting agenda clearly reflects the institution's strategic priorities.

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
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The format of the **full Board** meeting agendas is conducive for the proper balance of oversight, problem solving, strategic discussion and continuing Board education.

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
-------------------	-------------------	----------------------------	----------------	----------------	-------------

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The **committee** meeting agendas are conducive for the proper balance of oversight, problem solving, strategic discussion and continuing Board education.

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
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The number of full Board meetings is appropriate to address the work of the UCF Board of Trustees.

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	I am Unsure
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My time is well utilized when participating in university engagements.

Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree
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## Additional Feedback

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What would you like to see the Board accomplish in the next two years?

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What change or action would most improve the Board's performance?

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What do you think the Board does well?

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What are areas in which the Board could improve?

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What are topics you would like to see the Board address during future meetings?

In what ways have you found your role as a board member rewarding?

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

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**February 23, 2023**

Presented by: Lauren Ferguson,  
Assistant Vice President for Board Relations

# OVERVIEW

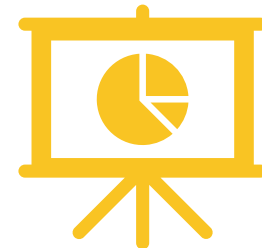
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**Timeline**



**Self-Assessment Tool**



**Results Delivery**

# TIMELINE

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**February 23-24, 2023**

Self-Assessment Tool Considered

Governance Committee (2/23)

Board of Trustees (2/24)

**February 27, 2023**

Self-Assessment Window Opens

Board Office provides link to online self-assessment tool to Trustees.

**March 31, 2023**

Self-Assessment Window Closes

Reminders sent to Trustees from the Board Office leading up to self-assessment deadline.

**May 18, 2023**

Board Self-Assessment Results Delivered to BOT

Presented to Trustees at annual Board Retreat.

# SELF-ASSESSMENT TOOL

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## Knowledge of the Institution

- Mission
- Strategic Plan
- Programs
- Academic Quality
- Stakeholders

## The Role of the Board

- Powers and Duties
- Governance
- Meeting Preparation

## Board Oversight and Relationship with the President

- Fiduciary Responsibility
- Compliance
- Delegation of Institutional Management

## Board Meetings and Trustee Engagement

- Meeting Format and Agenda Setting
- Participation in University Engagements

## Additional Feedback Opportunity

- Future Goals
- Board Performance
- Areas of Opportunity



# RESULTS DELIVERY

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- Trustee feedback will be aggregated and prepared for delivery.
- Repeating themes and noted areas of excellence and opportunity will be highlighted.
- Time for open discussion will be available as part of the **May 18, 2023, retreat.**

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# Questions?

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Board of Trustees  
Governance Committee | February 23, 2023

### **GOVC-4: Amendments to University Regulation UCF-2.032 Textbook Adoption**

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☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: February 24, 2023

#### **Purpose and Issues to be Considered:**

This regulation establishes procedures to minimize the cost of textbooks and instructional materials to students, while maintaining the quality of instruction and academic freedom. New language has been added to paragraph (9) to include new specifications required by recent amendments to Florida Board of Governors Regulation 8.003 Textbook and Instructional Materials Affordability. To better reflect the scope of this regulation, it is also proposed that the title of the regulation be changed from "Textbook Adoption" to "Textbook and Instructional Materials Affordability and Adoption".

This regulation was posted online January 23, 2023, 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:**

Recommend approval of proposed amendments to UCF Regulation UCF-2.032.

#### **Alternatives to Decision:**

Decline to recommend approval of proposed amendments to University Regulation UCF-2.032.  
Recommend alternative amendments.

#### **Fiscal Impact and Source of Funding:**

N/A

#### **Authority for Board of Trustees Action:**

Board of Governors Regulation 1.001

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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, Vice President and General Counsel



# Board of Trustees

## Agenda Memo

**Supporting Documentation:**

Attachment A: Proposed Amended Regulation UCF-2.032

**Facilitators/Presenters:**

Youndy Cook

## UCF 2.032 Textbook and Instructional Materials Affordability and Adoption

Pursuant to Florida Board of Governors Regulation 8.003, the University of Central Florida establishes the following procedures to minimize the cost of textbooks and instructional materials to students, while maintaining the quality of instruction and academic freedom, both of which are core values of the institution.

- (1) The term “instructional materials” means educational materials for use within a course which may be available in printed or digital format.
- (2) Selection of course materials appropriate to effectively achieve student learning outcomes is a faculty responsibility and, as much as possible, those choices should enable students to obtain the highest-quality products at the lowest available price. Institutional initiatives for accomplishing this goal may include:
  - (a) Purchasing digital textbooks in bulk;
  - (b) Expanding the use of open-access textbooks and instructional materials;
  - (c) Providing rental options for textbooks and instructional materials;
  - (d) Increasing the availability and use of affordable digital textbooks and learning objects;
  - (e) Developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials;
  - (f) Determining the feasibility of extending the length of time that textbooks and instructional materials remain in use recognizing the variance in disciplinary demands and pace of currency changes;
  - (g) Evaluating the cost savings for textbooks and instructional materials, which may be realized by opt-in provisions for the purchase of materials; and
  - (h) The use of innovative pricing techniques and payment options for textbooks and instructional materials, which must include an opt-in provision for students and may be approved only if there is documented evidence that the options reduce the cost of the textbooks and instructional materials.
- (3) UCF’s internal textbook and instructional material adoption deadline shall be no later than 60 days prior to the first day of class for each term.
- (4) Textbook order forms will incorporate a declaration by the course instructor or academic department offering the course of:
  - (a) the intent to use all required items ordered, including each individual item sold as part of a bundled package; and,
  - (b) the extent to which a new edition differs significantly and substantively from earlier versions, if such are available in sufficient quantities; whether the significance warrants the adoption of a new edition; and whether or not an appropriate open-access textbook or instructional material option is available.
- (5) Determination of student ability to pay for textbooks or instructional materials will be made through standard student financial aid eligibility assessment.
- (6) Efforts to make required and recommended textbooks and instructional materials for each course offering available to students who cannot afford the cost of the textbooks will include the

consideration of the extent to which an open-access textbook or instructional material may be available for students' use.

(7) Students with confirmed financial aid eligibility may opt into an advance purchase program to buy textbooks or instructional materials up to the approved purchase limit at the designated campus bookstore or may apply for a short-term advance for textbook or instructional material purchases.

(8) Textbook or instructional material orders placed by the adoption deadline will be posted on the bookstore website at least 45 days prior to the first day of class for each term to meet the state deadline.

(9) The posted textbook or instructional material list shall include the following information for each required and recommended textbook or instructional material:

- (a) the International Standard Book Number (ISBN); or
- (b) other identifying information which shall include, at a minimum:
  - 1. title;
  - 2. all authors listed;
  - 3. publishers;
  - 4. edition number;
  - 5. copyright date;
  - 6. published date; and,
  - 7. other relevant information necessary to identify the specific textbook or instructional materials required and recommended for each course.
- (c) be searchable by the course subject, the course number, the course title, the name of the instructor of the course, the title of each assigned textbook or instructional material, and each author of an assigned textbook or instructional material.
- (d) be easily downloadable by current and prospective students.
- (e) for general education core courses identified pursuant to section 1007.25, Florida Statutes, the posting must also include course syllabus and contain the following:
  - 1. the course curriculum.
  - 2. the goals, objectives, and student expectations of the course.
  - 3. how student performance will be measured.

(10) A request for an exception to the textbook adoption deadlines shall be submitted in writing to the Office of Academic Affairs and shall provide a reasonable justification for the exception. For courses and sections added to the course listing after the 45-day state textbook or instructional material adoption deadline, no exemption is required.

(11) The University shall consult with dual enrollment partner schools to identify best practices that may reduce the cost of dual enrollment course textbooks and instructional materials.

(12) Requiring the use of a textbook or other instructional material written by the instructor of the course, by a relative of the instructor, or by a team of authors which includes the instructor where the author/instructor anticipates receiving royalties from books or materials purchased by students enrolled in her/his course is considered a conflict of interest. The author/instructor must report the use of his/her educational materials under these circumstances with the action taken to mitigate the conflict of interest created in the online Potential Outside Activity, Employment, and Conflict of Interest and Commitment Disclosure (AA-21). Mitigation actions include

offering the materials to UCF students at reduced or no cost or donating the royalties to a non-profit organization.

(13) An employee of a state university may not demand or receive any payment, loan, subscription, advance, deposit of money, service, or anything of value, present or promised, in exchange for requiring students to purchase a specific textbook or instructional material for coursework or instruction.

However, an employee may receive (subject to the requirements of the Florida Code of Ethics for Public Officers and Employees and the outside activity and conflict of interest requirements set forth in university regulations and collective bargaining agreements):

- (a) Sample copies, instructor copies, or instructional materials; these materials may not be sold for any type of compensation, especially if they are specifically marked as “free samples” or “not for resale;”
- (b) Royalties or other compensation from sales of textbooks or instructional materials that include the author/instructor’s own writing or work, subject to the limitations in paragraph (12) above;
- (c) Honoraria for academic peer review of course materials;
- (d) Fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks or instructional materials; and,
- (e) Training in the use of course materials and learning technologies.

*Authority: BOG Regulations 1.001 and 8.003. History: New 8-24-09. Amended 8-27-15, 7-5-16, 8-20-20, \_\_\_\_\_-23.*



Board of Trustees  
Governance Committee | February 23, 2023

### GOVC-5: Amendments to University Regulation UCF-2.040 Development, Approval, Termination, and Suspension of Degree Programs

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☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: February 24, 2023

#### Purpose and Issues to be Considered:

This regulation outlines the policies and procedures governing new degree development, as well as termination and suspension of degree programs. The proposed amendments to this regulation are to add language as required by Board of Governors Regulation 8.008 Nursing Education which was adopted in 2022. BOG Regulation 8.008 requires that any proposal by any State University System institution to suspend or terminate an existing master's degree program in nursing be approved by the Board of Governors before any such suspension or termination occurs. To comply with this new regulation, language has been added to paragraph (7).

This regulation was posted online January 23, 2023, 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:

Recommend approval of proposed amendments to UCF Regulation UCF-2.040.

#### Alternatives to Decision:

Decline to recommend approval of proposed amendments to University Regulation UCF-2.040.  
Recommend alternative amendments.

#### Fiscal Impact and Source of Funding:

N/A

#### Authority for Board of Trustees Action:

Board of Governors Regulation 1.001

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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, Vice President and General Counsel

**Supporting Documentation:**

Attachment A: Proposed Amended Regulation UCF-2.040

**Facilitators/Presenters:**

Youndy Cook

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

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

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

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

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

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

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

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

- (a) All doctoral degree programs must be reviewed by a qualified external consultant prior to consideration by the UCF Board of Trustees. The reviewer's report is advisory to the UCF Board of Trustees. After Board of Trustees approval, research doctorate and professional degrees are forwarded to the Board of Governors staff in preparation for review and approval at a formal Board of Governors meeting. Degrees at this level are placed on the appropriate degree inventories only after approval by the full Board of Governors.
- (b) Bachelor's degree programs that are seeking specialized admission status or requesting waiver of the 120-credit hour limit, must also receive Board of

Governors approval, and are not placed in either the Board of Governors or the UCF degree inventory until such approval is received.

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

(7) The process for terminating a UCF degree program mirrors that found in Board of Governors Regulation 8.012. The academic unit requesting termination prepares an “Academic Degree Program Termination Form” for review and approval as outlined in the Faculty Senate bylaws. ~~Terminating professional degrees, doctoral degrees, and master’s degrees in Nursing at the professional and doctoral levels are terminated only with~~ requires approval from the Board of Governors. All terminated programs require a teach-out plan, if students are enrolled in the program, in accordance with undergraduate and graduate policy as outlined in the termination form. The Provost Office will oversee the notification of the Florida College System as required in 8.012(1)(b)3.

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

*Authority: Art. IX, Sec. 7, Fla. Constitution, BOG Regulations 8.004, 8.011, 8.012, 8.013, and 8.014. History: New 6-18-2020, 11-17-22, \_\_\_\_-23.*

Board of Trustees  
Governance Committee | February 23, 2023

### **GOVC-6: Amendments to University Regulation UCF-4.006 Trespass and Loitering**

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☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: **February 24, 2023**

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#### **Purpose and Issues to be Considered:**

This regulation sets forth the university's procedures and requirements as related to trespass and loitering on university property, as well as the appeals process and requests for revocation of trespass orders. The university proposes to amend the regulation to update the definition of university facilities, to add additional language related to the Campus Free Expression Act, and to clarify in Paragraph (9) the requirement of disruption or interference for purposes of issuing a warning.

This regulation was posted online January 23, 2023, 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:**

Recommend approval of proposed amendments to UCF Regulation UCF-4.006.

#### **Alternatives to Decision:**

Decline to recommend approval of proposed amendments to University Regulation UCF-4.006.  
Recommend alternative amendments.

#### **Fiscal Impact and Source of Funding:**

N/A

#### **Authority for Board of Trustees Action:**

Board of Governors Regulation 1.001

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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, Vice President and General Counsel



# Board of Trustees

## Agenda Memo

**Supporting Documentation:**

Attachment A: Proposed Amended Regulation UCF-4.006

**Facilitators/Presenters:**

Youndy Cook

### UCF-4.006 Trespass and Loitering

#### (1) General Provisions.

- (a) The University of Central Florida is a member institution of the State University System. The President, as the chief executive officer of the university, has the responsibility for the operation and administration of the university, and may authorize the issuance of trespass warnings pursuant to Florida law. The Senior Vice President for Administration and Finance is designated as the representative of the President to implement and enforce this regulation.
- (b) This regulation applies to all University facilities, as defined below.
- (c) Identification may be requested of persons seeking to access and/or use of University facilities.

#### (2) Definitions.

- (a) University students. Those persons who are currently enrolled at the University, or who have been admitted and who are registered for upcoming classes, or who have completed at least one credit at the University during the current academic year.
- (b) University persons. Those persons who are faculty, staff, or other employees of the University, and those persons who are in or on university facilities to fulfill contractual obligations or otherwise to conduct authorized university business.
- (c) Non-university persons. All other persons who are not classified above as University students or University persons. This category includes, but is not limited to, visitors (including alumni), invited guests, students of other institutions, employees of other entities, and persons who have applied but have not been admitted to the University.
- (d) University facilities. All campuses and centers operated by the university or, any university its centers, institutes, direct support organizations, and or affiliated organizations including all buildings and grounds of such campuses, centers, institutes, direct support organizations, and affiliated organizations and centers; all locations, buildings, or grounds utilized by the university for authorized university business; and all university housing facilities.
- (e) Common areas. University aAreas within University facilities generally open to non-University persons only during business or operating hours, including, but not limited to, portions of the library, food/vending areas, and bookstore/retail areas.
- (f) Trespass warning. A warning or notice that a person is not authorized to be on University property, or some portion thereof, and may be subject to arrest, criminal sanctions and civil penalties without further warning if he or she refuses to leave or returns while the warning is in effect.
- (g) University housing facilities. All dormitories and student housing owned or operated by the University of Central Florida and for which residence life programming is provided by the university.
- (h) University official. In addition to the President and all Vice-Presidents of the University, all University law enforcement officers are University officials for purposes of this regulation. In addition, University official includes a person authorized under this Regulation to request that a person leave a University facility or to enforce any portion of this regulation. A person may be a University official in one setting but not in another – for example, an instructor is the

authorized University official to remove someone from the classroom where and when the instructor is teaching, but that same instructor may not be authorized to request that a person leave an athletic facility.

(3) Non-university persons are allowed access to those university facilities available to the public, during normal business hours and in accordance with university regulations governing the use of university facilities. Non-university persons are allowed access to university facilities for authorized university business, and are allowed to attend lectures, plays and other activities on the University campus in the designated buildings or areas when such attendance is permitted by the sponsoring organization. It is the responsibility of the Senior Vice President for Administration and Finance or his/her designee to control the use of all university facilities. Non-university persons are not allowed on campus except as authorized by this regulation or by Florida law. Non-university persons at university facilities for other than authorized university business, or where their continued presence at university facilities is deemed by the Senior Vice President for Administration and Finance or his/her designee to be disruptive to the orderly conduct of the university, may be requested to leave and/or issued a trespass warning. Nothing contained herein shall be deemed or construed to limit the right of any person to engage in expressive activities in generally accessible outdoor areas of campus as defined and permitted by the Campus Free Expression Act (section 1004.097, Florida Statutes).

(4) The presence of non-university persons in offices of the university is permitted when on authorized university business. The supervisor of each office as the designee of the Senior Vice President for Administration and Finance is delegated the authority to warn those persons present not on university business that they must leave university facilities or be subject to arrest for trespassing. The University Police are to be notified of any such incidents.

(5) Only students registered for a class may be in attendance in instructional areas unless permission of the instructor is given. The instructor as the designee of the Senior Vice President for Administration and Finance is authorized to warn individuals not registered for the class that they are trespassing and must leave the area of instruction or be subject to arrest for trespass. Any such incident will be reported to the University Police. Non-university persons are not allowed in classroom buildings unless present on authorized university business. This provision is not intended to restrict the ability of University administrators, facilities personnel, and first responders to have access to instructional areas, even during class periods, as needed to perform their duties.

(6) The Director of the University Libraries or his/her designee is designated by the Senior Vice President for Administration and Finance to warn those who are not using the library in an appropriate manner or who are creating an atmosphere not conducive to its use by university students and personnel, that they (i) must leave the library (if they are University students or University persons) or the campus (if they are non-University persons); or (ii) be subject to arrest for trespassing. Non-University persons may be told to leave the campus pursuant to this section. Any such incidents will be reported to the University Police. The Director of the University Libraries or his/her designee may restrict access to certain library facilities, or portions thereof, to ensure that University persons are ensured access to and quiet enjoyment of those facilities.

(7) Athletic, intra-mural and recreational facilities are for the use of University students, University persons, and their authorized invited guests. Identification may be requested for the use of these facilities. The Director of Athletics or the Vice President for Student Development

and Enrollment Services, or his/her designees are hereby designated by the Senior Vice President for Administration and Finance as the person to warn all unauthorized persons found at these facilities that they must leave the campus or be removed from university facilities if they do not comply. Any such incidents will be reported to the University Police.

(8) University housing facilities are considered to be the home of students who reside there. No one is allowed in a university housing facility except authorized university personnel and resident students. In addition, a resident student may have guests in the university housing facility where the student resides only according to published visitation policies. The Director of Housing and Residence Life or his/her designee is designated by the Senior Vice President for Administration and Finance to warn all other persons to leave the university housing facility and to have such persons removed from university facilities if they do not comply. University housing facilities are not subject to the Florida Residential and Landlord Tenant Act (see Fla. Stat. §83.42).

(9) Any person who, in the opinion of a university official, is violating the law, violating University Regulations or policies, prowling, loitering, not using university facilities in an appropriate manner or who is ~~creating an atmosphere not conducive to the~~ otherwise disruptive or interfering with the lawful use of such facilities by other university persons or authorized guests, may be warned by a university official to leave the facility or campus or be subject to arrest for trespassing.

(10) A person who fails to comply with instructions given by University officials pursuant to paragraphs (3) through (9) above may be arrested and/or issued a trespass warning.

(11) A trespass warning issued to any person may be for an indefinite period or for a defined period, as noted on the warning itself. A trespass warning issued to any person will note or identify the geographic and temporal scope of the warning. A trespass warning may be issued for an indefinite period or for a definite period; and it may be issued as to all University facilities, some portion thereof, or a particular event or series of events occurring in or on a University facility.

(12) Appeals. Any person issued a trespass warning may appeal the warning pursuant to the applicable procedure below.

- (a) A University student issued a trespass warning as part of the review of a student conduct referral or who is also referred to the student conduct process for the same conduct that led to the trespass warning may appeal the trespass warning in the context of the student conduct process. The student conduct hearing procedures are outlined in University Regulation UCF-5.009.
- (b) Any person, other than a student described in paragraph (12)(a) above, may appeal a trespass warning as follows:
  1. A person wishing to contest a trespass warning should first attempt an informal resolution by contacting the Chief of Police or designee to discuss the circumstances in which the trespass warning was issued.
  2. If informal resolution is not successful or is not satisfactory to the individual, he or she may appeal the trespass warning, in writing, to the Senior Vice President for Administration and Finance or designee (hereafter, the reviewing official). This written appeal must be received within ten (10) business days of issuance of the trespass warning. The individual must submit a detailed written statement of the basis for the



appeal, along with any other documents, statements, photos, data or other items to be considered. After receiving the written appeal, the reviewing official may, but is not required to, request additional information or documentation for any involved party including the issuing authority for further consideration. Subsequently, the reviewing official shall issue a written decision to uphold, modify, or reverse the issuance of the notice or trespass warning. The trespass warning shall only be reversed or modified by the reviewing official if, in his/her sole discretion, the requesting individual has shown, by clear and convincing evidence, that the underlying reason for the trespass warning did not occur or does not warrant the trespass warning as issued. The decision of the reviewing official is the final decision of the University and may not be appealed further.

(13) Requests for Revocation. If a trespass warning has been in effect for a period of at least six (6) months, the person who received the trespass warning may request that the warning be revoked. The request for revocation must be in writing and must include an explanation of why the individual believes the trespass warning should be revoked; the request may but is not required to include additional information to support the request. A trespass warning may only be revoked by the President, the Senior Vice President for Administration and Finance, or the Vice President for Student Development and Enrollment Services, or their respective designees. Persons who were University students when they received the trespass warning shall direct such requests to the Vice President for Student Development and Enrollment Services; all others shall direct such requests to the Senior Vice President for Administration and Finance. The appropriate Vice President, or designee, will review the written request for revocation (hereafter, the reviewing official). The request should be approved if in the reasonable opinion of the reviewing official the conditions that led to the issuance of the trespass warning no longer exist and that there is no reasonably predicted public safety risk. The decision of the reviewing official is the final decision of the University and may not be appealed further. If the reviewing official decides that the trespass warning should not be revoked, the individual may submit, after waiting a period six months from the date of that decision, another request for revocation following the same procedure.

(14) All persons who have been issued a trespass warning or who have been notified by an authorized university official to leave and remain out of a specified area or areas and are subsequently found in the specified area or areas, are subject to arrest for trespass and/or loitering without further warning pursuant to law.

(15) Nothing in the foregoing shall preclude or be interpreted to preclude or otherwise diminish the exercise of the statutory authority of University Police to arrest in accordance with the laws of this state any person for violation of state law or applicable ordinances when such violation(s) occur on any property or facilities which are under the jurisdiction of the University Police.

(16) For all university facilities, all certified law enforcement officers of the University Police Department are designated as authorized representatives of the President and Vice President for Administration and Finance to issue trespass warnings, and to issue instructions to an individual to leave and/or vacate any University facility, under the terms of this regulation and other applicable authority (including but not limited to Florida Statutes ss. 810.08 and 810.09).

*Specific Authority: BOG Regulation 1.001; 810.08, 810.09, 856.021, 856.031, 1012.97 F.S.  
History—New 2-6-09, Amended 12-20-13, \_\_\_\_\_-23.*



Board of Trustees  
Governance Committee | February 23, 2023

### GOVC-7: Proposed University Regulation UCF-2.030 Confidentiality of Examination and Assessment Instruments

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☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: February 24, 2023

#### Purpose and Issues to be Considered:

This proposed new regulation implements the requirements of BOG Regulation 3.005, Examination and Assessment of Instruments, to protect postsecondary examination and assessment instruments and directly related developmental materials and workpapers from disclosure to the public under Florida's public records laws. The new regulation also implements Florida Statutes section 1008.23, which was amended in 2021 to shield from public disclosure examination and assessment instruments. The proposed regulation addresses access, maintenance, and destruction of examination and assessment instruments. Provisions are included for protecting such records from unauthorized access or disclosure, maintaining the security of the examination and assessment instruments, ensuring third-party contractors' compliance with the university regulation, destroying obsolete instruments, and governing authorized access or disclosure outside of the regular examination process.

This regulation was posted online January 23, 2023, 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:

Recommend approval of proposed University Regulation UCF-2.030.

#### Alternatives to Decision:

Decline to recommend approval of proposed University Regulation UCF-2.030. Recommend alternative language.

#### Fiscal Impact and Source of Funding:

N/A

#### Authority for Board of Trustees Action:

Board of Governors Regulation 1.001

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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, Vice President and General Counsel

**Supporting Documentation:**

Attachment A: Proposed Regulation UCF-2.030

**Facilitators/Presenters:**

Youndy Cook

### **UCF-2.030 Confidentiality of Examination and Assessment Instruments**

(1) All examination and assessment instruments, including developmental materials, answer keys and workpapers directly related thereto, that are prepared, prescribed or administered by the University of Central Florida are exempt from disclosure under section 119.07(1), Florida Statutes, and section 24(a), Article I, Florida Constitution, as provided in section 1008.23, Florida Statutes and Florida Board of Governors Regulation 3.005.

(2) Definition: This regulation applies to any examination or assessment “instrument” that contributes to the final grade of an academic course, or which is required for program admission, placement, certification, or graduation. Examination and assessment instruments refers only to the actual “instrument” and not student examination responses. When an “instrument” is completed by a student, it becomes “an education record” and is considered confidential and exempt from public disclosure pursuant to state and federal law protecting education records.

(3) This regulation governs the access, maintenance and destruction of examination and assessment instruments and related developmental materials, answer keys, and workpapers for all University academic units, testing centers, technology services, and online curriculum management systems.

- (a) The University protects the security and confidentiality of examination and assessment instruments from unauthorized access or disclosure through the utilization of secure identity authentication systems and, where applicable, physical safeguards.
- (b) UCF IT Information Technology maintains the security of such instruments through encrypted electronic systems provided to the University Community. Academic Units/Faculty who store printed instruments must utilize locked storage.
- (c) The University requires third-party contractors responsible for administering or proctoring examinations or assessments instruments to comply with the security provisions of this regulation. Agreements with third-party contractors must include provisions to address the security/confidentiality and destruction of the examination and assessment instruments as well as other sensitive or restricted data or documentation.
- (d) The University adheres to the minimum requirements of the General Records Schedule for Universities for the destruction of obsolete examination and assessment instruments and related materials, which may be amended from time to time.
- (e) The academic unit, office or faculty in general will not grant access to, or authorize disclosure of, examination and assessment instruments to faculty, staff and students outside of the regular examination or testing; however, access may be authorized on a case-by-case basis and or pursuant to UFF-BOT Collective Bargaining Agreement.
- (f) The University administration reserves the right to require production or disclosure of an examination or assessment instruction for business reasons, which may include compliance, legal, or investigative purposes.

*Authority: BOG Regulations 1.001 and 3.005. History–New \_\_\_\_-23.*



Board of Trustees  
Governance Committee | February 23, 2023

### GOVC-8: Proposed University Regulation UCF-4.040 Educational Research Center for Child Development

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☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: February 24, 2023

#### Purpose and Issues to be Considered:

This proposed new regulation implements the requirements of BOG Regulation 10.004 related to Educational Research Centers for Child Development. The proposed regulation addresses the governance, operations, admissions and financial aspects of the Creative School for Children at the University of Central Florida.

This regulation was posted online January 23, 2023, 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:

Recommend approval of proposed University Regulation UCF-4.040.

#### Alternatives to Decision:

Decline to recommend approval of proposed University Regulation UCF-4.040. Recommend alternative language.

#### Fiscal Impact and Source of Funding:

N/A

#### Authority for Board of Trustees Action:

Board of Governors Regulation 1.001

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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, Vice President and General Counsel



# Board of Trustees

## Agenda Memo

### **Supporting Documentation:**

Attachment A: Proposed Regulation UCF-4.040

### **Facilitators/Presenters:**

Youndy Cook

**UCF-4.040 Educational Research Center for Child Development**

(1) The University's Educational Research Center for Child Development (ERCCD), called the Creative School for Children, shall be an early childhood center established to:

- (a) Serve as an early childhood education center for the children of students, both graduate and undergraduate, followed by children of faculty and staff of the University and then other members of the University community.
- (b) Provide opportunities for interested University and community partners to conduct educational research, partake in experiential learning, and participate in advancement of the field of early childhood studies.
- (c) Offer a setting in which University students, both undergraduate and graduate, can receive experience in working with young children.

(2) The ERCCD plan of operations shall consist of a developmentally appropriate early childhood education curriculum that: meets the needs of the students and families in the program; offers a research-based platform for collaborative partnerships within the University and community; encourages family involvement; and disseminates experience-based practices through professional contributions to the field. The program shall maintain National Accreditation.

(3) The Board of Governor's annual allocation of the Capital Improvement and Trust Fund (CITF) fee to the ERCCD shall be used for the operation and maintenance of the ERCCD facilities. Operations may be funded either through the capital improvement trust fund fee, activity and service fee allocations, user charges, grants and donations, or any combination of these sources in accordance with applicable law and the rules, regulations, and policies of UCF and the Board of Governors. The ERCCD contracts with the Early Learning Coalition to provide programs that support families financially, such as School Readiness subsidized care and Voluntary Pre-Kindergarten. The ERCCD has created a tiered fee system where University student parents pay less than faculty and staff parents.

(4) The ERCCD functions as an auxiliary program under the Student Success and Well-Being division.

- (a) The University shall appoint a Director of the ERCCD that will be responsible for day-to-day operations.
- (b) The ERCCD Director shall report to Vice President of Student Engagement and Well-Being or their designee and will be responsible for creating operational guidelines and procedures for health, safety, curriculum, enrollment, and code of conduct, in conjunction with the Florida Department of Children and Families, National Association for the Education of Young Children accreditation, and the University's requirements and standards.
- (c) The ERCCD shall maintain an advisory board to give input regarding operational and programmatic issues and support the center's mission.
- (d) All procedures and guidelines for children enrolled at the ERCCD shall be reviewed annually.
- (e) The ERCCD shall operate in accordance with state laws applicable to child development centers, as well as regulations of the University and the Florida Board of Governors governing the establishment, operation and supervision of such centers.



(5) The ERCCD enrolls children 6 weeks to entry into kindergarten. The ERCCD's intent is to provide research and training activities which are representative of a comprehensive scope of child development needs throughout the community. Therefore, in accordance with Board of Governors Regulation 10.004, the ERCCD's admission process shall be inclusive of race, ethnicity, socioeconomic status, gender, as well as mental and physical ability.

(6) Any research involving human subjects proposed to be conducted at the ERCCD shall be submitted to the Institutional Review Board ("IRB") for approval in accordance with IRB guidelines before commencing.

(7) The ERCCD may furnish internships and clinical experiences for students of the University. Students shall be supervised by the ERCCD staff and function under the guidelines of the ERCCD and the student's respective academic department.

*Authority: BOG Regulations 1.001 and 10.004. History–New \_\_\_\_\_-23.*



Board of Trustees  
Governance Committee | February 23, 2023

### GOVC-9: Appointment of Board Members to UCF Research Foundation, Inc. Board of Directors

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☐ Information

☐ Discussion

☒ Action

Meeting Date for Upcoming Action: February 24, 2023

#### Purpose and Issues to be Considered:

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

The UCF Direct Support Organizations listed below are presenting new board member appointments and reappointments for terms of service pursuant to their bylaws.

#### UCF Research Foundation, Inc. (3-year Term) | Attachment A

Beverly Seay (*New Appointment; February 24, 2023-June 30, 2026*)

Ben Patz (*New Appointment; February 24, 2023-June 30, 2026*)

#### Background Information:

UCF DSOs are 501(c)(3) non-profit corporations and are certified as a direct support organization of the University of Central Florida. DSOs are organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures in a manner consistent with the goals of the University and the best interest of the State.

#### Recommended Action:

Recommend approval of the appointment of Beverly Seay and Ben Patz to the UCF Research Foundation, Inc. Board of Directors for first terms to commence on February 24, 2023.

#### Alternatives to Decision:

Decline to recommend approval of the proposed appointments or provide alternative recommendations.

#### Fiscal Impact and Source of Funding:

N/A

#### Authority for Board of Trustees Action:

Florida Statute 1004.28(3)

University Regulation UCF-4.034(3)(c)

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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:**

Lauren Ferguson, Assistant Vice President, Board Relations

**Supporting Documentation:**

Attachment A: UCF Research Foundation, Inc. Board Appointments

**Facilitators/Presenters:**

Lauren Ferguson



# Research Foundation

UNIVERSITY OF CENTRAL FLORIDA



## Beverly Seay

**National Security Innovation Network – Southeast Regional Director**

*Elected Director*

*First Appointment, 3-Year Term*

*2/24/2023 – 6/30/2026*

**Beverly Seay** is an entrepreneurial modeling and simulation defense industry senior executive with global experience and a Fortune 500 track record in domestic and global business operations with a unique blend of strengths to include start-up, turnaround, high growth and acquisition. Inducted into the National Center for Simulation Hall of Fame and selected every year as one of Florida's most influential business leaders by Florida Trend, Bev is a recognized leader in innovative and creative technologies with strong university ties through personal commitment and industry collaboration. She is a member of the University of Central Florida (UCF) Board of Trustees (2013-present) and served as Chair from July 2019 through June 2021. She is past chair of the Deans' Industry Advisory Boards at the University of Central Florida (UCF) College of Engineering and Computer Science and the Georgia Tech College of Computing. She is also vice-chair of the board of Association of Governing Boards of Universities and Colleges (AGB) (2015-present). As chair of the Florida Simulation Summit (2015-present), Bev works with the Orange County Mayor's office and the National Center for Simulation to increase awareness of Modeling and Simulation technologies and their applications in industries such as healthcare, entertainment, transportation, education and defense.

Seay is the Southeast Regional Director for the National Security Innovation Network (NSIN), a program office within the U.S. Department of Defense. In this role, she is leveraging talent through new partnerships with major universities and the venture community to drive national security innovation.

In December 2020, Seay was recognized as *i4 Business Magazine's* 2020 Business Leader of the Year. In February 2021, she was recognized as *Orlando Business Journal's* Businesswoman of the Year. In November 2021, she was inducted into the Mid-Florida Business Hall of Fame.

Bev has a BS Mathematics and MS Computers, Information and Control Engineering from the University of Michigan.



# Research Foundation

UNIVERSITY OF CENTRAL FLORIDA



## **Ben Patz**

**DeepWork Capital – Managing General Partner**

*Elected Director*

*First Appointment, 3-Year Term*

*2/24/2023 – 6/30/2026*

**Ben Patz** develops entrepreneurial technology companies in aerospace systems engineering, information technology, and electronic systems. He is currently Managing Partner at DeepWork Capital (formerly the FAN Fund), focused on early-stage technology investment in Florida.

Ben has a diverse engineering background with particular interest in artificial intelligence and data analytics. He was principal investigator on a number Small Business Innovative Research (SBIR) grants relating to the application of Fuzzy Logic and Neural Networks to decision systems. His roles have included highly technical positions to executive leadership positions in multi-thousand person organization, but he currently spends his time helping to build the entrepreneurial ecosystem in Florida.

He received the University of Central Florida's Professional Achievement Award for the College of Engineering and Computer Science (CECS) in 2006 and 2016, and was recognized as a CECS distinguished alumni in 2011.



Board of Trustees  
Governance Committee | February 23, 2023

### DISC-1: Chair/Vice Chair Nomination Process

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☐ Information

☒ Discussion

☐ Action

Meeting Date for Upcoming Action: \_\_\_\_\_

**Purpose and Issues to be Considered:**

The current chair and vice chair terms conclude on June 30, 2023. Chair Okaty will discuss the nomination process as outlined in the Governance Committee's charter.

**Background Information:**

In accordance with the Tenth Amended and Restated Bylaws of the UCF Board of Trustees, the Board shall elect its chair and vice chair from the appointed members and upon recommendation of the Governance Committee, at its last regular meeting of the fiscal year ending June 30, 2023. A one-page overview of the nomination process has been attached to this memo for reference.

**Recommended Action:**

N/A

**Alternatives to Decision:**

N/A

**Fiscal Impact and Source of Funding:**

N/A

**Authority for Board of Trustees Action:**

N/A

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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:**

Lauren Ferguson, Assistant Vice President, Board Relations

**Supporting Documentation:**

Attachment A: Chair and Vice Chair Nomination Process

Attachment B: Overview of Governing Language

**Facilitator:**

Michael Okaty, Chair, Governance Committee



## **UCF Board of Trustees**

### **Chair and Vice Nomination Process**

Prepared by the Board Office: January 2023

*Per the bylaws of the University of Central Florida's Board of Trustees, the Board shall elect its chair and vice chair from the appointed members and upon recommendation of the Governance Committee, at its last regular meeting of the fiscal year ending June 30.*

#### **Eligibility Requirements for Nomination**

- Must be an appointee of the Board of Governors or Governor of Florida.
- The chair and vice chair shall serve for two years beginning July 1 and may be reelected for one additional consecutive two-year term. Upon completion of two consecutive two-year terms, additional two-year terms may be approved by a two-thirds vote of the Board of Trustees. (UCF BOT Bylaws, Article 4.2)
- If term limitations will likely prevent a chair nominee from fulfilling a full two-year term as chair, that information will be provided to the Governance Committee and Board.

#### **Nomination Process and Timeline**

Trustees may be nominated by a fellow Trustee or may choose to self-nominate. The timeline for nominations and the process for submitting a nomination are as follows.

##### **Process**

Trustees may submit chair and vice chair nominations via email to the Board Office at [boardoffice@ucf.edu](mailto:boardoffice@ucf.edu). Nominations must be received by 11:59 p.m. EST. The due date for nominations will be noticed to the Trustees by the Board Office in writing. A nomination does not constitute a vote, but rather a recommendation for consideration.

##### **Timeline**

- **February 23, 2023:** Board self-assessment tool presented to Governance Committee.
- **February 24, 2023:** Board self-assessment tool presented Board of Trustees.
- **May 18, 2023:** Board self-assessment results reviewed at retreat.
- **May 19, 2023:** Nomination portal opens, and submission link sent to Trustees.
- **June 16, 2023:** Nomination portal closes.
- **June 19-22, 2023:** Board Office reaches out to nominated Trustees to confirm nomination acceptance.
- **June 23, 2023:** List of confirmed nominees sent to Trustees.
- **June 28, 2023:** Slate of eligible nominees considered by Governance Committee. Governance Committee to prepare a final slate for Board of Trustees consideration.
- **June 29, 2023:** Board of Trustees considers final slate of candidates for approval.

Questions regarding the nomination process can be sent to the Board Office via email at [BoardOffice@ucf.edu](mailto:BoardOffice@ucf.edu) or directed to the Assistant Vice President for Board Relations (Lauren Ferguson) by phone at 407-443-1102.



## **Board of Trustees**

### **Chair and Vice Chair Elections and Terms**

#### **State of Florida Statute 1001.71**

Each university board of trustees shall select its chair and vice chair from the appointed members. Each chair shall serve for 2 years and may be reselected for one additional consecutive 2-year term, except that, for each additional consecutive term beyond two terms, by a two-thirds vote, the board of trustees may reselect the chair for additional consecutive 2-year terms. The chair shall preside at all meetings of the board of trustees and may call special meetings of the board. The chair shall also attest to actions of the board of trustees. The chair shall notify the Governor or the Board of Governors, as applicable, in writing whenever a board member has three consecutive unexcused absences from regular board meetings in any fiscal year, which may be grounds for removal by the Governor or the Board of Governors, as applicable.

#### **Florida Board of Governors Regulation 1.001**

Each board of trustees shall select its chair and vice chair from the appointed members. Each chair shall serve for two years and may be reselected for one additional consecutive two-year term. Any exception to this term of office must be approved by a two-thirds vote of the board of trustees.

#### **UCF Board of Trustees Bylaws**

The Board shall elect its Chair and Vice Chair from the appointed members and upon recommendation of the Governance Committee, at its last regular meeting of the fiscal year ending June 30. The Chair shall serve for two years beginning July 1 and may be reelected for one additional consecutive two-year term, except that for each additional consecutive term beyond two terms, by a two-thirds vote, the Board may reelect the Chair for additional consecutive two-year terms.